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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.

Almighty God, by Your providence, You gave us a nation conceived in liberty. Today, infuse our lawmakers with the spirit of liberty and justice so that their work will reflect Your purposes and plans. May their knowledge of Your providential purposes keep them from detours that lead away from abundant living. May their small successes prompt them to attempt larger undertakings for human betterment. As they seek to do Your will, bless them with the awareness of the constancy of Your presence. Lord, guide them by Your higher wisdom, and keep their hearts at peace with You.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 2023.

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.

PATTY MURRAY,
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, 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 to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency.

RECOGNITION OF THE MAJORITY LEADER

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

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, today, the Senate will continue the bipartisan process of passing our annual Defense authorization bill, the NDAA.

We had a productive afternoon yesterday. We held votes on four amendments, from both Democrats and Republicans.

We affirmed our unflinching commitment to our NATO allies by defeating an amendment that sought to undermine our support for the transatlantic relationship. Eighty-three Senators united to defeat this amendment, and I thank every single one of them for standing firm. It is a majority of both parties.

In another win for NATO, we also adopted Senator KAINE's amendment stating that no President can unilaterally take us out of NATO without Senate approval. Adopting Kaine's amendment was an unmistakable message to both our friends and foes that America's commitment to NATO will not waiver. The political winds may shift, but America's bonds to NATO will remain unbent.

That is what passing the annual defense bill should look like: both sides proposing and debating amendments, both sides having input, both sides working in good faith to get this bill passed as soon as we can.

We will keep working today. After voting on the Cruz-Manchin-Fetterman amendment this morning, I hope we can agree to additional votes. We will keep negotiating on additional reasonable amendments that we can bring to the floor, so we can keep this process going.

Nobody thinks this kind of bipartisanship is easy, and both sides have honest disagreements, as we do on so many issues. But that should not prevent us from fulfilling our obligation to take care of our servicemembers, take care of our DOD workforce, and provide for our common defense, so necessary these days.

There is every reason in the world to get this bill done as soon as we can. As I have said all week, the NDAA is full of provisions that both sides can celebrate—provisions that seem incremental on their own but together provide a strong foundation for the security of this Nation.

We will make important progress to outcompete the Chinese Government. We will pass the first pieces of legislation this year related to AI oversight.

We will strengthen our ties to Taiwan, increase our influence in the Indo-Pacific, make progress on the vital AUKUS partnership, and increase the administration's power to sanction and punish international fentanyl traffickers.

I mentioned this before, but I cannot emphasize it enough. This fentanyl bill is a major, major help in stopping the scourge of fentanyl from coming into this country. Members on both sides of the aisle should celebrate that in a bipartisan way. Under the leadership of Senator BROWN and Senator TIM SCOTT, we were able to get this done.

All of these agreements are the result of both sides working together, each one a good reason to keep going until the job was done. Both sides will continue working today and into next week until we pass the NDAA. We are making good progress, but, of course, we still have more to do.

APPROPRIATIONS

Mr. President, now on appropriations, as the Senate works to finish the NDAA, we will also vote this morning on an important executive nominee, David Uhlmann to be Assistant Administrator at the EPA. Mr. Uhlmann is one of the Nation's top prosecutors of criminal polluters. He has broad support from leading officials from both former Democratic and Republican administrations.

Off the floor, we will also make great progress on the appropriations bill.

This morning, the Appropriations Committee is marking up three more bills, continuing the great work of our appropriators over the past few months. This is never an easy process, but hats off to Chair MURRAY and Vice Chair COLLINS. They are working really well together, and we are on track to pass all of our appropriations bills through committee, through regular order, with strong bipartisan support. It is hard to do, but they are doing a great job.

It is precisely how the appropriations process should work—both sides coming together, finding common ground, and advancing bills that invest in American families, keep our communities safe, and keep our government open.

It is this kind of bipartisan cooperation that prevented any government shutdown in the last Congress when Democrats had majorities in the House and in the Senate. Not one shutdown. Not even for a day. We didn't shut the government down. Americans don't want to see one this year.

There is a lot of work to do, but today's markup is another example that our appropriators are moving forward on a good path, and I thank them again for their efforts.

U.S. SUPREME COURT

Mr. President, and now finally on the SCOTUS ethics markup, the Supreme Court ethics markup, this morning, as I speak, the Judiciary Committee is holding votes to advance Supreme Court ethics reform legislation. I support Chairman DURBIN, Senator WHITEHOUSE, and the Judiciary Committee's work on SCOTUS ethics reform, and I look forward to working with them to make progress on this legislation.

Holding Supreme Court Justices to high ethical standards should not be a partisan issue. On the contrary, both sides should leap at the opportunity to do whatever we can to protect the public's trust in our system of justice. It is an essential part of protecting our democracy.

Right now, sadly, Americans' trust in the Supreme Court is understandably shaken. They see Supreme Court Justices accepting lavish gifts and vacations from billionaires and MAGA extremists—not your ordinary, run-of-the-mill billionaires but true ideologues who then support organizations and court suits to move America to the far right, and the Court seems to do it. Then they turn around, gut—these ideologues turn around, gut affirmative action, block student debt relief for millions of Americans, and green-light discrimination against the LGBTQ community. The hypocrisy, the appearance of a conflict of interest is sickening, and Americans clearly see right through it.

The American people agree that Justices who sit on the highest Court in the land should be held to equally high ethical standards.

So, again, to repeat, I support the efforts of Chairman DURBIN and the Judiciary Committee, and I will work with them to make progress on this issue.

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.

KENTUCKY FLOODING

Mr. MCCONNELL. Mr. President, yesterday, communities across my home State endured another spate of heavy rains. Flash flooding was especially severe in Western Kentucky, where residents are still rebuilding after tornadoes pummeled the region just 19 months ago.

First responders have been moving quickly to rescue and evacuate those impacted, and I understand that so far, there are no reported injuries or deaths. I am thankful for the heroic work to keep Kentuckians safe.

My team is in touch with State and local officials to help however we can, and later today, I will speak with the mayor of Mayfield to get an update on the situation in her community.

Elaine and I continue to pray for the safety of West Kentuckians as they recover and rebuild in this time of need.

BORDER SECURITY

Mr. President, on an entirely different matter, ''The administration's plan is working as intended.'' That is the Department of Homeland Security's assessment of the situation at our southern border since President Biden ended title 42 authorities back in May.

On the Biden administration's watch, Customs and Border Protection reported record-shattering numbers of illegal border crossings. Yet Washington Democrats would like us to believe that with the flip of a switch, they have brought the crisis they helped create under control. Believe me, I wish that were true. But the American communities dealing with the effects of President Biden's open borders, like the record flows of deadly drugs, know different.

And so do the thousands of migrants caught up in this administration's humanitarian catastrophe along the border. Here, unfortunately, are the facts. While the Biden administration crows about migrant encounters declining, the month of May 2023 saw nearly 35,000 inadmissible persons arriving at southern border points of entry. That is double the May total from just a year before. And last month, in June, the number jumped to over 45,000.

Meanwhile, the number of FBI Terror Watch List suspects arrested at the border thus far this fiscal year has already set a new annual record. President Biden's HHS Department still can't seem to account for over 85,000 children who arrived at the border unaccompanied and were released into the United States.

I know several of our colleagues on this side of the aisle will have more to say on the subject later today, but if this is what the Biden administration calls a plan that is working as intended, I hate to see what they think failure looks like.

NOMINATIONS

Mr. President, on another matter, for more than 2 years now, the Biden administration has sent the Senate a steady stream of radical and unqualified nominees. That much is hardly news. But today, the President's pick to serve as Secretary of Labor made an especially ignominious bit of history. Julie Su has now waited longer for confirmation by the Senate of the same party as the President than any previous Cabinet nominee on record.

Her nomination has spent 4½ months in limbo while Senate Democrats decide whether they can even muster a party line confirmation vote.

''We're still taking input.'' That has become sort of our colleagues' go-to line as they decide whether to hold their noses and vote this scandal-plagued, leftwing activist into the job. Well, I would suggest to our colleagues that there is not much that Ms. Su's radical record has left to the imagination.

This is a nominee who managed to botch her previous job so royally that

the biggest newspaper in her home State, The Los Angeles Times, called one department's performance on her watch an ''epic failure.'' That was the L.A. Times describing the performance of this California department head.

As head of California's labor authority, Ms. Su was responsible for tens of billions of dollars in fraudulent unemployment insurance payments—tens of billions of dollars in fraud. Why on Earth would the Biden administration think that sort of performance deserves an encore?

Well, maybe because Ms. Su has a penchant for doing the bidding of favorite liberal activists and Big Labor allies. On the job in California, Ms. Su reportedly instructed employees on how to hide illegal immigrants from Customs authorities working to enforce the law. Here in Washington, she has worked overtime to give unions access to more of the workers' paychecks and veto power over vast-evolving industries where independent contractors and gig workers thrive.

So American taxpayers have seen enough—enough—of Julie Su. When will Senate Democrats finally decide they have as well?

CHINA

Mr. President, on one final matter, this week, the Biden administration's climate envoy, John Kerry, was in Beijing on a mission to get Beijing to cut its carbon emissions.

As China continues to oppress its own people and threaten peaceful neighbors in the Indo-Pacific, our former colleague apparently thought he could get Chinese officials to treat leftwing climate policy as a ''free-standing'' issue. Well, by all accounts, the administration's envoy was unsuccessful on that front. It appears he did not meet with the Chinese foreign minister or President Xi.

Meanwhile, China's leader used his latest public remarks to reiterate that he didn't plan to curb increasing emissions—let alone start lowering them—for another 7 years.

So let me put it another way. Over the last 7 years, the U.S. economy cut its emissions by 5 percent while China increased its own by 12 percent. While the Biden administration waged war on affordable energy and decimated coal country, China made plans for hundreds—hundreds—of new coal plants. While President Biden has tried to cut defense spending after inflation, the PRC has plowed ahead with investments in domestic industry and military modernization.

Perhaps the administration's climate envoy would be interested in the carbon emissions of China's fast-growing navy or the fuel efficiency of its hypersonic missiles. The PRC appears to be all too happy to trade nonbinding international commitments for more of America's jobs, prosperity, and national security.

America's top adversary clearly recognizes what the Biden administration does not: You can't win a strategic competition by hamstringing your own economy, and you can't expect to convince your rival to follow suit voluntarily.

According to the PRC's summary of this week's meetings, the U.S. needs to ''properly handle the Taiwan issue'' in exchange for any of the hollow, unenforceable promises the Biden administration hoped China would make on its carbon emissions.

Sell out a peaceful democracy in exchange for leftwing climate priorities? No one should be surprised that Beijing responded to the administration's naive demands on climate with a priority of its own. On that count, the Biden administration's envoy deserves some credit for walking away. But this is hardly the only time Democrats have gone looking in the wrong places for an edge in our competition with China.

Here is the truth: The way to keep America safe and prosperous is to invest in hard power and deter those who wish us harm. And this week, as the Senate continues our work on the NDAA, our colleagues have an opportunity to demonstrate that they understand this basic essential reality.

The ACTING PRESIDENT pro tempore. The Republican whip.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024

Mr. THUNE. Mr. President, currently, the Senate is considering one of the most important pieces of legislation that we consider each year, and that is the National Defense Authorization Act.

It is a bill that authorizes funding for our men and women in uniform and our defense needs—from planes, ships, and submarines to weapons, logistics, and communications technology.

The United States has long had a reputation for military strength, and part of that reputation has rested on the strength of our equipment, but in recent years, our technological advantage has eroded to the point where there is reason to be concerned whether we would win a war against a major power like China. While we have made some progress to reverse this trend, we have a lot more work to do to ensure our military retains our technological edge, and I am glad that this year's NDAA makes progress toward this goal.

Today, I want to talk about one critical aspect of America's defense capabilities in particular, and that is long-range strike, specifically our bombers.

Long-range strategic bombers have played a critical role for the United States in a number of conflicts, but today's bomber force is desperately in need of an update. Our bomber inventory is roughly one-third the size that it was in 1989, and it is the oldest in Air Force history. Experts warn that, in a conflict, the current U.S. bomber force would be insufficient against an adversary like China. Fortunately, this is one problem that we have made a concerted effort to address.

Congress, the Pentagon, and successive administrations have been at work developing a next-generation strategic bomber for a number of years, and we finally have it. That is the B–21 Raider. It is a sixth-generation, long-range strategic bomber, and it will take its first flight later this year.

This is something that, as I said earlier, our Nation has a vital interest in making sure it is completed and that we get that important military asset as part of our defense arsenal as we look at the threats that we face around the globe today.

The Air Force calls the Raider the future backbone of its bomber force, and Secretary of Defense Austin says it is ''deterrence the American way.''

The B–21 is an example of what American ingenuity can achieve. It will be able to penetrate hostile air defenses and reach targets anywhere in the world, which 90 percent of our current bomber force can't do, all while launching from the United States and deploying stealth technologies that you have to see—or should I say—not see to believe. This is a remarkable capability. Its systems will be able to evolve with a changing threat environment and incorporate new technologies within the airframe, and it will be able to work alongside the technologies of tomorrow, such as unmanned aircraft and artificial intelligence.

The specter of the B–21 has already caused a stir in China, and I am certain that it will cause our adversaries to think twice about aggression.

I am proud that when the B–21 enters service in the next few years, South Dakota's Ellsworth Air Force Base will be Main Operating Base 1—home to both the formal training unit and the first operational squadron. The men and women of Ellsworth are working hard to prepare for this important new mission, and I am working to ensure they have everything they need to successfully carry it out.

Last year, I worked to ensure that Congress provided not only for the development and initial production of the B–21 but for support facilities at Ellsworth that will be needed for the aircraft, including a radio frequency facility and a weapons generation facility.

I was also able to secure language in last year's NDAA to create a pilot program to evaluate dynamic airspace concepts. Dynamic airspace will allow airspace boundaries to evolve as military exercises progress, enabling larger volumes of airspace for realistic training for aircraft like the B–21.

I am pleased to report that this year's NDAA authorizes full funding for the next steps of the B–21 mission, including continued bomber development and procurement as well as continued investment in the required support facilities at Ellsworth.

In looking at Ellsworth today, it is hard to imagine that its future was in jeopardy not that long ago. Shortly after I came to the Senate, the Department of Defense's Base Realignment

and Closure Commission recommended Ellsworth for closure. So one of my first priorities as a U.S. Senator was just keeping Ellsworth open, and I will say the odds were not in our favor. But thanks to an all-hands effort by our congressional delegation and State and community leaders, we proved to the BRAC commission that Ellsworth was too valuable of an asset to lose. Then we got right to work in building up the base so that we would never again find ourselves in the same position.

Today, Ellsworth is home not only to the B–21 bomber—the current workhorse of long-range strike—but also the Air Force Financial Services Center; the 89th Attack Squadron, which remotely controls MQ–9 Reapers; the Powder River Training Complex, which is the largest training airspace in the continental United States; and, soon, the B–21 bomber.

Once slated for closure, Ellsworth is set to be a critical part of our Nation's defense long into the future, and I will continue to do everything I can to support both the base's mission and the men and women who make it happen.

As I have noted, the B–21 represents a substantial advance in our Nation's long-range strike capabilities, and it will help ensure that we are more prepared to meet the threats of the 21st century.

But as critical as it is, long-range strike is just one aspect of our Nation's defense, and we will have a lot of work to do to strengthen our Nation's readiness across the board. We need more B–21-type efforts to leverage the best of our technological advancements to upgrade other aspects of our Nation's defense, and we need them quickly. The war in Ukraine, as well as war games addressing the defense of Taiwan, have made clear the cost of a major conflict, and if we hope to avoid such conflicts and deter future attacks against our country or our allies, we need to make restoring our readiness a top priority.

As we move forward, I will continue to do everything I can to support not only our airmen at Ellsworth and the B–21 mission but the critical work of upgrading our Nation's military capabilities.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUJÁN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PHARMACY BENEFIT MANAGERS

Mr. LANKFORD. Mr. President, I want to talk to most Oklahomans about pharmaceuticals, about the cost of drugs and going to the pharmacy.

They don't think a lot about supply chain issues—though, I actually have a bill that is working on this, and this is an issue we have got to resolve.

About 10,000 of the active pharmaceutical ingredients come from communist China. We are very exposed there. That is a very big risk. We have got to work to be able to make sure that we can get access to our pharmaceuticals without being dependent on China to do that. That is a risk that people want to solve, but it is one that they don't really talk about the most. Most of the time, we talk about the cost of a drug and its availability at their local pharmacy. Let me talk about both of those.

As ironic as it sounds, they are tied up together and not in the way that people think about most of them. Many people think that drug companies produce drugs, and then they sell it to the pharmacy, and then the pharmacy sells the drug. They think that that is the way it works. It is really not, actually. Those are two elements. There are drug companies that do research, that develop the drugs, and do all of the clinical trials and get it approved, and they are ready to go, but then there is a wholesale network back there that actually handles the distribution.

Then there is this group that almost no one has heard of called the pharmacy benefit manager. The pharmacy benefit manager actually, oftentimes, sets the real price for the drug. The drug company may produce it at one price, and the pharmacy is ready to be able to sell it at a price, but there is this group in between, the pharmacy benefits manager, that actually controls how it works.

Now, if I am at the pharmacy in Atoka, OK, the patients who are coming into that rural, beautiful community just know what they are paying at the counter; but if you go behind the counter and talk to the pharmacist there or in any other number of communities there, they will tell you they are struggling as an independent pharmacy, especially in rural areas, because there is a game happening with the pharmacy benefit manager that is to the benefit of what is called a PBM and to the detriment of the local pharmacy and of the patient. It is an issue that has got to be resolved.

About 80 percent of all of the drugs that move across the country right now are managed by three different pharmacy benefit managers. Now, I am not opposed to competition, but here is what they have actually done over the last several years: The insurer has purchased the insurance company, the pharmacy benefit manager, the group that actually does the purchasing of the drugs, then, often, the retail pharmacy as well for some of those big chain retail pharmacies. So they, literally, own the entire network there, and they can make money through the whole network.

Again, I am a free market capitalist, and I don't have an issue with people doing that, but here is what is actually happening: The leverage, then, of the big pharmacies owning all of the rest of the chain there is that if you are not in their group, you are facing some real consequences and a real squeeze because they now set the price and tell you how it works.

Let me give you a couple of examples of things that I believe we need to address and that I have been working on for years. Finally, the Finance Committee of the U.S. Senate is actually taking on this issue.

One of them is another little code thing that most people don't know exists, called DIR fees. This direct and indirect remuneration fee is how the whole process works behind the scenes at an independent pharmacy. Let me give you an illustration, and try to take this off the top shelf.

So let's say you are a company and you manufacture a product or that you are in retail and you sell a product that is out there. So you sell a product, whatever it may be—I don't care if it is a shirt or a couch, whatever it may be—and you are going to ship it out. You do the shipping, and you anticipate, once the shipping is done, you will be reimbursed for the shipping. Your job is to be able to retail sell it, ship it out, and then you get the reimbursement for that.

But what would happen in your business if you sold it, shipped it, and then after you shipped it and paid for the shipping, someone came back to you and said: ''Actually, that may have cost you $50 to ship that. I am only going to give you $20 for the shipping because I didn't like the way you did the shipping. I didn't like who you did the shipping with. I don't like the box that you put it in. I preferred a different box. So you lose $30 in the shipping because you didn't put it in the right kind of box''?

So here is what you do: The next month, when you are shipping, you make sure you put it in the box that whoever this is who is reimbursing you likes that certain kind of box. You put it in that box, you ship it out, and then you wait for the reimbursement. Instead, the company comes back and says: ''Oh, no. We have changed our mind. Now we would like a different color of box. So, yes, you put it in the right kind of box, but we would like it in a different color box, so we are going to reimburse you $10, even though it cost you $50.'' This may sound absurd, but welcome to the world of the DIR fees for pharmacies.

Here is what happens: They purchase the drug and get the drug, and they are ready to sell it. They sell it to the consumer. The consumer at the counter pays them for it. They have got their money from the consumer. It goes out the door. Then a month or a quarter or sometimes even a year later, the pharmacy benefit manager sends a notification to the pharmacy and says: ''Oh, we didn't like the way that you did that.'' It wasn't a quality thing. It was just how they did it.

Sometimes they will say: ''Well, you really should have prescribed two drugs to this person, and you just did one.'' Now, the pharmacist doesn't choose what drugs are going out to the patient

who is there; the doctor does. The pharmacist just fills the script. But the pharmacy benefit manager may say: ''Oh, you needed to have sold him more drugs than what you did, so we are going to reimburse you less for this.'' And they literally change the rules after the sale is done. So they will reimburse them, but sometimes they will reimburse them less than the actual drug costs to the pharmacist; so the pharmacist actually loses money on filling a prescription for this person, but they don't know that until months later.

That is what is happening right now in small pharmacies across America because the pharmacy benefit managers are focused on how they can make more money, even if it closes down rural, independent pharmacies.

What is interesting is that several of my rural pharmacies have told me they will get these change of rules where suddenly now they are selling drugs or sold a long time ago a drug to someone for less than what they are actually being reimbursed now. They will often get that notification and then a week later get a notification from that big pharmacy group saying: Hey, by the way, if you want to join our retail chain and close down your chain, we will buy you out.

It is a great way to put a little pressure squeeze on them to say: We are going to reimburse you less than the cost of your drugs unless you are one of our pharmacies, and then maybe we will do a little bit better.

Listen, this is the United States of America. We like competition, but we also like fair competition where people are actually reimbursed for the cost of their actual product, they are actually able to survive, and especially in rural areas, that independent pharmacy is able to thrive, because in rural areas across our country, there is not a lot of access to healthcare. So when people have a question about their drugs and about their healthcare, where do they go? The pharmacist in their small town, that is where they go.

DIR fees from these pharmacy benefit managers are directly putting at risk the survival of rural pharmacies across America and across my State, and I am going to do whatever I can to make sure those companies don't drive out of business local, rural pharmacies in my State because my people in my State need that support in their local area.

They may want to do mail-order pharmacy for some things. It is very convenient. It is great. If they choose to do that, it is fine. But if they are taking five drugs, they want to talk to somebody about this and what are going to be the effects. That is not going to happen with mail order; that is going to happen with somebody behind the counter who is going to talk to them and walk them through the process. That is what we need to be able to do.

This is not rocket science, and it is not onerous. It is standard performance metrics that the rules don't change on an independent pharmacy. They know what the rules are, and they don't change, especially after the sale has already been done.

The ability to be able to sell a product and actually at least have some profit, not lose money every time you are able to sell a product, shouldn't be a radical idea. The pharmacist is not getting to pick the price on this product. People think the pharmacist is the one making all the money. The pharmacist is not the one who picks the price on this product; that is set by someone else. And if they literally have to sell it at a price less than what they buy it for, that is not right. They are trying to be able to help their neighbors.

Let me give you another example, another issue I have been working on for years on this. This is a game play between the pharmacy benefit managers and the pharmaceutical companies that actually produce the drugs.

Most drugs, when they come out, are remarkable. The engineering and the science in modern medicine and the technology that it takes to be able to go through the clinical trials and get something approved that shows it is not only safe but effective is remarkable science.

There are some great researchers doing that, and it is incredibly expensive to do. Because that is incredibly expensive in the United States, we protect the patent rights of that new drug. So a drug, when it comes out—it is really expensive when it comes out because we want that company to make enough money to be able to pay for all the research they put into producing it and make a little profit or else they are not going to produce more drugs and more innovation. That is how it works.

But that patent is protected for a season. It is usually around a decade that it is protected for them. After that, then the drug can have drug competition. Those are called generics or biosimilars.

Most folks know, in their pharmacy—if they get a prescription from their doctor and they walk in and say ''Hey, I got this script from my doctor,'' the pharmacist will say ''It is a brand drug,'' many people will say ''Is there a generic of that?'' What they are really asking is ''Is there a cheaper version of that?''

For almost everybody, for your plan from your insurance company, you have one price for the brand drug and a cheaper price for a generic. Do you know why? Because generic drugs are cheaper, that is why, for everybody in the whole value chain.

But here is what is happening. Sometimes people will walk into a pharmacy, and they will say ''Is there a generic version of this,'' and their pharmacist will respond back to them ''There is a generic version, but it is the same price as the brand.''

It makes you pause for a minute and say: Well, that is strange. Why is the generic the same price as the brand?

If that has ever happened to you, here is why that is: because the drug company has worked with the pharmacy benefit manager to say: When competition comes, when the generic comes, if you will list the competition on the higher price what is called branded tier, we will give you a kickback every time our drug is sold in the brand. So you will make additional money if you will list the competition at a higher price.

What does that do? That causes every consumer in America to have to pay more at their pharmacist. It also affects the U.S. budget because, also, Medicare is affected by that as well.

This is a simple fix. Generic drugs should be on the generic tier. Branded drugs should be on the branded tier for sales. This is not rocket science, again; this is straightforward consumer protection.

This is an issue I have pushed on for a long time that I get a lot of pushback from. As you would expect, the pharmacy benefit managers and the drug companies aren't big fans of this. I have nothing in opposition to drug companies. I want them to continue to thrive, produce new drugs, and to be able to make a profit on the production of those new drugs. But when they are doing something to the consumer to drive up the price when they could get a cheaper price, that is bad for them and bad competition. Let's fix that.

Next week, the Finance Committee is going to take up a whole series of bills and options on pharmacy benefit managers. We need an intermediary. The drug companies aren't set up to be able to sell straight to the pharmacy. I don't have a problem with somebody being in between. I am not trying to kill that. But we do need to make sure that it doesn't hurt the consumer, doesn't hurt the Federal budget, and actually works for everybody in the process.

I know this is stuff behind the scenes, and everyone just wants to say: How do we get the price of drugs cheaper?

There are even folks who say: Let's just have the Federal Government take over all this pricing. The Federal Government will just set the price for everything. That will work beautifully.

I always laugh and say: Listen, if you think the Federal Government can solve every problem, try to get your passport right now, because right now, it takes about 18 weeks to get a passport, and it used to take 4 weeks.

The Federal Government is not the solution to everything on this. Protected free markets are a good solution to this. Competition will work if we allow the markets to actually work, but if someone is in the middle controlling all of that, that is something on which we need to intervene and to say: Let's have free and fair markets that are out there to get down the price of drugs, because there are generics, there

are biosimilars that are out there that will bring down the price if they are allowed to get to market. So let's make sure they can actually get to market and get down the price.

Let's protect the ability for rural, independent pharmacies to still take care of their patients. Those are their neighbors. They care about them, and they want to make sure they can still be there to be able to care for those folks.

We have work to do. I am glad the Senate is finally taking this up. I have been working on this for years. This is an area we need to address.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

REMEMBERING STUART EPPERSON, SR.

Mr. BUDD. Mr. President, I would like to take a few moments to remember the life and the legacy of Stuart Epperson, Sr., who passed away this week.

Stu was a native of Winston-Salem, NC, and he was a giant in the world of Christian broadcasting.

In 1972, he cofounded Salem Communications and then expanded it to include Christian radio stations across the country. He served on the board of directors of the National Religious Broadcasters Association, and he was named one of the 25 most influential evangelicals in America by Time magazine in 2005.

He dedicated his life to sharing the good news of Jesus Christ to as many people as possible, whether it be through the mediums of mass communication or in person or as a father to the fatherless in tough neighborhoods. He was a pioneer, an innovator.

He was a dear friend to our family. We share our deepest condolences with his wife Nancy, his family, and his friends. He will be dearly missed. But because of his family's faithful Christian witness to our family, I personally look forward to seeing Big Stu again in Heaven.

CAMP LEJEUNE JUSTICE ACT

Mr. President, as my colleagues know so well, as Federal officials, one of the primary duties of our offices is to serve millions of constituents when they interface with the Federal Government.

As for North Carolina, my constituents include one of our country's largest population of Active-Duty military members and veterans, including those who serve at Camp Lejeune.

As we know, between 1953 and 1987, veterans who served at Camp Lejeune were exposed to toxic water. These men and women are now experiencing various health challenges, ranging from deadly cancers to Parkinson's disease.

In order to help, I was proud to support the PACT Act, which included the Camp Lejeune Justice Act. The bill was signed into law last year and allows veterans who are suffering to receive damages and to become eligible for VA care. However, after nearly a year, not a single claim has been processed.

On May 3, one struggling veteran wrote me this handwritten letter. In it, he describes the toll that these delays are taking on older veterans who are nearing the end of their lives.

He writes:

I'm certain obituaries posted in local newspapers across the country [now include] marines or family members who lived on Camp Lejeune, drank its water, bathed and cooked using it, who have died from its use.

This man is one of the over 70,000 veterans in North Carolina and across the country who are waiting for action.

It is unacceptable that the Navy and the DOJ have failed to process any of these claims and have failed to deliver a plan or a strategy for doing so. That is why several of my Senate and House colleagues and I demanded an explanation from the Secretary of the Navy and the Department of Justice. The Navy's response to our letter was wholly inadequate. It failed to answer critical questions and also failed to provide a timeline for responding to these veterans' claims.

Each and every one of our veterans deserves to be treated with the dignity and respect befitting their service to this Nation. When they face health challenges related to their service at facilities like Camp Lejeune, their claims must be dealt with properly and completely.

The Navy and the DOJ have a responsibility to act, and I am calling on these Departments to do so now.

I will continue to advocate for those who served at Camp Lejeune until they receive the care and the respect they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

CLIMATE CHANGE

Mr. MARKEY. Mr. President, before we begin, I would like to thank Paige Rodrigues, who first came to my office 5 years ago and has been working tirelessly over all of that time, working to protect the people of Massachusetts and the people of our country and our entire planet from the effects of climate change and environmental threats to our country and to our planet.

She is heading off to law school, and we will miss her. We will miss her brilliant work and her continual devotion to building a better world for everyone, because this world is under immediate threat.

Earlier this month, we experienced what might have been Earth's hottest day in 125,000 years. You heard that right: the hottest day in 125,000 years. And we are living through it right now. In Phoenix, AZ, the temperature has been 110 degrees or higher for nearly 3 weeks in a row.

The water off of the coast of Florida is now nearing 100 degrees. The water is boiling in our oceans off of our coastlines.

On July 15, nearly one in three Americans was living under an extreme heat alert. We are living under a heat dome right now in our Nation.

The forest fires in Canada are sending fumes down across our country. It is like an exhaust pipe from an automobile just sending these toxic fumes down across our country day after day, week after week, from Canada, from their forest fires right above us.

This year, we have experienced 17 of the hottest days ever recorded. This is nothing short of a public health crisis in our country. Extreme heat causes heat stroke, pregnancy risk, and thousands of hospitalizations and deaths every year in our country. And this extreme heat isn't a coincidence; it is the climate crisis announcing its arrival.

We did this. We did this to ourselves. Humankind's greed and negligence—America's greed and negligence—is creating a literal hell on Earth, right now. We are living through it. We took a first step last year to pass climate and clean energy legislation that will inch us closer to salvation, but it will not save us. We must take bolder action to stop the climate crisis and secure a livable future, and we also need to act with urgency to protect the people who, right now, face extreme heat risk as a result of extreme heat in our country.

We have a moral and a planetary obligation to the American people to deliver the resources communities need to combat extreme heat, especially the frontline communities where the effects of heat are worsened by unjust racial and economic divides.

We have to listen to the young people in our country. They are warning us. They are saying that they have been let down, that their generation has been left with this crisis, that not enough has been done, and that the preceding generation just enjoyed all the benefits of industrialization. And now this generation of young people who are organizing, who are lifting their voices, who are demanding a change, they understand this issue. They understand this issue better than preceding generations because they are living with the consequences of not dealing with this issue.

This generation—this young generation—are the issues-oriented generation. They are the ones who understand this issue. They are the ones who understand the problem and want even greater solutions to be put in place.

I am working with my colleagues to reintroduce my legislation, the Preventing HEAT Illness and Deaths Act, which will do just that, while giving our Federal Government the resources and the authority to track and to study and to alert Americans of all the threats posed by extreme heat.

We must meet this public health crisis with the urgency that it requires. Workers are collapsing. Wildfires are raging. And this heat isn't going anywhere. The summers are getting hotter. The storms are getting stronger. The seas are rising higher due to human-caused climate change.

In Arizona, Texas, California, Nevada, and all around the country, people are dying every single day because

of this heat, and the risks of extreme heat having fallen more heavily on low-income communities and communities of color, as well as on our seniors and children in our Nation.

While most heat-related deaths and illnesses are preventable through outreach and intervention, extreme heat events have been the leading cause of weather-related deaths in the United States over the past 30 years. And our historic addiction to fossil fuels is what is driving all of this devastation.

So let's think about this, like a doctor would. We can name the source of this public health catastrophe: extreme heat. We know what drives the extreme heat: fossil fuels. And we know how to cure it: climate action now.

Our planet is sick. Our country is sick. Our country is running a fever right now. And there are no emergency rooms for countries. We have to engage in preventive care. We know how to cure this. It is climate action now. And if we don't, because our country is sick, because our planet is sick, it is killing us along with that planet being slowly but surely burnt to a crisp.

This is why, earlier this year, I introduced the Green New Deal for Health, a national treatment plan to build a healthcare system that delivers the care people need in a dangerous world.

The Green New Deal for Health brings together the principles of the Green New Deal—good-paying jobs, justice for all, and a livable future—to create a healthcare system where everyone doesn't just survive; they thrive.

The sirens are sounding. We are in a climate emergency, and Congress should be the first responders, not holding the matches that continue to exacerbate this crisis. A whole-of-government response is the only way to fight this whole-of-planet threat: climate action that breaks our fossil fuel addiction, a stronger healthcare system that works for workers and patients, and a commitment to a livable future.

That is where we are. This is an emergency. This heat is a warning. But it is no longer a warning of the future. It is a warning that right now we are living with the consequences of the future. It is a warning that right now we are living with the consequences of our inaction.

So my hope is that this institution can respond. Young people are demanding that we respond. We should listen to the young people of our country and the planet. We have to do more.

I see my good friend and the leader of the Environment Committee, TOM CARPER, who did just so much last year to pass historic legislation to deal with methane and its impact and to deal with the need for us to move to wind and solar and all-electric vehicles and battery technologies. I can't thank Chairman CARPER enough for all of his incredible leadership to make sure that we took that first huge step. But so much more needs to be done.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

NOMINATION OF DAVID M. UHLMANN

Mr. CARPER. Mr. President, while the Senator from Massachusetts is still on the floor, he and I have been friends for, gosh, 35 years. We served together in the House. We used to travel all over Latin America and South America during the contra war. We are still friends and compadres today in a different war—a war to save or planet and to make sure that we do that and that we provide a lot of jobs and economic opportunity.

I am here to talk about the nomination of David Uhlmann to serve as Assistant Administrator. But before I do that, let me say that, among the most important things that we are working on—it is not legislation, but it is legislation that we have already passed. And it is the climate provisions that are part of the bipartisan infrastructure bill that we adopted and the President signed a year ago. And there are climate provisions there that are enormously important, and we want to make sure that that legislation is fully enacted. Part of that is the responsibility of the administration, but it is the chair's responsibility. So that is hugely important.

The other thing that is hugely important is the implementation of the Inflation Reduction Act, which has extraordinary provisions that deal with climate change, sea level, and all.

So it is not enough just to introduce legislation. It is not enough to enact legislation. We have to make sure it is implemented, and that is what our responsibilities and our oversight responsibilities include.

Having said that, I want to rise today in support of the nomination of David Uhlmann to serve as Assistant Administrator for the EPA's Office of Enforcement and Compliance Assurance.

Over the last 6 years, some of our greatest achievements—some of Congress's greatest achievements—have been passed in a series of bedrock environmental laws. I just mentioned a couple of them a minute ago. They are laws that have revolutionized how to protect our natural environment and our people—people who live in this country and around the world—from the dangers of pollution.

These laws, such as the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act—also known as CERCLA—have made the air that we breathe cleaner, the water that we drink safer, and the lands that we live on healthier. And in the process, we have revolutionized ecosystems, we have improved the living conditions of entire communities throughout this country, and we have saved countless of lives.

However, these indispensable lifesaving environmental laws are only as effective, as I have mentioned, as our ability to enforce them and to make sure that they are complied with. And in the years immediately before President Biden took office, enforcement of our environmental laws had been dramatically undermined.

According to the data from EPA, between 2018 and, I think, 2021, environmental enforcement and compliance actions had fallen to half of what they had been during the Bush and the Obama administrations. This lack of enforcement presented a threat to public health and a threat to the well-being of our environment, potentially letting many big polluters off the hook after violating some of the fundamental bedrock and environmental laws.

That is why I am so pleased the Senate is again taking up the nomination of David Uhlmann to serve as the EPA's top enforcement officer, leading the Office of Enforcement and Compliance Assurance. There has not been a Senate-confirmed official leading the EPA's enforcement efforts for far too long.

As I said before, Mr. Uhlmann is exceptionally qualified to do this job. He brings to this position a long career that includes 17 years with the Department of Justice, serving in both Democratic and Republican administrations.

Let me say that again: a 17-year career with the Department of Justice, serving in both Democrat and Republican administrations.

During seven of those years served, Mr. Uhlmann served as the Chief of the Department of Justice's Environmental Crimes Section. In addition, Mr. Uhlmann's nomination is supported by five former EPA Administrators, including three who served under Republican administrations.

I am going to say that again. Mr. Uhlmann's nomination has earned the support of five former EPA Administrators, including three who served under Republican administrations: William Reilly, Lee Thomas, and Christine Todd Whitman.

His nomination also earned the support of dozens of other former senior EPA and DOJ officials—some from Democratic administrations, others from Republican administrations, and some from career officials.

In the words of former Deputy Attorney General for President George W. Bush, Larry Thomson, this what he had to say about David Uhlmann:

> David is a top-notch environmental lawyer and an outstanding leader with unsurpassed integrity, compassion, and commitment to fairness.

I wish that we could say that about all of us. Those are high words of praise. In fact, Mr. Uhlmann received bipartisan support from the majority of this body nearly 1 year ago when we voted to discharge his nomination from the Environment and Public Works Committee.

Let me close by saying that I am confident that David Uhlmann will make an outstanding—an outstanding—Assistant Administrator for

Enforcement and Compliance Assurance at EPA. I am eager to see him confirmed. I encourage my colleagues to join us in supporting his nomination.

I yield the floor.

VOTE ON UHLMANN NOMINATION

The PRESIDING OFFICER (Mr. KING). The question is, Will the Senate advise and consent to the Uhlmann nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO.)

[Rollcall Vote No. 193 Ex.]

YEAS—53

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

NAYS—46

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

NOT VOTING—1

Barrasso

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 action.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—RESUMED

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session for the consideration of S. 2226, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2226) to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

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

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

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I ask unanimous consent for up to 6 minutes of debate prior to the rollcall vote.

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

AMENDMENT NO. 926

Mr. CRUZ. Mr. President, I call up my amendment No. 926 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CRUZ], for himself and others, proposes an amendment numbered 926.

The amendment is as follows:

(Purpose: To prohibit the export or sale of petroleum products from the Strategic Petrleum Reserve to certain entities)

At the appropriate place in subtitle D of title XXXI, insert the following:

SEC. 31_____. PROHIBITION ON SALES OF PETROLEUM PRODUCTS FROM THE STRATEGIC PETROLEUM RESERVE TO CERTAIN COUNTRIES.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, unless a waiver has been issued under subsection (b), the Secretary of Energy shall not draw down and sell petroleum products from the Strategic Petroleum Reserve—

(1) to any entity that is under the ownership or control of the Chinese Communist Party, the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran; or

(2) except on the condition that such petroleum products will not be exported to the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

(b) WAIVER.—

(1) IN GENERAL.—On application by a bidder, the Secretary of Energy may waive, prior to the date of the applicable auction, the prohibitions described in subsection (a) with respect to the sale of crude oil to that bidder at that auction.

(2) REQUIREMENT.—The Secretary of Energy may issue a waiver under this subsection only if the Secretary determines that the waiver is in the interest of the national security of the United States.

(3) APPLICATIONS.—A bidder seeking a waiver under this subsection shall submit to the Secretary of Energy an application by such date, in such form, and containing such information as the Secretary of Energy may require.

(4) NOTICE TO CONGRESS.—Not later than 15 days after issuing a waiver under this subsection, the Secretary of Energy shall provide a copy of the waiver to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

Mr. CRUZ. Mr. President, I want to say a few words in support of this bipartisan bill. This is a Cruz-Manchin-Ernst-Fetterman bill, which demonstrates the breadth of agreement we can have in this body.

This amendment would prevent the sale of our Nation's emergency crude oil stockpile, the Strategic Petroleum Reserve, to four countries that are unequivocally U.S. adversaries.

We know that China has been amassing the largest stockpile of crude in the world. At the same time, our own reserves have fallen to only 347 million barrels—the lowest since 1983.

Last year, the United States sold off part of our reserves to China. One would think that existing law would prevent this, but that isn't yet the case.

For some time now, Senator MANCHIN and I have been working together to try to fix this issue. Our amendment prevents the Federal Government from selling oil from the Strategic Petroleum Reserve to China, to Russia, to Iran, or to North Korea and their related entities, while giving the Department of Energy flexibility to waive these restrictions in the event doing so serves our national security interests.

I want to thank Senator MANCHIN for working closely with me on this amendment and also Senators ERNST and FETTERMAN.

I also want to note briefly—I know there are some Members of this body who believe we should ban all oil sales overseas. I would note that doing so would be spectacularly harmful not only to U.S. interests, but it would also hurt our friends and allies. It would hurt Ukraine, it would hurt Europe, and it would benefit our enemies, including Russia, to force our friends to have to purchase oil from Russia.

I urge adoption of the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I rise to oppose this amendment, and I want to tell my colleagues why.

This amendment creates the illusion of solving our problem, while having very little political impact and likely doing more harm than good.

It is a legitimate worry to consider the amount of U.S. oil under our lands that goes and is shipped to China because in 2022, the United States did export over 83 million barrels of oil to China. That was a new record. It was a new record in part because 10 years ago, we didn't ship any oil overseas because we had a national security policy to keep U.S. oil here. But lobbying by the oil industry changed that policy, and so today, we are sending 83 million barrels of oil a year to China.

This amendment doesn't really change that because—do you want to know how much of that comes from the SPR? Less than 2 million barrels, 1 to 2 percent. So you are still going to have 80 million-plus barrels of oil from the private sector being sent to China every year.

ExxonMobil alone made $60 billion in profits last year, much of that off sales of oil to China. This amendment allows for the oil industry to keep making those billions off of selling oil to China, only stripping out sales from the SPR. That is a great deal for the oil industry, but it gets better.

When President Biden sold oil from the SPR last year, it helped cut the cost of a gallon of gasoline by up to 30 cents. That hurt oil industry profits. So, of course, the oil industry wants policies that restrict the sale of oil from the SPR, while letting them sell oil to whomever they want, including China.

This amendment claims to solve a problem while mainly having the result of padding and protecting oil industry profits, and I would urge opposition.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise in support of the bipartisan amendment sponsored by my friends and colleagues, Senators CRUZ, FETTERMAN, ERNST, and myself.

Let me just say about this—this is something that we own. The people of America own the SPR. It is ours. We don't own the oil from the private sector, unless we want to nationalize everything. I don't think we do.

With that being said, I appreciate my good friend and colleague from Connecticut, and I am happy to work on all of the things that we are talking about here.

What we have in front of us right now is the ability to finally say that the strategic oil reserves that the people of the United States own will not be compromised, especially by people who don't have our same values and would use it against us. We have seen the horrible effects of the Ukraine war when Putin basically weaponized energy. He weaponized oil. We can't allow that to happen.

Here is the other thing about it: Following Putin's invasion of Ukraine, the United States ramped up production and exports to help meet global demand that had been devastating to the world. China, on the other hand, stockpiled oil and held back refinery production. While China was stockpiling, one of its state-owned companies purchased over 1.4 million barrels from the United States of America, the people of our great country, from our own stock reserves. That is what we are trying to stop.

I am happy to work on all the other things. Don't let the perfect be the enemy of the good. We have something in front of us right now that can stop this outrageous, basically raiding of our own stock supplies.

So I really, really urge the adoption of this amendment.

I will tell you this: This amendment has tremendous and bipartisan support in Congress. We have over 20 bipartisan Senators who support us. In the House, it passed unanimously—unanimously—Democrats and Republicans. So please don't mess up our bipartisan record right now. Please vote to support this amendment.

VOTE ON AMENDMENT NO. 926

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

Mr. CRUZ. 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. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 85, nays 14, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—85

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

NAYS—14

Baldwin	Feinstein	Schatz
Blumenthal	Hirono	Van Hollen
Booker	Markey	Warren
Cardin	Murphy	Welch
Durbin	Sanders	

NOT VOTING—1

Barrasso

The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 85, the nays are 14. Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

The amendment (No. 936) was agreed to.

The Senator from Minnesota.

AFGHAN ADJUSTMENT ACT

Ms. KLOBUCHAR. Mr. President, I rise to state my intention to include the Afghan Adjustment Act as an amendment to the National Defense Authorization Act.

This involved years of work. This bipartisan legislation is led with Senator GRAHAM, along with Senators COONS, MORAN, BLUMENTHAL, MURKOWSKI, SHAHEEN, WICKER, DURBIN, TILLIS, and MULLIN. Those are just the people who are cosponsoring this bill; and there are many others who are supporting it on both sides of the aisle.

What is this about? Well, it is about our national security. It is about a covenant—a covenant—that we have made and we must keep to those who stand with us on the battlefield. This bill does right by Afghans who worked alongside our troops and shows the world that the United States of America, when we make a promise, we keep it.

Nearly 80,000 Afghans who sought refuge in our country are currently in limbo. In just the last few weeks, one of them who was a translator for our military, who was working two jobs to support his family, who was living in legal limbo, was murdered—murdered—in the middle of the night working as a Lyft driver.

Is that keeping our covenant? Is that keeping our promise?

Many of these people are those who risked their own lives and their family's safety to protect our servicemembers. That is why this bill is so strongly supported by the American Legion, by the VFW; and that is why it has gotten support from people on both sides of the aisle.

These are people who are in our country right now. They are in our country right now. What this bill does is it simply says that they will be vetted but that we will also keep our promise to those who stood by our military. Among them are translators and humanitarian workers, as well as courageous members of the Afghan military who stood shoulder to shoulder with our troops. They cannot go back. They would be killed. We were right to help these people flee the Taliban and come to the United States, and it now falls on us to help provide them with the stability and the security they need to rebuild their lives here. So many of them want to move on with their lives here in the United States of America, a country that they stood with.

We have seen this before. We saw it with the Hmong and the Vietnamese when they came to our country. And many of them now, who are they? They are police officers, they are doctors, they are firefighters, they are people who teach our kids. That is how this has worked in the past and it has been successful and it will be successful now. The bipartisan Afghan Adjustment Act creates a more efficient system for our Afghan allies to apply for permanent legal status. It is provisional permanent legal status.

The legislation makes the process more thorough, as I noted, by requiring applicants to go through vetting that is just as rigorous as the vetting they would have gone through if they came to the United States as refugees, including an in-person interview, a standard that eight—eight—eight former Donald Trump and George W. Bush Administration national security officials called the ''gold standard'' of vetting. The gold standard of vetting.

Senator GRAHAM and I worked closely with many Republicans—including Senator MORAN who has been so helpful

as ranking member of the Veterans' committee on this bill; including Senator WICKER who is on this bill, the ranking member of Armed Services—and the Department of Defense to strengthen the bill's vetting provisions and to add language that responds to concerns. In addition, the legislation updates a special immigrant Visa program to include groups that should never have been excluded from the program in the first place, including the female tactical teams of Afghanistan, which did so much to support our troops. The entire purpose of the Special Immigrant Visa program is to provide permanent residency to those who have supported the United States abroad. And it is clear to me that these brave women should also qualify.

The bill also requires the administration to implement a strategy for supporting Afghans outside of the United States who are eligible for SIV status and ensures that these applicants have a way to get answers—answers—from the State Department about their applications.

The Afghan Adjustment Act, as I noted, is sponsored by a bipartisan group of 11 cosponsors—with many more who are going to vote for it—and has earned the backing of more than 60 organizations, including the Veterans of Foreign Wars and the American Legion, as well as some of our Nation's most revered military leaders, including Admirals Mike Mullen, William McRaven, and James Stavridis; Generals Richard Myers of the U.S. Air Force, Joseph Dunford from the U.S. Marine Corps, and Stan McChrystal, from the U.S. Army.

Part of the reason we were able to build such a broad coalition for our bill is because it is modeled after other bipartisan legislation that Congress passed after previous armed conflicts. After the Vietnam War, Congress passed a law, as I noted, that allowed thousands of people to resettle in the U.S., including many Hmong refugees who now call Minnesota home.

As I noted, they are such success stories. They are in the legislature. They are farmers and bakers. They are builders and inventors. They started families. Congress also acted similarly following the Cuban revolution and the Iraq war to protect allies and friends. In each instance, our country welcomed these immigrants and we have benefited immeasurably from their contributions.

If we act to help our Afghan allies, just as we helped other allies, we will continue this tradition of not leaving people behind—of keeping our covenant.

Think of these stories.

A few months ago, I had a meeting with a group of Afghan women who served in the Afghan National Army Female Tactical Platoon, including one of the group's commanders, Mahnaz. Our troops heavily relied on the platoon during the war. As our soldiers pursued missions hunting down ISIS combatants on unforgiving terrain and freeing prisoners from the grips of the Taliban, these women had their backs. The platoon worked especially closely with our military's support team and facilitated conversations between our soldiers and the Afghan women that they crossed paths with in the field.

Mahnaz is now living in limbo. But some of her biggest advocates fighting for her and her platoon to secure residency are the American soldiers they served with. I know every one of my colleagues has heard from American soldiers about these brave Afghans that served with our soldiers.

In U.S. Army Captain Mary Kolars' words:

> Mahnaz might as well be my sister. They've sacrificed for their country and for ours. The bond between our two units is pretty inseparable.

The deep respect is mutual. Mahnaz knows what her sacrifice cost her. She is more than 6,000 miles from the place she once called home with little hope of ever returning. She separated from so many of the people she once shared her life with. But even knowing the cost of her sacrifice, she says she would do it all again.

I am in absolute awe of her grit and her patriotism and the many stories. I will be telling these stories every day throughout this week, and I hope that we will come together and make sure that she and so many other of these brave Afghans have a path in this country. It is example after example of these stories.

Ahmad spent 4 years training to serve in the Afghan military. He was selected for Afghanistan's elite aviation unit, which worked closely with America's military in our fight against the Taliban. Reflecting on his experience, he said:

> In the face of danger, we were united, we were relentless, we were resilient.

His helicopter was shot down—not once, but twice—but that didn't diminish his resolve.

But his experience since the evacuation has been shattering. He now lives in Alabama, thousands and thousands of miles away from his family. He works two jobs to make ends meet and sends what he can back to the loved ones he left behind. He knows full well that the foundation he is building here in America could dissolve in a second if he doesn't get some kind of provisional status, which this Congress can grant, just as it did with the Vietnamese and the Hmong and after the Iraq war and after the Cuban revolution. He was there for us in time of need, and we must be there.

Another man—I am not going to reveal his name, and he asked that it not be revealed because of his family back in Afghanistan—while he and his wife and children were able to evacuate to the United States, he lives in fear of the Taliban retaliating against his other loved ones back in Afghanistan.

He served in the Afghan National Army for years and worked as a liaison with our forces. He even trained in the United States, graduating from the U.S. Army Command and General Staff College at Fort Leavenworth, but Afghanistan was his home, and he always believed that that was where he would remain. That changed when the Taliban seized control. Fearing for his safety, he and his family rushed to the airport in Kabul, weaving through countless Taliban checkpoints, knowing that any wrong move would be their last.

Today, he is in Kansas, but he has anxiety for the people at home and in not knowing if he, too, will be sent back.

Another story is of a man named Tashmorad. He is afraid the Taliban will target his family if his name becomes public. That is why this isn't really his name but is a name he asked to be used.

Back in his home country, he flew missions with the Afghan Air Force. To use his words, his job was to ''capture the bad guys like al-Qaida and Taliban.'' He had dreamt of flying since he first saw an Afghan pilot make an emergency landing in his village when he was about 10 years old. When he found out that he would have to learn English to fly, he started trying to teach himself from a book that he bought at a local shop. He went on to earn a degree in language and culture, with a focus on aviation, and then took part in flight training from our military, from the U.S. military.

He then spent 10 years as a military pilot, where he flew as high as 25,000 feet, helping American soldiers identify Taliban positions in the mountains of Afghanistan. He was stationed about 300 miles from his family when the withdrawal began. His squadron leader ordered him to fly back to support the evacuation. Even though it was getting dark, he turned his airplane lights off to avoid being detected and shot down. Because of his tact and his skill, he landed safely. His commanders advised him not to leave the airport, but he knew he needed to see his family. He made a brief trip home to his pregnant wife and kids and said goodbye before he returned to join the airlift operation. That was almost 2 years ago, and he hasn't seen his family since.

Today, he lives in Roanoke, VA. He delivers food to make extra money. He works as a water technician. Every extra cent that he makes, he sends back to his family. He still dreams of flying, but more than that, he dreams of reuniting with his wife and kids. He dreams of buying a two-bedroom house for his family, and he dreams of having a safe and stable life in the country that he risked everything for.

There are more stories of two Afghan Air Force pilots and friends. Their paths to become women pilots were hardly straightforward, but through sheer persistence and skill, they both made it happen. The two women were at aviation training in Dubai when the withdrawal began. In an instant, their lives were turned upside down.

I ask you to imagine how you would feel if you were in a foreign country, and you realized that you couldn't safely, all of a sudden, return home. They knew that their careers put their loved ones at risk, so they called their families and told them to round up their uniforms, their pilot IDs, and their diplomas and burn them.

Hasina watched over a video call as her mom destroyed the evidence of the life she had worked so hard to build. ''All my dreams were on fire,'' she once reflected, ''and I was just watching.''

She arrived in the United States, she and her friend, with one suitcase each. They began waiting tables at a strip mall in Fort Myers, FL, hoping, one day, to return to the skies.

Those are just a few of the examples.

My colleagues, there are 80,000 of those stories—80,000 of those stories—and we have a covenant to keep. You talk to any soldier who served over in Afghanistan, and they will have stories to tell. It is our job to uphold the promises that were made to those who served with us, because if we don't uphold those promises, what do you think is going to happen the next time we ask others to serve with our own military?

I am so proud that we have such strong bipartisan support for this amendment, that we have those in the Senate who have worked on these issues for so long in supporting this. I am convinced that when we have the vote on this amendment, we will finally be able to put our heads up proudly and say our covenant has been kept.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow Senator KLOBUCHAR in advocating for the Afghan Adjustment Act, which we strongly hope and believe will be an amendment to the National Defense Authorization Act.

I just want to begin where she finished in talking about the American troops who depended on these Afghan allies who now are at risk.

I know firsthand about the translators and guards and others who served, putting their lives on the line, because like many of my colleagues, I visited Afghanistan. I saw them at work. Now, in Connecticut, I have had the privilege of calling many of them my friends, and their families—dear friends. I also know firsthand because my son Matthew, who was a Marine Corps infantry officer in Afghanistan, had a translator whom he succeeded in bringing back to this country but only because he was a lawyer, and he knew how to navigate the intricate and challenging rules that applied. It took him 2 years—2 years—to bring back the man who helped him survive his time in combat there.

Senator KLOBUCHAR is absolutely right. It is a promise. Great nations keep their promises. These individuals are among our most loyal friends. The test is that they put targets on their backs from the Taliban. They knew they and their families would be at risk if the Taliban ever took over. Now the Taliban has done it, and they cannot return nor can their families.

So I want to thank all of my colleagues—the bipartisan group—who strongly support this amendment; but I also want to thank our veterans who literally camped out in the swamp, outside the Capitol, for days, weeks, hoping at the end of the last session that we would adopt this measure. Our veterans are standing strong behind our allies—Afghan allies—who they know put their lives on the line for them, who they know put their families at risk for them.

I am grateful to our veterans' groups, the USOs, the kinds of allies that we have individually and all around the country, who have said they are going to make it a priority to make sure we treat fairly these Afghan allies.

We should give them permanent status—a path to permanent status—in this country rather than the temporary, uncertain status that they have right now.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Michigan.

Ms. STABENOW. Mr. President, first, I want to thank Senator BLUMENTHAL for his comments.

I thank Senator KLOBUCHAR, who has been dogged on this issue of Afghan refugees, and I thank her for her leadership on this.

I want to thank Senator LEE, who is allowing me to take a moment in the middle of a very important issue that we are still discussing today. I thank him for his courtesy in allowing me to take a moment of personal privilege to speak about someone who has been with me for a long time but who is moving on to other opportunities; and I appreciate his family and friends in the Galleries who want to have an opportunity to salute him.

TRIBUTE TO MATTHEW WILLIAMS

Mr. President, I have a phenomenal member of my staff who has been a critical part of my team for a long time, Matthew Williams. We are excited for his new opportunities, but we are still not sure we are going to let him go because he has been so incredibly important to my success over a lot of years.

All the way back to 2006, as a recent graduate of the University of Michigan, he joined my Senate campaign as a press assistant. Matthew Williams did such a great job that I hired him as a staff assistant in my East Lansing office. Over the next 17 years, Matt took on so many different roles and did each one of them so successfully—from press assistant to press secretary to my regional manager in Detroit to deputy communications director to now my staff director of the Senate Democratic Policy and Communications Committee. He is the best communications director on Capitol Hill, for sure. He has been a part of my team for so long that the last time, I think, Matt quit a job was when he was in college—at Joe's Crab Shack.

His time with me has taken him from Michigan to DC, back to Michigan, and now back to DC. Along the way, he married Amber, his wonderful wife, and they have since added two wonderful boys to their family, Max and Ben. I think Max is with us today. When Matt is not in the office, there is a pretty good chance he is at a school event or at a Little League game.

Over the years, he has spoken with a lot of reporters, has planned a lot of press conferences, has taken a lot of my calls, and has never passed up the opportunity to remind me which Michigan university he thinks is better. He is wrong, of course. I think the Presiding Officer actually would agree with Matt on this, but he is wrong. Yet he has been right on so many things over the years that I have been able to overlook his love for all things Wolverine.

One of the first things you will notice about Matt is his positivity, his goodnatured smile, and his wonderful sense of humor. It is partly what makes him such a great leader. He is also a great team player who is unfailingly levelheaded and reasonable. It takes a lot to get Matt Williams flustered. He is also incredibly knowledgeable about our State and the people who live there, about our 10 media markets and, if we are going to be honest, about the best places to golf.

Matt has also done a wonderful job as the staff director of the Senate Democratic Policy and Communications Committee for our caucus. All of us are very, very grateful.

Under his leadership, we have modernized the committee services, including launching the first-ever DPCC FloorWatch app, and we have strengthened the ''C'' in DPCC by working with the caucus to amplify our accomplishments and to highlight policy differences between the two parties.

Matt is from Flint. So, to him, I know the Flint water crisis was personal. He fought by my side to do everything we could to make things right for the people of Flint—the families and the community.

Some of my fondest memories with Matt are from our bipartisan 2019 codel to South Korea and Vietnam, organized by Senator Leahy. I will never forget standing at the DMZ with Matt and taking pictures with North Korean soldiers while they were taking pictures of us. Matt was a wonderful travel partner, and I was really honored to be with him as he experienced the country where he was born.

Matt, thank you so much for your 17 years of hard work, your wonderful talent, and your dedication to Michigan and our country. We are all going to miss your optimism and your smiling face around the office, and I know that folks are going to miss your candy

bowl. You will always be a part of Team Stabenow and a part of my extended family, for sure. I wish you and Amber and the boys every happiness and success always.

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

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

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that it be in order to call up the following amendments to S. 2226: Lee, No. 376; Scott, No. 510; Romney, No. 823; Sinema, No. 315; Grassley, No. 273; Blackburn, No. 224; Moran, No. 949; Baldwin, No. 685; Cornyn, No. 931; Rounds, No. 813; and Warnock, No. 199; further, that with respect to the amendments listed above, at a time to be determined by the majority leader in consultation with the Republican leader, the Senate vote on amendments in the order listed, with no further amendments or motions in order and with 60 affirmative votes required for adoption, with the exception of Lee, No. 376, and that there be 2 minutes equally divided prior to each vote, with 4 minutes equally divided for debate on the Lee amendment.

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

Mr. SCHUMER. For the information of Senators, I expect one more rollcall vote today, which will be on the Lee amendment.

Mr. President, I am glad we are taking another step towards final passage today, and we will keep going when we return next week.

Providing for our national defense is always one of our highest responsibilities in Congress and something that should always be bipartisan, and today, we are seeing that play out in the Senate.

I want to thank my colleagues. For both sides, this has been a lot of bipartisan cooperation and back-and-forth, and I want to thank my colleagues on both sides for their good work.

I also want to thank Chairman MENENDEZ and Senator SCOTT for agreeing to work on their differences with respect to the Scott amendment, to work out their differences in the conference committee. I have given both of them my assurance that I will work with them to find an amicable solution.

I yield floor.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 376

Mr. LEE. Mr. President, I call up my amendment No. 376 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 376.

The amendment is as follows:

(Purpose: To limit the availability of funds for the support of Ukraine)

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

SEC. 1240A. LIMITATION ON AVAILABILITY OF FUNDS FOR SUPPORT TO UKRAINE.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense for the support of Ukraine, not more than two percent may be obligated or expended until the date on which all member countries of North Atlantic Treaty Organization that do not spend two percent or more of their gross domestic product on defense meet or exceed such threshold.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. My amendment, Lee No. 376, is a measure that drives accountability and fairness in supporting Ukraine. My amendment creatively incentivizes our NATO allied nations to shoulder their fair share of the security burden in securing Europe.

This isn't about withholding funds from Ukraine; it is about encouraging allies to meet their 2 percent of GDP spending thresholds with regard to their national security.

Within Congress, we respond to the call of duty by urging NATO allies to step up and to meet their obligations—obligations that they have made and obligations that, when they go unmet, result in the United States of America shouldering a disproportionate, unfair share of the burden. We have been doing this for years, just as we have provided and held a disproportionate share of the burden specifically with regard to Ukraine.

Let me be very clear. My amendment ensures that funds for Ukraine remain untouched while allies contribute their fair share.

Europe's security is indeed a collective endeavor, and Lee No. 376 motivates our allies to meet or exceed the 2 percent pledge. But for it to be a collective endeavor, they have to pay their way. They haven't been. This would incentivize them to do so.

I urge its passage.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, this amendment is, I think, reckless. It would essentially halt 98 percent of the aid that we would authorize and appropriate to go to Ukraine, which would be good news in Moscow but very bad news in Kyiv.

This amendment is trying to incentivize our NATO partners to increase their efforts to 2 percent of GDP, and that is a goal that has been agreed to, but the practical, immediate effect would be to undermine the military posture of Ukraine at a time when they are desperately fighting for their survival. But more importantly, they are fighting our fight also, because if Putin succeeds in Ukraine, we will lose, as well as Ukrainians. It will incentivize the kind of autocratic behavior that is determined—at least in the case of Putin—to destroy democracies and destroy the international legal order.

We have already expressed our not only desire but strong, strong imperative that NATO reach the 2 percent goal, but this is punishing the Ukrainians for the sins of others, and that would be terrible.

I would urge that this position be rejected.

VOTE ON AMENDMENT NO. 376

Mr. LEE. I call for the yeas and nays.

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

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Delaware (Mr. COONS), the Senator from Illinois (Mr. DURBIN), the Senator from West Virginia (Mr. MANCHIN), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Louisiana (Mr. KENNEDY), the Senator from Wyoming (Ms. LUMMIS), the Senator from Kansas (Mr. MORAN), the Senator from Utah (Mr. ROMNEY), the Senator from Missouri (Mr. SCHMITT), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 13, nays 71, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—13

Braun	Hyde-Smith	Scott (FL)
Britt	Johnson	Tuberville
Daines	Lee	Vance
Hagerty	Marshall	
Hawley	Paul	

NAYS—71

Baldwin	Grassley	Risch
Blumenthal	Hassan	Rosen
Booker	Heinrich	Rounds
Boozman	Hickenlooper	Rubio
Brown	Hirono	Sanders
Budd	Hoeven	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lankford	Stabenow
Cassidy	Luján	Sullivan
Collins	Markey	Tester
Cortez Masto	McConnell	Thune
Cotton	Merkley	Tillis
Crapo	Mullin	Van Hollen
Cruz	Murkowski	Warner
Duckworth	Murphy	Warren
Ernst	Murray	Welch
Feinstein	Ossoff	Whitehouse
Fetterman	Padilla	Wicker
Fischer	Peters	Wyden
Gillibrand	Reed	Young
Graham	Ricketts	

NOT VOTING—16

Barrasso	Blackburn	Cornyn
Bennet	Coons	Cramer

Durbin	Menendez	Scott (SC)
Kennedy	Moran	Warnock
Lummis	Romney	
Manchin	Schmitt	

The amendment (No. 376) was rejected.

The PRESIDING OFFICER (Mr. FETTERMAN). The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent that the 60 affirmative-vote threshold for the following amendments be vitiated: Scott, No. 510; Romney, No. 823; Sinema, No. 315; Grassley, No. 273; Blackburn, No. 224; Moran, No. 949; and Baldwin, No. 685; further, that the amendments be called up and the Senate vote on the adoption of the amendments, all en bloc.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

AMENDMENT NOS. 510, 823, 315, 273, 224, 949, AND 685

The clerk will report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for other Senators, proposes the following amendments numbered 510, 823, 315, 273, 224, 949, and 685.

The amendments are as follows:

AMENDMENT NO. 510

(Purpose: To provide for drone security.)

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

AMENDMENT NO. 823

(Purpose: To end the treatment of the People's Republic of China as a developing nation)

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

SEC. 12___. ENDING CHINA'S DEVELOPING NATION STATUS.

(a) SHORT TITLE.—This section may be cited as the ''Ending China's Developing Nation Status Act''.

(b) FINDING; STATEMENT OF POLICY.—

(1) FINDING.—Congress finds that the People's Republic of China is still classified as a developing nation under multiple treaties and international organization structures, even though China has grown to be the second largest economy in the world.

(2) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to oppose the labeling or treatment of the People's Republic of China as a developing nation in current and future treaty negotiations and in each international organization of which the United States and the People's Republic of China are both current members;

(B) to pursue the labeling or treatment of the People's Republic of China as a developed nation in each international organization of which the United States and the People's Republic of China are both current members; and

(C) to work with allies and partners of the United States to implement the policies described in paragraphs (1) and (2).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with respect to—

(i) reports produced by the Secretary of State; and

(ii) a waiver exercised pursuant to subsection (f)(2), except with respect to any international organization for which the United States Trade Representative is the chief representative of the United States; and

(B) the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to—

(i) reports produced by the United States Trade Representative; and

(ii) a waiver exercised pursuant to subsection (f)(2) with respect to any international organization for which the United States Trade Representative is the chief representative of the United States.

(2) SECRETARY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''Secretary'' means the Secretary of State.

(B) EXCEPTION.—The term ''Secretary'' shall mean the United States Trade Representative with respect to any international organization for which the United States Trade Representative is the chief representative of the United States.

(d) REPORT ON DEVELOPMENT STATUS IN CURRENT TREATY NEGOTIATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(1) identifies all current treaty negotiations in which—

(A) the proposed treaty would provide for different treatment or standards for enforcement of the treaty based on respective development status of the states that are party to the treaty; and

(B) the People's Republic of China is actively participating in the negotiations, or it is reasonably foreseeable that the People's Republic of China would seek to become a party to the treaty; and

(2) for each treaty negotiation identified pursuant to paragraph (1), describes how the treaty under negotiation would provide different treatment or standards for enforcement of the treaty based on development status of the states parties.

(e) REPORT ON DEVELOPMENT STATUS IN EXISTING ORGANIZATIONS AND TREATIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(1) identifies all international organizations or treaties, of which the United States is a member, that provide different treatment or standards for enforcement based on the respective development status of the member states or states parties;

(2) describes the mechanisms for changing the country designation for each relevant treaty or organization; and

(3) for each of the organizations or treaties identified pursuant to paragraph (1)—

(A) includes a list of countries that—

(i) are labeled as developing nations or receive the benefits of a developing nation under the terms of the organization or treaty; and

(ii) meet the World Bank classification for upper middle income or high-income countries; and

(B) describes how the organization or treaty provides different treatment or standards for enforcement based on development status of the member states or states parties.

(f) MECHANISMS FOR CHANGING DEVELOPMENT STATUS.—

(1) IN GENERAL.—In any international organization of which the United States and the People's Republic of China are both current members, the Secretary, in consultation with allies and partners of the United States, shall pursue—

(A) changing the status of the People's Republic of China from developing nation to developed nation if a mechanism exists in such organization to make such status change; or

(B) proposing the development of a mechanism described in paragraph (1) to change the status of the People's Republic of China in such organization from developing nation to developed nation.

(2) WAIVER.—The President may waive the application of subparagraph (A) or (B) of paragraph (1) with respect to any international organization if the President notifies the appropriate committees of Congress that such a waiver is in the national interests of the United States.

AMENDMENT NO. 315

(Purpose: To provide for the assumption of full ownership and control of the International Outfall Interceptor in Nogales, Arizona, by the International Boundary and Water Commission)

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

SEC. 10___. NOGALES WASTEWATER IMPROVEMENT.

(a) AMENDMENT TO THE ACT OF JULY 27, 1953.—The first section of the Act of July 27, 1953 (67 Stat. 195, chapter 242; 22 U.S.C. 277d–10), is amended by striking the period at the end and inserting '': *Provided further*, That the equitable portion of the Nogales sanitation project for the city of Nogales, Arizona, shall be limited to the costs directly associated with the treatment and conveyance of the wastewater of the city and, to the extent practicable, shall not include any costs directly associated with the quality or quantity of wastewater originating in Mexico.''.

(b) NOGALES SANITATION PROJECT.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term ''City'' means the City of Nogales, Arizona.

(B) COMMISSION.—The term ''Commission'' means the United States Section of the International Boundary and Water Commission.

(C) INTERNATIONAL OUTFALL INTERCEPTOR.—The term ''International Outfall Interceptor'' means the pipeline that conveys wastewater from the United States-Mexico border to the Nogales International Wastewater Treatment Plant.

(D) NOGALES INTERNATIONAL WASTEWATER TREATMENT PLANT.—The term ''Nogales International Wastewater Treatment Plant'' means the wastewater treatment plant that—

(i) is operated by the Commission;

(ii) is located in Rio Rico, Santa Cruz County, Arizona, after manhole 99; and

(iii) treats sewage and wastewater originating from—

(I) Nogales, Sonora, Mexico; and

(II) Nogales, Arizona.

(2) OWNERSHIP AND CONTROL.—

(A) IN GENERAL.—Subject to subparagraph (B) and in accordance with authority under the Act of July 27, 1953 (67 Stat. 195, chapter 242; 22 U.S.C. 277d–10 et seq.), on transfer by donation from the City of the current stake of the City in the International Outfall Interceptor to the Commission, the Commission shall enter into such agreements as are necessary to assume full ownership and control over the International Outfall Interceptor.

(B) AGREEMENTS REQUIRED.—The Commission shall assume full ownership and control over the International Outfall Interceptor under subparagraph (A) after all applicable governing bodies in the State of Arizona, including the City, have—

(i) signed memoranda of understanding granting to the Commission access to existing easements for a right of entry to the International Outfall Interceptor for the life of the International Outfall Interceptor;

(ii) entered into an agreement with respect to the flows entering the International Outfall Interceptor that are controlled by the City; and

(iii) agreed to work in good faith to expeditiously enter into such other agreements as are necessary for the Commission to operate and maintain the International Outfall Interceptor.

(3) OPERATIONS AND MAINTENANCE.—

(A) IN GENERAL.—Beginning on the date on which the Commission assumes full ownership and control of the International Outfall Interceptor under paragraph (2)(A), but subject to paragraph (5), the Commission shall be responsible for the operations and maintenance of the International Outfall Interceptor.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission to carry out this paragraph, to remain available until expended—

(i) $6,500,000 for fiscal year 2025; and

(ii) not less than $2,500,000 for fiscal year 2026 and each fiscal year thereafter.

(4) DEBRIS SCREEN.—

(A) DEBRIS SCREEN REQUIRED.—

(i) IN GENERAL.—The Commission shall construct, operate, and maintain a debris screen at Manhole One of the International Outfall Interceptor for intercepting debris and drug bundles coming to the United States from Nogales, Sonora, Mexico.

(ii) REQUIREMENT.—In constructing and operating the debris screen under clause (i), the Commission and the Commissioner of U.S. Customs and Border Protection shall coordinate—

(I) the removal of drug bundles and other illicit goods caught in the debris screen; and

(II) other operations at the International Outfall Interceptor that require coordination.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission, to remain available until expended—

(i) for fiscal year 2025—

(I) $8,000,000 for construction of the debris screen described in subparagraph (A)(i); and

(II) not less than $1,000,000 for the operations and maintenance of the debris screen described in subparagraph (A)(i); and

(ii) not less than $1,000,000 for fiscal year 2026 and each fiscal year thereafter for the operations and maintenance of the debris screen described in subparagraph (A)(i).

(5) LIMITATION OF CLAIMS.—Chapter 171 and section 1346(b) of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), shall not apply to any claim arising from the activities of the Commission in carrying out this subsection, including any claim arising from damages that result from overflow of the International Outfall Interceptor due to excess inflow to the International Outfall Interceptor originating from Nogales, Sonora, Mexico.

(c) EFFECTIVE DATE.—This section (including the amendments made by this section) takes effect on October 1, 2024.

AMENDMENT NO. 273

(Purpose: To improve a provision relating to a report on progress on a multi-year strategy and plan for the Baltic Security Initiative)

Strike section 1237 and insert the following:

SEC. 1237. REPORT ON PROGRESS ON MULTI-YEAR STRATEGY AND PLAN FOR THE BALTIC SECURITY INITIATIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on the progress made in the implementation of the multi-year strategy and spending plan set forth in the June 2021 report of the Department of Defense entitled ''Report to Congress on the Baltic Security Initiative''.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An identification of any significant change to the goals, objectives, and milestones identified in the June 2021 report described in subsection (a), in light of the radically changed security environment in the Baltic region after the full-scale invasion of Ukraine by the Russian Federation on February 24, 2022, and with consideration to enhancing the deterrence and defense posture of the North Atlantic Treaty Organization in the Baltic region, including through the implementation of the regional defense plans of the North Atlantic Treaty Organization.

(2) An update on the Department of Defense funding allocated for such strategy and spending plan for fiscal years 2022 and 2023 and projected funding requirements for fiscal years 2024, 2025, and 2026 for each goal identified in such report.

(3) An update on the host country funding allocated and planned for each such goal.

(4) An assessment of the progress made in the implementation of the recommendations set forth in the fiscal year 2020 Baltic Defense Assessment, and reaffirmed in the June 2021 report described in subsection (a), that each Baltic country should—

(A) increase its defense budget;

(B) focus on and budget for sustainment of capabilities in defense planning; and

(C) consider combined units for expensive capabilities such as air defense, rocket artillery, and engineer assets.

AMENDMENT NO. 224

(Purpose: To provide funding for women's health to support initiatives for mobile mammography services for women veterans)

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

SEC. 1083. AUTHORIZATION OF AMOUNTS TO SUPPORT INITIATIVES FOR MOBILE MAMMOGRAPHY SERVICES FOR VETERANS.

There is authorized to be appropriated to the Secretary of Veterans Affairs $10,000,000 for the Office of Women's Health of the Department of Veterans Affairs under section 7310 of title 38, United States Code, to be used by the Secretary to expand access of women veterans to—

(1) mobile mammography initiatives;

(2) advanced mammography equipment; and

(3) outreach activities to publicize those initiatives and equipment.

AMENDMENT NO. 949

(Purpose: To ensure access to commissary and exchange privileges for remarried spouses of members of the Armed Forces)

At the appropriate place, insert the following:

SEC. _____. ACCESS TO COMMISSARY AND EXCHANGE PRIVILEGES FOR REMARRIED SPOUSES.

(a) BENEFITS.—Section 1062 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(a) CERTAIN UNREMARRIED FORMER SPOUSES.—The Secretary of Defense'';

(2) by striking ''commissary and exchange privileges'' and inserting ''use commissary stores and MWR retail facilities'';

(3) by adding at the end the following new subsection:

''(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as an unremarried surviving spouse of a member of the uniformed services.''; and

(4) by adding at the end the following new subsection:

''(c) MWR RETAIL FACILITIES DEFINED.—In this section, the term 'MWR retail facilities' has the meaning given that term in section 1063(e) of this title.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1062 of title 10, United States Code, is amended to read as follows:

''§ 1062. Certain former spouses and surviving spouses''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by striking the item relating to section 1062 and inserting the following new item:

''1062. Certain former spouses and surviving spouses.''.

(c) REGULATIONS.—The Secretary of Defense shall publish the regulations required under section 1062(b) of title 10, United States Code, as added by subsection (a)(3), by not later than October 1, 2025.

AMENDMENT TO. 685

(Purpose: To provide for an enhanced domestic content requirement for navy shipbuilding programs)

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

SEC. ___. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR NAVY SHIPBUILDING PROGRAMS.

(a) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) CONTRACTING REQUIREMENTS.—Except as provided in paragraph (2), for purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured as part of a Navy shipbuilding program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if the cost of such component articles, materials, or supplies—

(A) supplied during the period beginning January 1, 2026, and ending December 31, 2027, exceeds 65 percent of the cost of the manufactured articles, materials, or supplies;

(B) supplied during the period beginning January 1, 2028, and ending December 31, 2032, exceeds 75 percent of the cost of the manufactured articles, materials, or supplies; and

(C) supplied on or after January 1, 2033, equals 100 percent of the cost of the manufactured articles, materials, or supplies.

(2) APPLICABILITY TO RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.—Contracts related to shipbuilding programs entered into under paragraph (1) to carry out research, development, test, and evaluation activities shall require that these activities and the components specified during these activities must meet the domestic content requirements delineated under paragraph (1).

(3) EXCLUSION FOR CERTAIN MANUFACTURED ARTICLES.—Paragraph (1) shall not apply to manufactured articles that consist wholly or predominantly of iron, steel, or a combination of iron and steel.

(4) WAIVER.—The Secretary of Defense may request a waiver from the requirements under paragraph (1) in order to expand sourcing to members of the national technical industrial base (as that term is defined in section 4801 of title 10, United States

Code). Any such waiver shall be subject to the approval of the Director of the Made in America Office and may only be requested if it is determined that any of the following apply:

(A) Application of the limitation would increase the cost of the overall acquisition by more than 25 percent or cause unreasonable delays to be incurred.

(B) Satisfactory quality items manufactured by a domestic entity are not available or domestic production of such items cannot be initiated without significantly delaying the project for which the item is to be acquired.

(C) It is inconsistent with the public interest.

(5) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Director of the Made in America Office, shall issue rules to determine the treatment of the lowest price offered for a foreign end product for which 55 percent or more of the component articles, materials, or supplies of such foreign end product are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if—

(A) the application of paragraph (1) results in an unreasonable cost; or

(B) no offers are submitted to supply manufactured articles, materials, or supplies manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

(6) APPLICABILITY.—The requirements of this subsection shall apply to contracts entered into on or after January 1, 2026.

(b) REPORTING ON COUNTRY OF ORIGIN MANUFACTURING.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on country of origin tracking and reporting as it relates to manufactured content procured as part of Navy shipbuilding programs, including through primary contracts and subcontracts at the second and third tiers. The report shall describe measures taken to ensure that the country of origin information pertaining to such content is reported accurately in terms of the location of manufacture and not determined by the location of sale.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 510, 823, 315, 273, 224, 949, and 685) were agreed to en bloc.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

50TH ANNIVERSARY OF HIP HOP

Mr. SCHUMER. Mr. President, first, I am happy to talk about the 50th anniversary of hip hop, a great artistic creation in America, and we have a resolution celebrating that 50th anniversary. I am proud that my resolution commemorating the 50th anniversary of hip hop will pass the Senate. The resolution again designates August 11 as Hip Hop Celebration Day, the month of August as Hip Hop Recognition Month, and the month of November as Hip Hop History Month.

I would like to thank Senator CASSIDY, as well as Congressman BOWMAN in the House, for their work on this resolution, and I also want to thank my dear friend LeRoy McCarthy, the historian of hip hop, who proposed to me the idea of honoring hip hop. He deserves credit today, as do all my colleagues who made this happen.

Hip hop was born in my hometown of New York at 1520 Sedgwick Avenue in the Bronx. Years ago, I worked with DJ Kool Herc, KRS-One, and the residents of 1520 to save the birthplace of hip hop when the owner wanted to sell the building to another developer and remove its affordable housing units to make a profit. They were going to destroy the rec room where hip hop was first created by DJ Kool Herc.

We were able to prevent so many people from being displaced and, at the same time, make sure that this historic landmark would forever be honored properly. And over the decades, hip hop has transcended language, race, age, and both geographic and socioeconomic barriers.

Many people can attest to the fact that hip hop actually changed their lives for the better, gave them purpose and meaning. I know many of them myself, many of whom are New York City and Bronx residents.

So hip hop is great. It is a uniquely American art form that quickly blossomed into a global movement. And we are proud—proud, proud, proud—today that this resolution honoring the 50th anniversary of hip hop will pass.

250TH ANNIVERSARY OF THE UNITED STATES MARINE CORPS COMMEMORATIVE COIN ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1096, which was received from the House and is at the desk.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1096) to require the Secretary of the Treasury to mint coins in commemoration of the 250th Anniversary of the United States Marine Corps, and to support programs at the Marine Corps Heritage Center.

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

Mr. SCHUMER. Mr. President, I ask further 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 (H.R. 1096) was ordered to a third reading, was read the third time, and passed.

COMMEMORATING THE 50TH ANNIVERSARY OF HIP HOP AND DESIGNATING AUGUST 11, 2023, AS ''HIP HOP CELEBRATION DAY'', DESIGNATING AUGUST 2023 AS ''HIP HOP RECOGNITION MONTH'', AND DESIGNATING NOVEMBER 2023 AS ''HIP HOP HISTORY MONTH''

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 305, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 305) commemorating the 50th anniversary of hip hop and designating August 11, 2023, as ''Hip Hop Celebration Day'', designating August 2023 as ''Hip Hop Recognition Month'', and designating November 2023 as ''Hip Hop History Month''.

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

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

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

The resolution (S. Res. 305) was agreed to.

The preamble was agreed to.

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

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of

the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0L–23. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 20–28 dated July 23, 2020.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosure.

TRANSMITTAL NO. 0L–23

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Chile.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 20–28; Date: July 23, 2020; Implementing Agency: Air Force.

Funding Source: National Funds.

(iii) Description: On July 23, 2020, Congress was notified by congressional certification transmittal number 20–28 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of nineteen (19) Joint Helmet-Mounted Cueing Systems (JHMCS); six (6) inert MK–82 (500LB) general purpose bomb bodies; two (2) MXU–650KB Air Foil Groups (AFG); forty-four (44) LN–260 Embedded GPS/INS (EGI); forty-nine (49) Multifunctional Information Distribution System Joint Tactical Radios (MIDS JTRS). Also included were Avionics and Mode 5 equipment and software upgrades, integration, and test; software and software support; ARC–238 Radios; Combined Altitude Radar Altimeters (CARA); Joint Mission Planning System (JMPS) support; Identification Friend or Foe (IFF) AN/APX–126 Combined Interrogator Transponders, cryptographic appliques, keying equipment, and encryption devices; weapon system spares and support; bomb components; High-Bandwidth Compact Telemetry Modules (HCTMs); secure communications and precision navigation equipment; aircraft displays; additional spare and repair/return parts; publications, charts, and technical documentation; integration and test equipment; U.S. Government and contractor engineering, technical and logistical support services; and other related elements of logistics and program support. The estimated total cost was $634.70 million. Major Defense Equipment (MDE) constituted $30.52 million of this total.

This transmittal reports the addition of the following MDE items: two (2) MAU–210 Enhanced Computer Control Groups (ECCG). The total cost of the new MDE articles is $0.23 million. The total MDE remains $30.52 million. The total case value remains $634.70 million.

(iv) Significance: The inclusion of these MDE items represents an increase in capability over what was previously notified. The proposed sale will support weapons integration for Chile's aircraft modernization program.

(v) Justification: This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the securityof a strategic partner in South America.

(vi) Sensitivity of Technology: The MAU–210 ECCG guides a weapon to the target via either OPS coordinates or laser-designation from the air or ground, The ECCG consists of a guidance electronics/detector assembly, control section, detector cover, GPS antenna, 1760 interface connector, four fin control shafts, battery-firing device, and PRF code switches.

The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

(vii) Date Report Delivered to Congress: July 19, 2023.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Washington, DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–51, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Germany for defense articles and services estimated to cost $2.9 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 23–51

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Germany.

(ii) Total Estimated Value:

Major Defense .Equipment* $2.46 billion.

Other $0.44 billion.

Total $2.90 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to nine hundred sixty-nine (969) AIM–120C–8 Advanced Medium Range Air-to-Air Missiles (AMRAAM).

Up to twelve (12) AIM–120C–8 AMRAAM Guidance Sections.

Non-MDE: Also included are AIM–120 Captive Air Training Missiles (CATM); telemetry kit and control section spares and containers; KGV–135A Communications Security (COMSEC) devices; Common Munitions Built-in-Test Reprogramming Equipment (CMBRE); ADU–891 Computer Test Set Adapter Groups; munitions support and support equipment; classified software delivery and support; spare parts, consumables, accessories, and repair and return support; transportation support; classified publications and technical documentation; studies and surveys; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Air Force (GY–D–YAE).

(v) Prior Related Cases. if any: GY–D–YAD.

(vi) Sales Commission, Fee, etc.. Paid, Offered, or Agreed to be Paid: None known at this time.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: July 19, 2023.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Germany—AIM–120C–8 Advanced Medium-Range Air-to-Air Missiles {AMRAAM)

The Government of Germany has requested to buy up to nine hundred sixty-nine (969) AIM–120C–8 Advanced Medium Range Air-to-Air Missiles (AMRAAM); and up to twelve (12) AMRAAM CS Guidance Sections. Also included are AIM–120 Captive Air Training Missiles (CATM); telemetry kit and control section spares and containers; KGV–135A Communications Security (COMSEC) devices; Common Munitions Built-in-Test Reprogramming Equipment (CMBRE); ADU 891 Computer Test Set Adapter Groups; munitions support and support equipment; classified software delivery and support; spare parts, consumables, accessories, and repair and return support; transportation support; classified publications and technical documentation; studies and surveys; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost is $2.90 billion.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a North Atlantic Treaty Organization (NATO) ally that is an important force for political and economic stability in Europe.

The proposed sale will improve Germany's capability to meet current and future threats by ensuring they have modern, capable air-to-air munitions. This sale will further advance the already high level of German Air Force interoperability with U.S. joint forces and other regional and NATO forces. Germany already has AMRAAMs in its inventory and will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missiles and Defense, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Federal Republic of Germany.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 23–51

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AIM–120C–8 Advanced Medium Range Air-to-Air Missile (AMRAAM) is a supersonic, air launched, aerial intercept, guided missile featuring digital technology and micro-miniature solid-state electronics. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high-and low-flying and maneuvering targets. This potential sale will include Captive Air Training

Missiles (CATM) as well as guidance section, control section, and telemetry system spares and containers.

2. The KGV–135A is a high-speed, general purpose encryptor/decryptor module used for wide-band data encryption.

3. Common Munitions Built-In-Test (BIT)/Reprogramming Equipment (CMBRE) is support equipment used to interface with weapon systems to initiate and report BIT results and upload/download flight software. CMBRE-supports multiple munitions platforms with a range of applications that perform preflight checks, periodic maintenance checks, loading of Operational Flight Program (OFP) data, loading of munitions mission planning data, loading of Global Positioning System (GPS) cryptographic keys, and declassification of munitions memory.

4. The ADU–891 Computer Test Set Adapter Groups provide the physical and electrical interface between the CMBRE and missile.

5. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

6. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

7. A determination has been made that the Government of Germany can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

8. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Germany.

ARMS SALES NOTIFICATION

Mr, MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington. DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23–0H. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 22–06 dated February 3, 2022.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 23–0H

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of Jordan.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 22–06; Date: February 3, 2022; Implementing Agency: Air Force.

Funding Source: Foreign Military Financing (FMF).

(iii) Description: On February 3, 2022, Congress was notified by congressional certification transmittal number 22–06 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, to the Government of Jordan of twelve (12) F–16 C Block 70 Aircraft; four (4) F–I6 D Block 70 Aircraft; twenty-one (21) F100–GE–129D Engines or F100–PW229EEP Engines (16 installed, 5 spares); twenty-one (21) Improved Programmable Display Generators (iPDG) (16 installed, 5 spares); twenty-one (21) AN/APG–83 Active Electronically Scanned Array (AESA) Scalable Agile Beam Radars (SABR) (16 installed, 5 spares); twenty-one (21) Modular Mission Computers (MMC) 7000AH (16 installed, 5 spares); twenty-seven (27) LN–260 (or equivalent) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) with Selective Availability Anti-Spoofing Module (SAASM) and Precise Positioning Service (PPS) (16 installed, 11 spares); six (6) AN/AAQ–33 Sniper Advanced Targeting Pods (ATP); thirty-one (31) Link 16 Low-Volume Terminals (for aircraft and ground stations) (26 installed, 5 spares); seventy-two (72) LAU–129 launchers (64 installed, 8 spares); twenty-one (21) M61A1 Vulcan Cannons (16 installed, 5 spares); four hundred two (402) FMU–139 or FMU–152 Joint Programmable Fuzes; one hundred (100) KMU–556 Joint Direct Attack Munition (JDAM) tail kits for 2,000LB GBU–31; one hundred two (102) KMU–572 JDAM tail kits for 500LB Laser JDAM GBU–54; one hundred (100) MAU–209 Computer Control Group (CCG) for Paveway II (PWII) GBU–10; one hundred two (102) MXU–651 Air Foil Group (AFG) for 2000LB PWII GBU–10; one hundred (100) MAU–210 Enhanced Computer Control Group (ECCG) for 500LB Enhanced Paveway II (EPII) EGBU–49; one hundred three (103) MXU–650 Air Foil Group (AFG) for 2000LB EPII EGBU–49; two hundred (200) MK–84 or BLU–117 (or equivalent) bomb bodies; two hundred four (204) MK–82 or BLU–111 (or equivalent) bomb bodies; six (6) MK–82 inert bombs; and two (2) MAU–169 Computer Control Group (CCG) trainers. Also included were AN/ARC–238 radios; AN/APX–126 or equivalent Advanced Identification Friend or Foe (AIFF) with Combined Interrogator Transponder (CIT); Joint Helmet Mounted Cueing System II (JHMCS II) or Scorpion Hybrid Optical-based Inertial Tracker (HObIT) helmet mounted displays; AN/ALQ–254 Viper Shield or equivalent Integrated Electronic Warfare (EW) systems; AN/ALE–47 Countermeasure Dispenser System (CMDS); KY–58M Cryptographic Devices; KIV–78 Cryptographic Devices; Simple Key Loaders (SKL); Joint Mission Planning System (JMPS) or equivalent; PGU–28 High Explosive Incendiary (HEI) ammunition; PGU–27 training ammunition (non-HEI); ARD–446 impulse cartridges; ARD–863 impulse cartridges BBU–36 impulse cartridges; BBU–35 impulse cartridges; MK–124 smoke flares; MJU–7/B flare cartridges L463 or MJU–53 or equivalent; Common Munitions Built-in-Test (BIT) Reprogramming Equipment (CMBRE); ADU–891 adapters for CMBRE; DSU–38 laser sensors for Laser JDAM GBU–54; Cartridge Actuated Device/Propellant Actuated Devices (CAD/PAD); BRU–57 bomb racks; MAU–12 bomb racks and TER–9A triple ejection racks; other chaff and flare, ammunition, and pylons; launcher adaptors and weapons interfaces; fuel tanks and attached hardware; travel pods; aircraft and weapons integration, test, and support equipment; electronic warfare database and mission data file development; precision measurement and calibration laboratory equipment; secure communications; cryptographic equipment; precision navigation equipment; aircraft and personnel support and test equipment; spare and repair parts; repair and return services; maps, publications, and technical documentation; studies and surveys; classified/unclassified software and software support; personnel training and training equipment; facilities and facility management, design and/or construction services; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost was $4.21 billion. Major Defense Equipment (MDE) constituted $2.39 billion of this total.

On September 27, 2022, Congress was notified by congressional certification transmittal number 22–0L of the addition of the following MDE items: thirty-one (31) Multifunctional Information Distribution Systems with Joint Tactical Radio Systems (MIDS JTRS); thirty-two (32) AIM–9X Block II Sidewinder missiles; twenty (20) AIM–9X Block II Sidewinder Captive Air-Training Missiles (CATM); four (4) AIM–9X Block II Sidewinder tactical guidance, units; and four (4) AIM–9X Block II Sidewinder CATM guidance units. Also, this transmittal reports a correction to the previously notified ''twenty-one (21) F100–GE–129D Engines or F100–PW229EEP Engines (16 installed, 5 spares)'' to ''twenty-one (21) F1000–GE–129D Engines or F100–PW229EEP Engines (16 installed, 5 spares);'' there is currently no GE aircraft engine designated as F100. The total net cost of MDE increased by $0.06 billion to $2.45 billion. The estimated total case value increased to $4.27 billion.

This transmittal notifies the possible replacement of up to four (4) of the previously notified F–16 C Block 70 aircraft with up to four (4) F–I6 D Block 70 aircraft. The total number of F–16 Block 70 aircraft in the potential sale does not change remaining sixteen (16). The F–16 D replacements will result in a net increase in MDE value of $0.03 billion, resulting in a revised MDE value of $2.48 billion. The total estimated case value will increase to $4.30 billion.

(iv) Significance: This notification is being provided as the replacement MDE items were not enumerated in the original notification. The proposed articles will improve Jordan's ability to train its F–16 Block 70 pilots while continuing modernization of the Jordanian fighter aircraft fleet and supporting operational requirements associated with regional U.S.-coalition goals.

(v) Justification: This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a Major Non-NATO Ally that is an important force for political stability and economic progress in the Middle East.

(vi) Sensitivity of Technology: The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: July 19, 2023.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0K–23. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 13–03 dated April 3, 2013.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosure.

TRANSMITTAL NO. 0K–23

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Singapore.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 13–03; Date: April 3, 2013; Military Department: Air Force.

Funding Source: National Funds.

(iii) Description: On April 3, 2013, Congress was notified by congressional certification transmittal number 13–03 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of 100 AIM–120C7 Advanced Medium Range Air-to-Air Missiles (AMRAAM), AMRAAM Programmable Advanced System Interface Simulator (PASIS), 10 AMRAAM Spare Guidance Sections, 18 AN/AVS–9(V) Night Vision Goggles, H–764G with GEM V Selective Availability Anti-Spoofing Module (SAASM), Common Munitions Built-in-Test Reprogramming Equipment (CMBRE-Plus) in support of a Direct Commercial Sale of new F-15SG aircraft. Also included were: containers, spare and repair parts, support equipment, tools and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, logistics, and technical support services, and other related elements of logistics and program support. The estimated cost was $210 million. Major Defense Equipment (MDE) constituted $165 million of this total.

On September 18, 2013, Congress was notified by congressional certification transmittal number 0J–13 of the possible sale, under Section 36(b)(5)(A) of the Arms Export Control Act, of 17 Link–16 Multifunction Information Distribution System Low Volume Terminals (MIDS–LVT) for aircraft, ground units, and spares in order to satisfy operational requirements. Additionally, this transmittal reported the inclusion of 26 H–764G with GEM V Selective Availability Anti-Spoofing Module (SAASM), as Major Defense Equipment as required by the updated Military Articles and Services List. Although the value of the H–764G was included in the total value of the case, it was not enumerated or valued as MDE in the original notification. The net increase in cost of MDE for the upgrade was $9 million, and the total case value remained at $210 million.

This transmittal reports the addition of the following MDE items: twenty-six (26) Multifunctional Information Distribution System Joint Tactical Radio Systems (MIDS JTRS). The following non-MDE items will also be included: Ground Support Systems (GSS) for Link 16; AN/ARC–210 radios; Joint Mission Planning Systems (JMPS); Simple Key Loaders; and classified software delivery and support. The total cost of the new MDE items is $7 million, but will not require an increase in the estimated total MDE value. The total cost of the new non-MDE items and services is $34 million, but will only require an $11 million increase in the estimated total non-MDE value. The total estimated case value will increase from $210 million to $221 million with MDE remaining at $174 million of this total.

(iv) Significance: This notification is being provided as the additional MDE items were not enumerated in the original notification. The inclusion of this MDE represents an increase in capability over what was previously notified. The proposed sale will improve the Republic of Singapore Air Force's (RSAF) air-to-air capability and ability to defend its nation and cooperate with allied air forces,

(v) Justification: This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a strategic partner that is an important force for political stability and economic progress in Asia.

(vi) Sensitivity of Technology: The Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) provides an advanced Link–16 command, control, communications, and intelligence (C3I) system incorporating high-capacity and jam-resistant digital communications links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. MIDS JTRS is a multi-channel, software-defined variant of the MIDS-Low Volume Terminal (LVT).

AN/ARC–210 radios provide voice communications radio systems equipped with HAVE QUICK II and Second Generation Antijam Tactical Ultra High Frequency (UHF) Radio for NATO (SATURN), which employ cryptographic technology. Other waveforms may be included as needed.

The Joint Mission Planning System (JMPS) provides a multi-platform, PC-based mission planning system. Its modular suite of systems are tailored to user needs, allowing operators of various aircraft to install planning modules required for flight planning, weapons delivery planning, post-flight debrief, and operational integration.

The AN/PYQ–10 Simple Key Loader provides a handheld device used for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment.

The Sensitivity of Technology Statement contained in the original notification applies to additional items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: July 17, 2023.

UNANIMOUS CONSENT OBJECTION

Mr. WYDEN. Mr. President, I am announcing my intention to object to any unanimous consent request to proceed to S. 1080, the Cooper Davis Act.

There is no question that there is a fentanyl epidemic in the United States. However, this bill fails to offer serious solutions to this epidemic. Instead, it would mandate that platforms scan their users' communications for anything that could be interpreted as being about selling or using drugs. Given this country's experience with the failed ''War on Drugs'' it is easy to predict that communities of color will disproportionately have their conversations surveilled and referred for prosecutions, which is why it is opposed by civil rights groups, including the ACLU, NAACP and Leadership Conference on Civil and Human Rights. Further, forcing a platform to decide what represents a drug transaction means that lots of innocent people will be referred for investigation and prosecution. Finally, the reporting structure of this legislation is likely to produce large numbers of meritless referrals to the Drug Enforcement Administration and do little to address the real causes of the fentanyl epidemic or protect vulnerable communities.

Given these concerns, I will object to any unanimous consent request in relation to this legislation.

UNANIMOUS CONSENT OBJECTION

Mr. WYDEN. Mr. President, I am announcing my intention to object to any unanimous consent request to proceed to S. 1199, the Strengthening Transparency and Obligations to Protect Children Suffering from Abuse and Mistreatment Act of 2023.

The protection of children from exploitation and abuse is an incredibly serious issue. The criminals that create and distribute child sexual abuse material, or CSAM, need to be hunted down and locked up. The victims of their crimes need critical support. However, this bill would limit the availability of encrypted communications, making children and families less safe. Indeed, whistleblowers, human rights activists, journalists, labor organizers, and women seeking reproductive care, as well our children and families, all depend on secure and private communications and would suffer the harms of its unavailability.

The portions of this bill that hurt the availability of encrypted communications are extraneous and stray from the ostensible purpose of the bill. Until

they are removed, I will object to any unanimous consent request in relation to this legislation.

UNANIMOUS CONSENT OBJECTION

Mr. WYDEN. Mr. President, I am announcing my intention to object to any unanimous consent request to proceed to S. 1207, the Eliminating Abusive and Rampant Neglect of Interactive Technologies Act of 2023.

The protection of children from exploitation and abuse is an incredibly serious issue. The criminals that create and distribute child sexual abuse material, or CSAM, need to be hunted down and locked up. The victims of their crimes need critical support. However, this bill would limit the availability of encrypted communications, making children and families less safe. Indeed, whistleblowers, human rights activists, journalists, labor organizers, and women seeking reproductive care, as well our children and families, all depend on secure and private communications and would suffer the harms of its unavailability.

Given the threat this bill poses to encrypted communications, I will object to any unanimous consent request in relation to this legislation.

JUDICIARY ACT OF 2023

Mr. MARKEY. Mr. President, due to a regrettable clerical error, Senators SMITH and Warren were not added as original cosponsors of S. 1616, the Judiciary Act of 2023, when I introduced the bill on May 16, 2023. I wish to clarify that Senators SMITH and WARREN are indeed original cosponsors of this important legislation and have been committed partners in this work. I thank them for their leadership and partnership in restoring confidence in the Nation's highest Court.

40TH ANNIVERSARY OF THE MANSFIELD CENTER

Mr. TESTER. Mr. President I rise today to share a few words today to honor the life and legacy of Mike and Maureen Mansfield and celebrate the 40th anniversary of the Mansfield Center.

Mike Mansfield was one of this Nation's greatest public servants, whose legacy is not only as a Congressman, a Senator, and a diplomat, but also as one of America's champions for the greater good, who always put service and sacrifice before himself.

Mike planted roots in Montana at the age of 7, spending his childhood in Great Falls raised by his aunt and uncle. After serving in three branches of the U.S. military, Mike returned to the Treasure State, still lacking a high school education, to work in Butte's copper mines.

In the spring of 1928, his life was forever changed when he met his wife Maureen, a teacher who inspired him to leave the mines and further his education. He and Maureen were married for 68 years, fostering a lifelong partnership marked by deep devotion and respect.

After serving five terms in the U.S. House of Representatives, Mike was elected to the U.S. Senate in 1952, and reelected again in 1958, 1964, and 1970. He served for 16 years as Senate majority leader, quickly becoming known by Members on both sides of the aisle for his character and high standard of public service. He was a person that got things done, shaping the character of the modern Senate through tactful leadership in international relations and humble dedication to public good. And he still found time to personally read and sign every letter to his constituents in Montana.

That is what being a Montanan meant to Mike Mansfield. He never failed to meet challenges, reach across the aisle, and fight for Montanans at every turn. His commitment to community and the common good spanned six Presidents and left a lasting mark on Montana and on the Nation as a whole. I am lucky to have learned so much from Mike Mansfield's storied career and proud to sit in the seat he once held.

Mike and Maureen's legacy lives on in the service of the Maureen and Mike Mansfield Center, where folks work hard to increase awareness, advance education, and shed more light on the pressing issues facing Montana and the world. Since its founding in 1983, the Mansfield Center has bridged divides and fostered generations of globally minded leaders. Whether it is through fellowships that connect top-notch students with global leaders, critical research they are doing back in Montana, or everything in between, the Center continues to be instrumental in shaping the voices of tomorrow. And today, we honor 40 years of service and celebrate the immense accomplishments of all the folks who made it possible, driven by love of country and dedication to democracy.

Thank you to the Maureen and Mike Mansfield Center for all that you do. Because of you, the Mansfield legacy lives on.

TRIBUTE TO TRICIA ENGLE

Mr. CARDIN. Mr. President, yesterday was the last work day for Tricia Engle, our beloved assistant Democratic secretary. Tricia is leaving the Senate after 26 years of devoted service. I would like to take this opportunity to thank her and wish her well as she embarks on the next adventure in her life.

If Tricia were a Senator, she would rank ninth in Senate seniority, in-between Senator COLLINS and Leader SCHUMER. She arrived here in July 1997, shortly after graduating from South Dakota State University. She started in the Senate as a staff assistant for her home State Senator, then-Democratic Leader Tom Daschle. Within a few months, she went to work in the Democratic cloakroom and then became a floor assistant for Leaders Daschle, Reid, and Schumer before becoming assistant secretary in 2019.

The Senate, as we all know, is not the most ''family-friendly'' institution, but Tricia has managed to raise two fine boys, William and Garrison, while working here. And she managed to earn her M.A. and M.B.A. from Johns Hopkins University Carey Business School in 2010, an extraordinary accomplishment when you consider the long hours and unpredictability of the Senate schedule.

Tricia knows Senate rules and procedure as well as anyone and has been indispensable to me and so many other Senators. Our landmark legislation such as the Affordable Care Act, COVID–19 pandemic relief, the Infrastructure Investment and Jobs Act, the Inflation Reduction Act, and so many other bills have Tricia's fingerprints on them. Day after day, month after month, year after year, Tricia has been in the cloakroom, on the floor, or in the well, deftly negotiating unanimous consent agreements, figuring out how to get amendments up or cleared, and working with her Republican counterparts to help the Senate function. Through it all—from all-night votearamas to the January 6 insurrection—Tricia has been cool, calm and collected, never losing her temper even in the most heated moments, always offering the best advice any Senator or staffer could ask for with regard to Senate procedure and precedents. She is always friendly, quick to help, and reassuring.

We Senators are the focus of public attention, but there are so many staffers like Tricia who make the Senate run. They work hard and mostly anonymously, driven by a strong sense of public service and love for our country and this institution. I have said many times that our Federal workforce, which includes congressional staff, is one of our Nation's most important—and least appreciated—assets. It consists of people like Tricia. I am grateful for her wise counsel and friendship over the years. I am also grateful to her family for allowing Tricia to be part of the Senate family for the last 26 years. She leaves us universally well-liked, respected, and accomplished—a testament to her many fine qualities. Senators and staff—Republicans and Democrats—will miss her, but she certainly has earned a respite from life here in the Senate. I know all my colleagues join me in thanking her for her extraordinary service and wishing her and her family all the best moving forward.

ADDITIONAL STATEMENTS

REMEMBERING EDITH KANAKA'OLE

● Ms. HIRONO. Mr. President, earlier this year, the U.S. Mint launched the Edith Kanaka'ole quarter, the seventh coin in the American Women Quarters Program, which is intended to celebrate pioneering women who were accomplished leaders in different fields and who came from various backgrounds. She joins other notable women such as Maya Angelou, Anna May Wong, and, starting next year, Patsy Takemoto Mink.

Shortly after the bill creating the program was signed into law, I was proud to recommend to the Mint that Mrs. Kanaka'ole be selected for the program. Now, people in the State of Hawaii and throughout our Nation can find her likeness on circulating U.S. quarters.

Mrs. Kanaka'ole's story is truly remarkable. Her impact is widespread. Born on October 30, 1913, Edith Kanaka'ole, or ''Aunty Edith'' as she was commonly known, was an indigenous Hawaiian composer, chanter, kumu hula—traditional dance teacher—and a custodian of Native culture, traditions, and the natural land. She has been recognized within her local community, throughout the State of Hawaii, and now nationwide as being a preeminent practitioner of modern Hawaiian culture, language, and practices.

One of Aunty Edith's many accomplishments was her direct influence in Hawaii's education system. Aunty Edith was instrumental in the creation of Hawaiian language curriculum for public school students at the Keaukaha School in Hilo, as well as in the development of courses and seminars at the college and university levels on subjects including ethnobotany, Polynesian history, genealogy, and Hawaiian chant and mythology.

Aunty Edith was also a renowned kumu hula. She believed that oli—Hawaiian literary chants—formed the basis of Hawaiian values and history. She started composing oli and choreographing hula, and, in the 1950s, she toured the contiguous United States, western Canada, and much of Asia with a hula group named after her daughter Nalani. She went on to found her own halau—hula school—Halau O Kekuhi, which is still in operation today.

In 1979, Aunty Edith received the Distinction of Cultural Leadership Award, the State of Hawaii's highest honor. It is given to individuals who have made significant outstanding lifetime contributions to Hawaii in areas of culture, arts, and humanities. Aunty Edith passed away on October 3, 1979, but her legacy lives on through her family, community, and the Edith Kanaka'ole Foundation, a Hawaiian culture-based, nonprofit organization dedicated to maintaining and perpetuating cultural education and traditional practices.

A line from one of her most famous oli, ''E ho mai ka ike,'' is inscribed on the reverse side of the Edith Kanaka'ole quarter and translated as ''granting the wisdom.'' I cannot think of a better phrase to encapsulate Aunty Edith's legacy.

Mahalo, Aunty Edith, for all your contributions to our State and this Nation.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

The President pro tempore (Mrs. MURRAY) announced that on today, July 20, 2023, she had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 111. An act to require each agency, in providing notice of a rulemaking, to include a link to a 100-word plain language summary of the proposed rule.

At 11:38 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3941. An act to prohibit the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3941. An act to prohibit the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 20, 2023, she had presented to the President of the United States the following enrolled bill:

S. 111. An act to require each agency, in providing notice of a rulemaking, to include a link to a 100-word plain language summary of the proposed rule.

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–1714. A communication from the Associate Administrator, Congressional and Legislative Affairs, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance Loan Program Changes to Maximum Loan Amounts and Miscellaneous Updates'' (RIN3245–AH91) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Small Business and Entrepreneurship.

EC–1715. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Standardization of the Patent Term Adjustment Statement Regarding Information Disclosure Statements'' (RIN0651–AD60) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on the Judiciary.

EC–1716. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report to Congress concerning intercepted wire, oral, or electronic communications; to the Committee on the Judiciary.

EC–1717. 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 ''2022 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005''; to the Committee on the Judiciary.

EC–1718. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Peach Springs, Arizona)'' (MB Docket No. 23–45) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1719. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Safety Standard for Clothing Storage Units'' (Docket No. CPSC–2023–0015) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1720. A communication from the Chief for Regulatory Development, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Fees for the Unified Carrier Registration Plan and Agreement'' (RIN2126–AC62) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1721. A communication from the Chair of the National Transportation Safety Board, transmitting, pursuant to law, the Board's 2022 Annual Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC–1722. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Department's fiscal year 2022 Progress Report on the Strategic Plan to Improve Capabilities of DoD Training Ranges and Installations (OSS–2023–0642); to the Committee on Armed Services.

EC–1723. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region'' (RIN0750–AL88) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Armed Services.

EC–1724. A communication from the Alternate Federal Register Liaison Officer, Office

of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Management of the Procurement Technical Assistance Agreement Program'' (RIN0750–AL08) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Armed Services.

EC–1725. A communication from the Secretary of Energy, transmitting a legislative proposal to codify the Department of Energy's National Nuclear Security Administration (DOE/NNSA) Nuclear Emergency Support Team (NEST) nuclear and radiological incident response responsibilities; to the Committee on Armed Services.

EC–1726. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Federal Agency Drug-Free Workplace Program''; to the Committees on Appropriations; and Armed Services.

EC–1727. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Central Liquidity Facility'' (RIN3133–AF18) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC–1728. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Supervisory Guidance on Multiple Re-Presentment NSF Fees'' received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC–1729. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–1730. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13581 with respect to significant transnational criminal organizations; to the Committee on Banking, Housing, and Urban Affairs.

EC–1731. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13882 with respect to Mali; to the Committee on Banking, Housing, and Urban Affairs.

EC–1732. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13818 with respect to serious human rights abuse and corruption; to the Committee on Banking, Housing, and Urban Affairs.

EC–1733. A communication from the Chair of the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Appraisal Subcommittee's 2022 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Appropriations, without amendment:

S. 2437. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–70).

By Mr. COONS, from the Committee on Appropriations, without amendment:

S. 2438. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–71).

By Mrs. FEINSTEIN, from the Committee on Appropriations, without amendment:

S. 2443. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2024, and for other purposes (Rept. No. 118–72).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Army nomination of Gen. Randy A. George, to be General.

*Air Force nomination of Gen. Charles Q. Brown, Jr., to be General.

Army nominations beginning with Brig. Gen. Mary V. Krueger and ending with Brig. Gen. Anthony L. McQueen, which nominations were received by the Senate and appeared in the Congressional Record on June 12, 2023.

Army nomination of Col. Jack J. Stumme, to be Brigadier General.

Army nomination of Col. James F. Porter, to be Brigadier General.

Army nomination of Brig. Gen. Beth A. Salisbury, to be Major General.

*Air Force nomination of Maj. Gen. Michael J. Lutton, to be Lieutenant General.

*Army nomination of Lt. Gen. James J. Mingus, to be General.

*Army nomination of Maj. Gen. Thomas L. James, to be Lieutenant General.

*Army nomination of Maj. Gen. Charles D. Costanza, to be Lieutenant General.

*Marine Corps nomination of Maj. Gen. James H. Adams III, to be Lieutenant General.

*Space Force nomination of Lt. Gen. Michael A. Guetlein, to be General.

*Space Force nomination of Lt. Gen. Philip A. Garrant, to be Lieutenant General.

Space Force nominations beginning with Brig. Gen. Donald J. Cothern and ending with Brig. Gen. Timothy A. Sejba, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2023.

Space Force nomination of Maj. Gen. Shawn N. Bratton, to be Major General.

*Space Force nomination of Maj. Gen. Shawn N. Bratton, to be Lieutenant General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Julie L. Airhart and ending with Terri L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on May 4, 2023.

Air Force nominations beginning with Justin V. Ahrens and ending with Ryan E. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on May 30, 2023.

Air Force nomination of Oliver E. Barfield, to be Colonel.

Air Force nominations beginning with Ashley L. Shull and ending with Sean M. Williams, which nominations were received by the Senate and appeared in the Congressional Record on June 12, 2023.

Air Force nominations beginning with Ronald Mark Alligood and ending with Matthew David Woolums, which nominations were received by the Senate and appeared in the Congressional Record on June 12, 2023.

Air Force nominations beginning with Brian Charles Anderson and ending with Jerry Wayne Zollman, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 12, 2023.

Air Force nomination of Ryan C. Boyle, to be Lieutenant Colonel.

Air Force nominations beginning with Feysel A. Abdulkaf and ending with Nancy M. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Air Force nominations beginning with Scott A. Abuso and ending with Robert Zavala, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Air Force nominations beginning with Nanlisha T. Abdullai and ending with Steven Zimmer, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Air Force nominations beginning with Matthew N. Alombro and ending with Garrett C. Zupan, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Air Force nominations beginning with Kevin B. Abbott and ending with Kaitlin E. Zito, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Air Force nomination of James H. Gutzman, to be Colonel.

Air Force nominations beginning with Danielle N. Anderson and ending with Brian J. Welch, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Air Force nomination of Ryan C. Caguillo, to be Major.

Air Force nomination of Mary M. Gutierrez, to be Colonel.

Air Force nomination of Edward W. Hale, to be Colonel.

Army nomination of Paul A. Stelzer, to be Lieutenant Colonel.

Army nomination of Andrew R. Updike, to be Major.

Army nomination of Erica L. Kane, to be Colonel.

Army nominations beginning with Joshua T. Ade and ending with Everett E. Zachary, which nominations were received by the Senate and appeared in the Congressional Record on June 21, 2023.

Army nomination of Charles K. Djou, to be Colonel.

Army nomination of Nicholas C. Molczyk, to be Major.

Army nomination of David Hernandez, to be Major.

Army nomination of Clydellia S. Prichard-Allen, to be Colonel.

Army nomination of Espada J. Ruiz, to be Colonel.

Marine Corps nomination of Leron E. Lane, to be Colonel.

Marine Corps nomination of William M. Schweitzer, to be Major.

Navy nomination of Andres S. Piscoya, to be Lieutenant Commander.

Navy nominations beginning with Mary M. Ayres and ending with Rebecca M. Rieger, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Navy nomination of Daniel I. Morrison, to be Lieutenant Commander.

Navy nomination of Alan A. Gutberlet, to be Lieutenant Commander.

Navy nomination of Guillermo M. Arguello, to be Commander.

Navy nomination of Christopher S. Williams, to be Captain.

Navy nomination of Kristopher M. Brazil, to be Captain.

Navy nominations beginning with Joshua P. Corbin and ending with Nathan S. Wemett, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Navy nominations beginning with Nicholas B. Artabazon and ending with Sara A. Zanitsch, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Navy nominations beginning with Mary H. Baker and ending with Trent A. Warner, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2023.

Navy nomination of Peter J. Maculan, to be Captain.

By Mr. DURBIN for the Committee on the Judiciary.

Julia Kathleen Munley, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VANCE:

S. 2403. A bill to amend the Federal Deposit Insurance Act to provide for the insurance of transaction accounts, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. YOUNG (for himself and Mr. CARDIN):

S. 2404. A bill to improve the operation of the Organ Procurement and Transplantation Network; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mr. BROWN, Mr. BARRASSO, and Ms. STABENOW):

S. 2405. A bill to amend title XVIII of the Social Security Act to assure pharmacy access and choice for Medicare beneficiaries; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. GRASSLEY):

S. 2406. A bill to amend title XVIII of the Social Security Act to improve oversight of formulary development and management under Medicare part D; to the Committee on Finance.

By Mr. CARPER (for himself, Mr. CASSIDY, Ms. MURKOWSKI, Mrs. CAPITO, Mr. LUJÁN, Mrs. BLACKBURN, Mr. WICKER, Mr. CRAMER, Mr. COONS, Mrs. SHAHEEN, Ms. SMITH, Ms. KLOBUCHAR, and Mr. HEINRICH):

S. 2407. A bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mr. SCOTT of South Carolina (for himself and Mr. WARNER):

S. 2408. A bill to amend title XVIII of the Social Security Act to provide for patient-focused listening sessions to improve prescription drug plan transparency, access, and choice; to the Committee on Finance.

By Mr. SCOTT of Florida:

S. 2409. A bill to limit purchases of the Federal reserve banks, to require Generally Accepted Accounting Principles standards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of Florida:

S. 2410. A bill to limit the total assets of Federal reserve banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of Florida:

S. 2411. A bill to place further congressional oversight on any quantitative easing or tightening programs or any emergency lending programs of the Board of Governors of the Federal Reserve System, to require reports to Congress relating to those programs, to require congressional approval of the extension of those programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE (for himself, Ms. SMITH, Mr. ROUNDS, Mr. CRAMER, Ms. KLOBUCHAR, and Mr. HOEVEN):

S. 2412. A bill to require the Secretary of Agriculture to allow emergency haying under the conservation reserve program during the primary nesting season under certain conditions; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. RISCH, Ms. ROSEN, Ms. ERNST, Mr. BOOKER, and Mr. LANKFORD):

S. 2413. A bill to expand and strengthen the Abraham Accords and the Negev Forum, and for other purposes; to the Committee on Foreign Relations.

By Mr. BRAUN (for himself and Ms. SINEMA):

S. 2414. A bill to require agencies with working dog programs to implement the recommendations of the Government Accountability Office relating to the health and welfare of working dogs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CAPITO (for herself, Mr. WARNOCK, Mr. MARSHALL, Mr. BOOKER, Mr. TILLIS, and Ms. SMITH):

S. 2415. A bill to amend title III of the Public Health Service Act to reauthorize Federal support of States in their work to save and sustain the health of mothers during pregnancy, childbirth, and the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. BROWN, Mr. CASEY, Mr. FETTERMAN, Mr. KAINE, and Mr. MANCHIN):

S. 2416. A bill to amend the Black Lung Benefits Act to ease the benefits process for survivors of miners whose deaths were due to pneumoconiosis; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH:

S. 2417. A bill to support the preparation and retention of outstanding educators in all fields to ensure a bright future for children and youth in under-resourced and underserved communities in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself and Ms. LUMMIS):

S. 2418. A bill to amend titles XVIII and XIX of the Social Security Act to increase access to services provided by advanced practice registered nurses under the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SCHATZ, Mr. FETTERMAN, and Mr. SANDERS):

S. 2419. A bill to prohibit certain uses of automated decision systems by employers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mr. VAN HOLLEN, Mr. KAINE, Mr. CARDIN, and Mr. BOOKER):

S. 2420. A bill to amend the District of Columbia Home Rule Act to provide for the automatic appointment of judges to the District of Columbia courts without the advice and consent of the Senate, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOKER (for himself, Mr. BLUMENTHAL, and Mr. WELCH):

S. 2421. A bill to require the Federal Crop Insurance Corporation to revise the terms of the Standard Reinsurance Agreement and the Livestock Price Reinsurance Agreement, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER (for himself and Mr. MORAN):

S. 2422. A bill to amend title 38, United States Code, to establish the Acquisition Review Board of the Department of Veterans Affairs and to establish the Director of Cost Assessment and Program Evaluation in the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SULLIVAN (for himself and Mr. PETERS):

S. 2423. A bill to require covered digital advertising platforms to report their public service advertisements; to the Committee on Commerce, Science, and Transportation.

By Mr. LUJÁN (for himself and Mr. MULLIN):

S. 2424. A bill to amend the Indian Self-Determination Act and the Indian Health Care Improvement Act to provide advance appropriations authority for certain accounts of the Bureau of Indian Affairs and Bureau of Indian Education of the Department of the Interior and the Indian Health Service of the Department of Health and Human Services, and for other purposes; to the Committee on Indian Affairs.

By Mr. PAUL (for himself, Mr. SCHMITT, Mr. VANCE, Mr. TUBERVILLE, Ms. LUMMIS, and Mr. BRAUN):

S. 2425. A bill to prohibit Federal employees and contractors from directing online platforms to censor any speech that is protected by the First Amendment to the Constitution of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FISCHER (for herself and Mr. CRAPO):

S. 2426. A bill to establish a national motor carrier safety selection standard for entities that contract with certain motor carriers to transport goods, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FETTERMAN (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CASEY, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. HEINRICH, Ms.

HIRONO, Mr. KAINE, Mr. MARKEY, Mr. MERKLEY, Mrs. MURRAY, Mr. PADILLA, Ms. SMITH, Ms. STABENOW, Ms. WARREN, Mr. WELCH, and Mr. WHITEHOUSE):

S. 2427. A bill to amend title XXVII of the Public Health Service Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to permit enrollees to obtain a 365-day supply of contraceptives; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. CORNYN, Mr. MURPHY, and Mr. WICKER):

S. 2428. A bill to establish a grant program for innovative partnerships among teacher preparation programs, local educational agencies, and community-based organizations to expand access to high-quality tutoring in hard-to-staff schools and high-need schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Ms. ROSEN):

S. 2429. A bill to amend title XIX of the Social Security Act to increase the ability of Medicare and Medicaid providers to access the National Practitioner Data Bank for the purpose of conducting employee background checks; to the Committee on Finance.

By Mrs. FISCHER (for herself, Mr. RICKETTS, Mr. MARSHALL, Ms. LUMMIS, Mr. DAINES, Mr. BARRASSO, Mr. TILLIS, Mr. CRUZ, Mr. MORAN, Mr. SCOTT of Florida, Mr. ROUNDS, Mr. BUDD, Mr. MULLIN, Mr. THUNE, Mrs. HYDE-SMITH, Ms. ERNST, and Mr. TUBERVILLE):

S. 2430. A bill to amend the Emergency Planning and Community Right-To-Know Act of 1986 to exclude certain air emissions from emergency notification requirements, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself, Mr. CRAPO, Mr. HICKENLOOPER, and Mr. RISCH):

S. 2431. A bill to require the Secretary of Labor, in coordination with the Secretary of Veterans Affairs, to carry out a grant program to assist certain members or former members of the Armed Forces in transitioning to civilian life, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. FETTERMAN, Mr. BOOKER, Mr. WYDEN, and Mr. WELCH):

S. 2432. A bill to amend the Food and Nutrition Act of 2008 to expand the medical expense deduction, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASSIDY:

S. 2433. A bill to reauthorize certain programs under the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARSHALL (for himself and Mr. LUJÁN):

S. 2434. A bill to amend the Public Health Service Act to continue the Presidential Advisory Council on Combating Antibiotic-Resistant Bacteria, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WELCH (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Ms. WARREN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. FETTERMAN, Mr. WYDEN, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 2435. A bill to amend the Food and Nutrition Act of 2008 to repeal the particular work requirement that disqualifies able-bodied adults for eligibility to participate in the supplemental nutrition assistance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MANCHIN (for himself and Mrs. BLACKBURN):

S. 2436. A bill to amend title XVIII of the Social Security Act to assure pharmacy access and choice for Medicare beneficiaries; to the Committee on Finance.

By Mr. SCHATZ:

S. 2437. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. COONS:

S. 2438. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. CORTEZ MASTO (for herself, Mrs. MURRAY, Ms. KLOBUCHAR, Ms. SMITH, Ms. WARREN, Ms. HIRONO, Mr. PADILLA, Mr. BENNET, Mr. BLUMENTHAL, Mr. WELCH, and Ms. DUCKWORTH):

S. 2439. A bill to establish a grant program to fund reproductive health patient navigators for individuals seeking abortion services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. SCHATZ, Mr. FETTERMAN, and Mr. BOOKER):

S. 2440. A bill to establish an interagency task force on employer surveillance and workplace technologies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WELCH (for himself, Mr. LUJÁN, Mr. BOOKER, Mr. FETTERMAN, Mr. SANDERS, and Mr. WYDEN):

S. 2441. A bill to amend the Higher Education Act of 1965 to authorize the Secretary of Education to make grants to institutions of higher education to provide free meals to low-income students through existing on-campus meal programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BUDD (for himself and Mr. SCOTT of Florida):

S. 2442. A bill to amend the Higher Education Act of 1965 to extend Federal Pell Grant eligibility to certain short-term workforce programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 2443. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2024, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. FISCHER (for herself and Ms. SMITH):

S. 2444. A bill to establish an interactive online dashboard to improve public access to information about grant funding related to mental health and substance use disorder programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER:

S. 2445. A bill to provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 2446. A bill to protect minors from premature waiver of their constitutional rights during a custodial interrogation, and for other purposes; to the Committee on the Judiciary.

By Ms. ROSEN (for herself and Ms. LUMMIS):

S. 2447. A bill to reauthorize the distance learning and telemedicine grant program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOKER:

S. 2448. A bill to establish a grant to provide mental and behavioral health services and diversion programs to at-risk youth, and for other purposes; to the Committee on the Judiciary.

By Mr. LUJAN (for himself and Mr. WELCH):

S. 2449. A bill to amend the Food and Nutrition Act of 2008 to make permanent the moratorium on benefit transaction fees, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. BLACKBURN (for herself and Mr. PETERS):

S. 2450. A bill to improve coordination between the Department of Energy and the National Science Foundation on activities carried out under the National Quantum Initiative Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN:

S. 2451. A bill to allow for hemp-derived cannabidiol and hemp-derived cannabidiol containing substances in dietary supplements and food; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Ms. ERNST, Ms. STABENOW, and Mr. RICKETTS):

S. 2452. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve the biobased markets program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN:

S. 2453. A bill to require the Secretary of Defense to conduct a study on the impact of military construction projects and facilities sustainment, restoration, and modernization projects on members of the Armed Forces and their dependents, and for other purposes; to the Committee on Armed Services.

By Mr. LANKFORD:

S. 2454. A bill to require reports on and investments in pharmaceutical supply chain resiliency to reduce reliance on the People's Republic of China for finished pharmaceutical products and active pharmaceutical ingredients; to the Committee on Foreign Relations.

By Mr. ROUNDS (for himself and Mr. MANCHIN):

S. 2455. A bill to require the Secretary of Defense to submit to Congress annual reports on the unfunded priorities of the Department of Defense-wide research, development, test, and evaluation activities, and for other purposes; to the Committee on Armed Services.

By Mr. CASEY (for himself and Mr. CORNYN):

S. 2456. A bill to amend title XVIII of the Social Security Act to limit beneficiary cost-sharing to the net price of covered part D drugs; to the Committee on Finance.

By Ms. SMITH:

S. 2457. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish an Office of Self-Governance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SCHUMER (for himself and Mr. CASSIDY):

S. Res. 305. A resolution commemorating the 50th anniversary of hip hop and designating August 11, 2023, as ''Hip Hop Celebration Day'', designating August 2023 as ''Hip Hop Recognition Month'', and designating November 2023 as ''Hip Hop History Month''; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Ms. DUCKWORTH):

S. Res. 306. A resolution recognizing that the United States needs to support and empower mothers in the workforce by investing in the Mom Economy; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself and Mr. SCOTT of Florida):

S. Con. Res. 16. A concurrent resolution urging all countries to outlaw the dog and cat meat trade and to enforce existing laws against such trade; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 448

At the request of Mr. PADILLA, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 448, a bill to codify the existing Outdoor Recreation Legacy Partnership Program of the National Park Service, and for other purposes.

S. 596

At the request of Mr. KAINE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 596, 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. 610

At the request of Ms. SINEMA, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 610, a bill to amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes.

S. 652

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 652, 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. 704

At the request of Ms. ROSEN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 704, a bill to amend the Higher Education Act of 1965 to provide for interest-free deferment on student loans for borrowers serving in a medical or dental internship or residency program.

S. 711

At the request of Mr. BUDD, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 711, a bill to require the Secretary of the Treasury to mint coins in commemoration of the invaluable service that working dogs provide to society.

S. 793

At the request of Mr. LUJÁN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 793, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 993

At the request of Ms. CORTEZ MASTO, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 993, a bill to prohibit certain uses of xylazine, and for other purposes.

S. 1001

At the request of Mr. DAINES, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1001, a bill to amend the Internal Revenue Code of 1986 to permanently extend the exemption for telehealth services from certain high deductible health plan rules.

S. 1193

At the request of Mr. BENNET, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1193, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1409

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1409, a bill to protect the safety of children on the internet.

S. 1424

At the request of Mr. MANCHIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1424, a bill to amend title XXVII of the Public Health Service Act to improve health care coverage under vision and dental plans, and for other purposes.

S. 1538

At the request of Mr. HEINRICH, the names of the Senator from California (Mr. PADILLA) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1538, a bill to authorize the Secretary of Education to award grants for outdoor learning spaces and to develop living schoolyards.

S. 1616

At the request of Mr. MARKEY, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1616, a bill to amend title 28, United States Code, to allow for 12 associate justices of the Supreme Court of the United States.

S. 1690

At the request of Mr. BROWN, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1690, a bill to amend the Federal Crop Insurance Act to establish a Good Steward Cover Crop program, and for other purposes.

S. 1780

At the request of Ms. SMITH, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1780, a bill to amend the Indian Self-Determination and Education Assistance Act to allow the Secretary of Agriculture to enter into self-determination contracts with Tribal organizations to carry out the authority of the Food Safety and Inspection Service, and for other purposes.

S. 1802

At the request of Mr. PETERS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1802, a bill to direct the Secretary of Defense to establish a fund for the conduct of collaborative defense projects between the United States and Israel in emerging technologies, and for other purposes.

S. 1837

At the request of Mr. FETTERMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1837, a bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to include spotted lanternfly control research and development as a high-priority research and extension initiative, and for other purposes.

S. 1921

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1921, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco-related agriculture by deeming such employment as oppressive child labor.

S. 1930

At the request of Mr. LUJÁN, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1930, a bill to amend the Consolidated Farm and Rural Development Act to support the buildout of clean school bus charging infrastructure through community facilities direct loans and grants.

S. 2014

At the request of Ms. ROSEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2014, a bill to ensure that certain members of the Armed Forces who served in female cultural support teams receive proper credit for such service, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the names of the Senator from Texas (Mr. CORNYN) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multicancer early detection screening tests.

S. 2177

At the request of Mr. PETERS, the name of the Senator from Kansas (Mr.

MORAN) was added as a cosponsor of S. 2177, a bill to provide for parity among the vice chiefs, and for other purposes.

S. 2211

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2211, a bill to amend the Department of Agriculture Reorganization Act of 1994 to establish the Office of Aquaculture, and for other purposes.

S. 2243

At the request of Ms. BALDWIN, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2243, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools and other programs, including social work, physician assistant, and chaplaincy education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative and hospice care.

S. CON. RES. 14

At the request of Mr. COTTON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution expressing the sense of Congress supporting the State of Israel.

S. RES. 296

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. Res. 296, a resolution designating July 2023 as ''Plastic Pollution Action Month''.

AMENDMENT NO. 230

At the request of Mr. YOUNG, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 230 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 608

At the request of Mr. WARNER, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of amendment No. 608 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 639

At the request of Mr. MENENDEZ, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 639 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 646

At the request of Mr. ROUNDS, the names of the Senator from Montana (Mr. DAINES) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 646 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 774

At the request of Mr. WARNER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 774 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 948

At the request of Ms. ROSEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 948 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 958

At the request of Mr. SULLIVAN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 958 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 985

At the request of Mr. KELLY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 985 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Mr. BROWN, Mr. BARRASSO, and Ms. STABENOW):

S. 2405. A bill to amend title XVIII of the Social Security Act to assure pharmacy access and choice for Medicare beneficiaries; to the Committee on Finance.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S.2405

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening Pharmacy Access for Seniors Act''.

SEC. 2. ASSURING PHARMACY ACCESS AND CHOICE FOR MEDICARE BENEFICIARIES.

Section 1860D–4(b)(1) of the Social Security Act (42 U.S.C. 1395w–104(b)(1)) is amended by adding at the end the following new subparagraph:

''(F) LIMITED ACCESS DRUGS.—

''(i) LIMITATION ON RESTRICTIONS OR LIMITS ON ACCESS.—For each plan year (beginning with plan year 2026), a PDP sponsor offering a prescription drug plan or pharmacy benefit manager—

''(I) may not restrict or limit access to any covered part D drug to a subset of their network pharmacies, other than with respect to a limited access drug, as defined in clause (v); and

''(II) shall record in writing the rationale for why a covered part D drug meets the definition of a limited access drug under clause (v) and maintain written records of any such rationales, if such plan restricts or limits access to a limited access drug to a subset of network pharmacies.

''(ii) ANNUAL SUBMISSION OF INFORMATION TO THE SECRETARY ON LIMITED ACCESS DRUGS.—For each plan year (beginning with plan year 2026), each PDP sponsor offering a prescription drug plan shall submit to the Secretary, at a time and in a manner specified by the Secretary, with respect to each prescription drug plan offered by the sponsor during such plan year—

''(I) a list of all covered part D drugs that the PDP sponsor designated as a limited access drug;

''(II) the written rationales for why any covered part D drugs listed under subclause (I) meet the definition of a limited access drug;

''(III) the requirements imposed on network pharmacies to ensure appropriate handling and dispensing of the covered part D drugs listed under subclause (I);

''(IV) the percentages of covered part D drugs listed under subclause (I) that are dispensed through retail pharmacies, specialty pharmacies, mail order pharmacies, or other dispensing channels as defined by the PDP sponsor, respectively, during the most recent plan year for which such data are available;

''(V) the annual percentage of covered part D drugs listed under subclause (I) that are dispensed through pharmacies wholly or partially owned by, or otherwise affiliated with (such as through common ownership), the plan or pharmacy benefit manager; and

''(VI) any other information determined appropriate by the Secretary.

''(iii) PHARMACY ACCESS TO LIMITED ACCESS DRUG INFORMATION.—For plan years beginning with plan year 2026, upon the request of a network pharmacy, a PDP sponsor of a prescription drug plan (or a pharmacy benefit manager acting on behalf of such sponsor) shall present such pharmacy, on a timely basis (as determined by the Secretary), with information specific to any covered part D drug listed under subclause (II) of clause (i) of this subparagraph, along with the rationale for its designation as a limited access drug (as described in subclause (II) of clause (ii)) and the requirements imposed with respect to such drug (as described in subclause (III) of subclause (ii)). Any PDP sponsor or pharmacy benefit manager that provides false information upon such a request or that fails to provide the information requested on a timely basis shall be found in violation of this subsection.

''(iv) HHS ANNUAL REPORT ON LIMITED ACCESS DRUGS.—Not later than December 31, 2027, and annually thereafter, the Secretary shall submit to the Committee on Finance of the Senate, and the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives a report on compliance by PDP sponsors with the requirements under this subparagraph. Each such report shall include—

''(I) a description of the patterns, trends, variations, and rationales for the designation by PDP sponsors of certain covered part D drugs as limited access drugs described in clause (v), and the implications of such designations on beneficiary access to such covered part D drugs;

''(II) a description of the information submitted to the Secretary under clause (ii) (in a manner that does not disclose the identity of a pharmacy, a PDP sponsor, a prescription drug plan, or pharmacy benefit manager, or any proprietary pricing information); and

''(III) any other information determined appropriate by the Secretary.

''(v) LIMITED ACCESS DRUG DEFINED.—In this subparagraph, the term 'limited access drug' means a covered part D drug that meets at least one of the following:

''(I) The Food and Drug Administration has restricted distribution of such covered part D drug to certain facilities or physicians.

''(II) The dispensing of such covered part D drug requires extraordinary special handling, provider coordination, or patient education that cannot be met by a network pharmacy.''.

By Mr. THUNE (for himself, Ms. SMITH, Mr. ROUNDS, Mr. CRAMER, Ms. KLOBUCHAR, and Mr. HOEVEN):

S. 2412. A bill to require the Secretary of Agriculture to allow emergency haying under the conservation reserve program during the primary nesting season under certain conditions; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2412

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Conservation Reserve Program Flexibility Act of 2023'' or the ''CRP Flexibility Act of 2023''.

SEC. 2. EMERGENCY HAYING DURING THE PRIMARY NESTING SEASON.

Section 1233(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3833(b)(1)) is amended—

(1) in subparagraph (A)(ii), by inserting ''subject to subclauses (I) and (III) of clause (i), and subclauses (I) and (II) of clause (ii), of subparagraph (B),'' before ''are subject to''; and

(2) in subparagraph (B)(i)—

(A) by redesignating subclauses (I) through (VI) as subclauses (II) through (VII), respectively;

(B) by inserting before subclause (II) (as so redesignated) the following:

''(I) emergency haying in response to a localized or regional drought, flooding, wildfire, or other emergency, on all practices, during or outside the primary nesting season, when—

''(aa) the county is designated as D2 (severe drought) or greater according to the United States Drought Monitor;

''(bb) there is at least a 40 percent loss in forage production in the county; or

''(cc) the Secretary, in coordination with the State technical committee, determines that the program can assist in the response to a natural disaster event without permanent damage to the established cover;'';

(C) in subclause (II) (as so redesignated), in the matter preceding item (aa), by striking ''emergency haying, emergency grazing, or other emergency use'' and inserting ''emergency grazing or other emergency use''; and

(D) in subclause (IV) (as so redesignated), by striking ''outside the primary nesting season'' and inserting ''during or outside the primary nesting season''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 305—COMMEMORATING THE 50TH ANNIVERSARY OF HIP HOP AND DESIGNATING AUGUST 11, 2023, AS ''HIP HOP CELEBRATION DAY'' , DESIGNATING AUGUST 2023 AS ''HIP HOP RECOGNITION MONTH'', AND DESIGNATING NOVEMBER 2023 AS ''HIP HOP HISTORY MONTH''

Mr. SCHUMER (for himself and Mr. CASSIDY) submitted the following resolution; which was considered and agreed to:

S. RES. 305

Whereas 2023 is the 50th anniversary of the creation of hip hop;

Whereas, on August 11, 1973, Clive ''DJ Kool Herc'' Campbell introduced his innovative style of disc jockeying at an event organized by his sister, Cindy Campbell, called the ''Back To School Jam'', which was held in the recreation room of 1520 Sedgwick Avenue in the Bronx, New York;

Whereas, together, Clive ''DJ Kool Herc'' Campbell and the master of ceremonies engaged the crowd with rap on the microphone, while partygoers known as B-boys and B-girls danced, and introduced a new style, later known as ''hip hop'', which combined the elements of a disc jockey (commonly known as a ''DJ''), a master of ceremonies (commonly known as an ''MC''), music, art, and dance;

Whereas Clive ''DJ Kool Herc'' Campbell was inducted into the Rock and Roll Hall of Fame in 2023;

Whereas, from the humble beginnings of hip hop in New York City, the music, lyricism, dance, and art of hip hop has become a culture found in communities across the United States, and has long been a worldwide phenomenon;

Whereas the art and culture of hip hop is an original creation of the United States and one of the most popular genres of music within the United States;

Whereas hip hop has had notable Southern influences following its Northern inception, such as jazz and bounce from New Orleans, Louisiana, the blues from Mississippi, and country from the South, and these influences along with other celebrated genres of music, such as disco, gospel, soul, rock and roll, and Indigenous music from across the United States, have all helped hip hop transcend boundaries and contributed significant intellectual heritage and regional influence to the creation and progression of hip hop over the last century;

Whereas the hip hop genre has been reinvented often over the years since 1973, reflecting the State, city, and region of the music, from G-funk and hyphy on the West Coast, to bass and trap in the South, to drill in the Midwest, to many other sounds from coast to coast and from abroad, including contemporary hip hop, which continues that trend by allowing listeners not only to unwind and escape through a rhythmic beat but also to resonate and empathize with the stories being told;

Whereas hip hop artists and supporters, originally of African heritage, now transcend many different ages, ethnicities, religions, locations, political affiliations, and socioeconomic statuses, which demonstrates the versatility and inclusivity of hip hop art and culture;

Whereas the art and culture of hip hop have been adapted in many innovative forms that are inspirational, challenging, humorous, thought-provoking, and spiritual;

Whereas hip hop as a multidimensional art form and lifestyle continues to produce new subgenres of music and stylistic lexicons and promotes new cultural imprints, trends, and movements that reverberate across the United States and around the globe;

Whereas hip hop has provided opportunities for extracurricular activities, youth empowerment, creative outlets, physical fitness, vocabulary exercises, poetry, analytical thinking, entertainment, employment, and economic impact and has become an industry that generates more than $1,000,000,000 annually;

Whereas hip hop art, education, and culture have positive effects on society;

Whereas, on August 11, 2023, the Federal Government, States, cities, and towns will observe Hip Hop Celebration Day;

Whereas, during the month of August 2023, the Federal Government, States, cities, and towns will observe Hip Hop Recognition Month; and

Whereas, during the month of November 2023, the Federal Government, States, cities, and towns will observe Hip Hop History Month: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 11, 2023, as ''Hip Hop Celebration Day'';

(2) designates the month of August 2023 as ''Hip Hop Recognition Month'';

(3) designates the month of November 2023 as ''Hip Hop History Month'';

(4) recognizes the 50 years of contributions of hip hop to art and culture;

(5) encourages Senators to commemorate the 50th anniversary of hip hop and support appropriate activities that recognize the historic milestone and cultural legacy of the ''Back to School Jam'' of August 11, 1973; and

(6) encourages local governments in the United States to build partnerships with local hip hop entities and other members of the creative arts and music communities in

celebration of the 50th anniversary of hip hop.

SENATE RESOLUTION 306—RECOGNIZING THAT THE UNITED STATES NEEDS TO SUPPORT AND EMPOWER MOTHERS IN THE WORKFORCE BY INVESTING IN THE MOM ECONOMY

Ms. KLOBUCHAR (for herself and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 306

Whereas mothers are an essential part of the workforce and economy of the United States;

Whereas 2,500,000 women left the workforce in the first year of the COVID–19 pandemic, as compared to 1,800,000 men, largely as a result of the burdens of childcare, work, and remote learning;

Whereas maternal employment fell by 15.7 percent as a result of the COVID–19 pandemic, as compared to paternal employment, which fell by 9.6 percent in the same time period;

Whereas at least 4/10 of women report having experienced gender discrimination at work;

Whereas, on average, women are paid 77 cents for every dollar paid to men;

Whereas Black women, Latinas, Native women, and many communities of Asian-American and Pacific-Islander women experience higher poverty rates and higher wage gaps compared to White, non-Hispanic men;

Whereas women occupy close to 2/3 of jobs that pay the Federal minimum wage or just a few dollars above it;

Whereas even 1 percent of mothers leaving the workforce would result in an estimated $8,700,000,000 economic fallout for families;

Whereas strong investments in childcare are essential for the full employment of women, and the gross domestic product of the United States would increase by 10 to 15 basis points with such investments;

Whereas 1/2 of the families in the United States with children under the age of 18 years have a mother who contributes at least 40 percent of household earnings;

Whereas mothers of color play a vital role in the financial stability of their families, with 79 percent of Black mothers, 64 percent of Native American mothers, 49 percent of Latina mothers, and 43 percent of Asian-American and Pacific-Islander mothers serving as breadwinners;

Whereas, in addition to the economic security that mothers provide for their families, mothers are more than 3 times as likely as fathers to be responsible for most of the housework and caregiving in their households;

Whereas, in addition to caregiving for children, mothers disproportionately shoulder unpaid caregiving responsibilities for older relatives and other family members with disabilities;

Whereas women are twice as likely as men to say that taking time off had a negative impact on their professional development;

Whereas industries dominated by women disproportionately fail to provide family-friendly workplace benefits such as paid family and medical leave, health insurance, and retirement plans;

Whereas 44 percent of workers are not eligible for unpaid, job-protected leave for specified family and medical reasons under the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.);

Whereas 3 of 10 women without access to paid leave exit the workforce after giving birth;

Whereas paid leave policies can reduce the number of women leaving their jobs by 20 percent during the first year after welcoming a child and up to 50 percent after 5 years;

Whereas mothers sometimes find childcare costs are almost as much as their paychecks, creating a financial incentive for mothers to leave the workforce in exchange for childcare duties;

Whereas 40 percent of parents have gone into debt due to the high costs of childcare;

Whereas the childcare crisis costs the United States $122,000,000,000 each year, including $78,000,000,000 in lost earnings and job search expenses, $23,000,000,000 in lost workforce productivity, and $21,000,000,000 in lost tax revenue;

Whereas a significant investment in childcare is simultaneously job creating and job enabling, creating good jobs and supporting parental employment;

Whereas, by encouraging women to remain in the workforce full time, access to paid leave and childcare significantly boosts mothers' lifetime earning potential;

Whereas the 2021 temporary expansion of the child tax credit lifted 3,700,000 children out of poverty;

Whereas families used the child tax credit to cover routine expenses, improve nutrition, decrease reliance on credit cards and other high-risk financial services, and make long-term educational investments; and

Whereas families of color saw the largest quality of life improvements due to the expansion of the child tax credit in 2021: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States needs to prioritize a Mom Economy that invests in the caregiving infrastructure required to adequately support and empower mothers in the workforce and sustain a thriving economy;

(2) mothers, especially mothers of color, face systemic economic and social inequalities that restrict their ability to balance parenting responsibilities with workplace roles and limit their professional advancement;

(3) mothers play an integral role not only in the financial well-being of their families but in the productivity of the American economy as a whole;

(4) the United States should invest in its mothers by expanding and developing the social safety net in order to secure meaningful and sustainable economic growth, including—

(A) robust paid family and medical leave plans for all workers, including—

(i) paid parental leave following the birth of a child or the placement of a child for adoption or foster care, provided in equal amounts for all parents regardless of gender; and

(ii) paid leave policies that can be used for family caregiving and workers' own medical leave;

(B) paid menstrual leave and remote work accommodations for workers experiencing debilitating menstrual or menopause symptoms;

(C) investment in the childcare industry with the goal of providing universal childcare and early learning, including—

(i) robust funding for Head Start and Early Head Start programs;

(ii) Federal financial support for childcare programs to guarantee all families have access to affordable and high quality child care; and

(iii) commitments to pay childcare workers a dignified, living wage;

(D) access to nutritious food as a human right, including through—

(i) boosting SNAP maximum and minimum benefits and removing barriers to access, including time restrictions and additional work requirements; and

(ii) increasing funds for school meals and other nutrition programs to combat child hunger and making school meals more accessible;

(E) the implementation and expansion of child poverty reduction tools that improve income security, infant and maternal health, and educational and economic outcomes into the second generation, including—

(i) a permanent expansion of the child tax credit; and

(ii) improvements in the earned income tax credit, which lifts millions of people above the poverty line each year and boosts labor force participation among single mothers;

(F) addressing the Nation's maternal mortality crisis through critical investments in maternal health care, including ensuring access to the full range of reproductive health care and family planning;

(G) raising the Federal minimum wage for all workers, including tipped workers, and adjusting it on a yearly basis to keep pace with inflation; and

(H) investments in legislation that ensures protections for LGBTQ+ mothers in the workplace, such as the Equality Act, and reduces wage discrimination, such as the Paycheck Fairness Act; and

(5) United States policymakers should include a specific focus on working mothers in future policymaking, beyond the aforementioned policies, including with regard to economic policy, fiscal policy, and social safety net policy, in order to ensure that working mothers and other caregivers can continue to balance their roles as family anchors and caregivers with their work and economic contributions to both their families and the economy of the United States.

SENATE CONCURRENT RESOLUTION 16—URGING ALL COUNTRIES TO OUTLAW THE DOG AND CAT MEAT TRADE AND TO ENFORCE EXISTING LAWS AGAINST SUCH TRADE

Mr. MERKLEY (for himself and Mr. SCOTT of Florida) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 16

Whereas a bipartisan domestic prohibition on the knowing slaughter, transportation, possession, purchase, or sale of a dog or cat for human consumption was included in section 12515 of the Agriculture Improvement Act of 2018 (7 U.S.C. 2160), which was enacted on December 20, 2018;

Whereas the dog and cat meat trade occurs throughout the world;

Whereas established dog meat markets still exist today;

Whereas nonprofit organizations estimate that 30,000,000 dogs and 10,000,000 cats die annually worldwide as a result of the dog and cat meat trade, and those organizations have found that a considerable number of the dogs and cats in this trade are stolen pets still wearing collars when they reach the slaughterhouses, in addition to stray dogs and cats who are captured for slaughter;

Whereas there have been reports of abuse, poor living conditions, and cruel slaughtering techniques for dogs and cats farmed for their meat;

Whereas many dogs and cats die during transport to slaughterhouses after days or

weeks crammed into small cages on the back of vehicles without food or water, and others suffer illness and injury during transport;

Whereas the extreme suffering of dogs and cats at such slaughterhouses and on transportation trucks would breach anti-cruelty laws in the United States and other countries;

Whereas many government officials, civil society advocates, and activists are working to end the dog and cat meat trade on anticruelty and public health grounds;

Whereas the World Health Organization has linked the dog meat industry to human outbreaks of trichinellosis, cholera, and rabies;

Whereas individuals involved in the dog meat industry are at an increased health risk for zoonotic diseases, such as rabies, which can transfer from dogs to humans through infectious material such as saliva;

Whereas the spread of disease may be exacerbated by unsanitary conditions of slaughter and by the sale of dog and cat meat at open-air markets and restaurants; and

Whereas the World Health Organization and the Global Alliance for Rabies Control have both acknowledged the link between the spread of rabies and the dog meat trade which sees large numbers of dogs of unknown disease status moved vast distances: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) calls for an end to the consumption and trade of dog and cat meat on cruelty and public health grounds;

(2) urges all countries with a dog or cat meat trade to adopt and enforce laws banning that trade; and

(3) affirms the commitment of the United States to advancing the cause of animal protection and animal welfare, both domestically and around the world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 988. Ms. ERNST (for herself, Ms. HIRONO, Mr. KAINE, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 989. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 990. Mr. WELCH (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 991. Ms. CORTEZ MASTO (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 992. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 993. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 994. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 995. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 996. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 997. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 998. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 999. Mr. RISCH (for Mr. BARRASSO (for himself, Mr. MANCHIN, and Mr. RISCH)) submitted an amendment intended to be proposed by Mr. Risch to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1000. Ms. LUMMIS (for herself, Mrs. GILLIBRAND, Ms. WARREN, and Mr. MARSHALL) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1001. Mr. OSSOFF (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1002. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1003. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1004. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1005. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1006. Mr. PADILLA (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1007. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1008. Mr. TILLIS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1009. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1010. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1011. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1012. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 1013. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 779 submitted by Mr. MENENDEZ (for himself, Mr. KAINE, and Mrs. SHAHEEN) and intended to be proposed to the bill S. 2226, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 988. Ms. ERNST (for herself, Ms. HIRONO, Mr. KAINE, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—CONNECTING OCEANIA'S NATIONS WITH VANGUARD EXERCISES AND NATIONAL EMPOWERMENT

SEC. ___01. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Connecting Oceania's Nations with Vanguard Exercises and National Empowerment'' or the ''CONVENE Act of 2023''.

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

TITLE _____—CONNECTING OCEANIA'S NATIONS WITH VANGUARD EXERCISES AND NATIONAL EMPOWERMENT

Sec. ___01. Short title; table of contents.
Sec. ___02. Definitions.
Sec. ___03. National security councils of specified countries.

SEC. ___02. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committees on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) CONGRESSIONAL DEFENSE COMMITTEES.—The term ''congressional defense committees'' has the meaning given such term in section 101(a) of title 10, United States Code.

(3) NATIONAL SECURITY COUNCIL.—The term ''national security council'' means, with respect to a specified country, an intergovernmental body under the jurisdiction of the freely elected government of the specified country that acts as the primary coordinating entity for security cooperation, disaster response, and the activities described section 6103(f).

(4) SPECIFIED COUNTRY.—The term ''specified country'' means—

(A) the Federated States of Micronesia;

(B) the Republic of the Marshall Islands; and

(C) the Republic of Palau.

SEC. ___03. NATIONAL SECURITY COUNCILS OF SPECIFIED COUNTRIES.

(a) IN GENERAL.—The Secretary of State, in consultation with other relevant Federal departments and agencies, as appropriate, may consult and engage with each specified country to advise and provide assistance to a national security council (including by developing a national security council, if appropriate), or to identify a similar coordinating body for national security matters, comprised of citizens of the specified country—

(1) that enables the specified country—

(A) to better coordinate with the United States Government, including the Armed Forces, as appropriate;

(B) to increase cohesion on activities, including emergency humanitarian response, law enforcement, and maritime security activities; and

(C) to provide trained professionals to serve as members of the committees of the

specified country established under the applicable Compact of Free Association; and

(2) for the purpose of enhancing resilience capabilities and protecting the people, infrastructure, and territory of the specified country from malign actions.

(b) COMPOSITION.—The Secretary of State, respecting the unique needs of each specified country, may seek to ensure that the national security council, or other identified coordinating body, of the specified country is composed of sufficient staff and members to enable the activities described in subsection (f).

(c) ACCESS TO SENSITIVE INFORMATION.—The Secretary of State, with the concurrence of the Director of National Intelligence, may establish, as appropriate, for use by the members and staff of the national security council, or other identified coordinating body, of each specified country standards and a process for vetting and sharing sensitive information.

(d) STANDARDS FOR EQUIPMENT AND SERVICES.—The Secretary of State may work with the national security council, or other identified coordinating body, of each specified country to ensure that—

(1) the equipment and services used by the national security council or other identified coordinating body are compliant with security standards so as to minimize the risk of cyberattacks or espionage;

(2) the national security council or other identified coordinating body takes all reasonable efforts not to procure or use systems, equipment, or software that originates from any entity identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3965; 10 U.S.C. 113 note); and

(3) to the extent practicable, the equipment and services used by the national security council or other identified coordinating body are interoperable with the equipment and services used by the national security councils, or other identified coordinating bodies, of the other specified countries.

(e) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of State shall submit to the appropriate committees of Congress a report that includes—

(A) an assessment as to whether a national security council or a similar formal coordinating body is helping or would help achieve the objectives described in subsection (a) at acceptable financial and opportunity cost;

(B) a description of all actions taken by the United States Government to assist in the identification or maintenance of a national security council, or other identified coordinating body, in each specified country;

(C) with respect to each specified country, an assessment as to whether—

(i) the specified country has appropriately staffed its national security council or other identified coordinating body; and

(ii) the extent to which the national security council, or other identified coordinating body, of the specified country is capable of carrying out the activities described in subsection (f);

(D) an assessment of—

(i) any challenge to cooperation and coordination with the national security council, or other identified coordinating body, of any specified country;

(ii) current efforts by the Secretary of State to coordinate with the specified countries on the activities described in subsection (f); and

(iii) existing governmental entities within each specified country that are capable of supporting such activities;

(E) a description of any challenge with respect to—

(i) the implementation of the national security council, or other identified coordinating body, of any specified country; and

(ii) the implementation of subsections (a) through (d);

(F) an assessment of any attempt or campaign by a malign actor to influence the political, security, or economic policy of a specified country, a member of a national security council or other identified coordinating body, or an immediate family member of such a member; and

(G) any other matter the Secretary of State considers relevant.

(2) FORM.—Each report required by paragraph (1) may be submitted in unclassified form and may include a classified annex.

(f) ACTIVITIES DESCRIBED.—The activities described in this subsection are the following:

(1) HOMELAND SECURITY ACTIVITIES.—

(A) Coordination of—

(i) the prosecution and investigation of transnational criminal enterprises;

(ii) responses to national emergencies, such as natural disasters;

(iii) counterintelligence and counter-coercion responses to foreign threats; and

(iv) efforts to combat illegal, unreported, or unregulated fishing.

(B) Coordination with United States Government officials on humanitarian response, military exercises, law enforcement, and other issues of security concern.

(C) Identification and development of an existing governmental entity to support homeland defense and civil support activities.

SA 989. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 534 and insert the following:

SEC. 534. MILITARY PERSONNEL: RECRUITING; MERIT-BASED DETERMINATIONS.

(a) RECRUITING.—Not later than September 30, 2024, the Secretary of Defense shall prescribe regulations that any effort to recruit an individual to serve in a covered Armed Force may not take into account the race or gender of such individual.

(b) MERIT-BASED DETERMINATIONS.—Not later than September 30, 2024, the Secretary of Defense shall prescribe regulations that, with regards to a military accession, assignment, selection, or promotion—

(1) a determination shall be made on the basis of merit in order to advance those individuals who exhibit the talent and abilities necessary to promote the national security of the United States;

(2) a candidate shall be evaluated on the bases of qualifications, performance, integrity, fitness, training, and conduct;

(3) no determination may be based on favoritism or nepotism; and

(4) no quota may be used.

(c) COVERED ARMED FORCE DEFINED.—In this section, the term ''covered Armed Force'' means the following:

(1) The Army.

(2) The Navy.

(3) The Marine Corps.

(4) The Air Force.

(5) The Space Force.

SA 990. Mr. WELCH (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 633. REPORT ON EFFORTS TO CONDUCT OUTREACH TO MEMBERS OF THE ARMED FORCES REGARDING POSSIBLE TOXIC EXPOSURE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall submit to the appropriate committees of Congress a report on—

(1) efforts by the Department of Defense to conduct risk assessments for toxic exposure for members of the Armed Forces assigned to work near burn pits;

(2) steps taken by the Department to inform members of the Armed Forces assigned to work near burn pits of—

(A) risks of toxic exposure; and

(B) benefits and support programs furnished by the Secretary of Defense or the Secretary of Veterans Affairs (including eligibility requirements and timelines) regarding toxic exposure; and

(3) specific areas of improvement and recommendations for future action related to toxic exposure risk assessments and subsequent outreach to members of the Armed Forces.

(b) 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) TOXIC EXPOSURE.—The term ''toxic exposure'' has the meaning given that term in section 101 of title 38, United States Code.

SA 991. Ms. CORTEZ MASTO (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. FEASIBILITY STUDY ON ESTABLISHMENT OF INDO-PACIFIC MARITIME GOVERNANCE CENTER OF EXCELLENCE.

(a) IN GENERAL.—The Secretary of Defense shall conduct a feasibility study on establishing an Indo-Pacific Maritime Governance Center of Excellence focused on building partner capacity for maritime governance. Such study shall include an evaluation of each of the following:

(1) The strategic importance of the Indo-Pacific region in terms of maritime security and governance.

(2) The existing maritime governance frameworks and institutions in the Indo-Pacific region.

(3) The potential contributions and benefits of establishing a dedicated center for promoting maritime governance in the Indo-Pacific region.

(4) The potential roles, responsibilities, and organizational structure of the center.

(5) The required resources, funding, and personnel necessary to establish and sustain the center.

(6) The potential partnerships and collaborations with regional and international stakeholders, including allied and partner nations, nongovernmental organizations, and academic institutions.

(7) The legal and regulatory considerations, including any necessary agreements or frameworks with other entities to establish and operate the center.

(8) Any other relevant factors the Secretary determines necessary for the successful implementation of the center.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study required under subsection (a).

SA 992. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle D of title XXXI, insert the following:

SEC. 31_____. PROHIBITION ON EXPORTS OF CRUDE OIL TO CERTAIN COUNTRIES.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, unless a waiver has been issued under subsection (b) with respect to the applicable country, no crude oil that is produced in the United States may be exported to the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

(b) WAIVER.—

(1) IN GENERAL.—On application, the Secretary of Energy may waive the prohibition described in subsection (a) with respect to the export of crude oil to the applicable country under that subsection.

(2) REQUIREMENT.—The Secretary of Energy may issue a waiver under this subsection only if the Secretary determines that the waiver is in the interest of the national security of the United States.

(3) APPLICATIONS.—To be considered for a waiver under paragraph (1), an application for a waiver referred to in that paragraph shall be submitted to the Secretary of Energy by such date, in such form, and containing such information as the Secretary of Energy may require.

(4) NOTICE TO CONGRESS.—Not later than 15 days after issuing a waiver under this subsection, the Secretary of Energy shall provide a copy of the waiver to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SA 993. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF JUSTICE INITIATIVES TO COMBAT TRANSNATIONAL REPRESSION IN THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Homeland Security and the Attorney General, in consultation with the Director of the Federal Bureau of Investigation, shall—

(1) dedicate resources to ensure that a tip line for victims and witnesses of transnational repression—

(A) is staffed by people who are—

(i) equipped with cultural and linguistic ability to communicate effectively with diaspora and exile communities; and

(ii) knowledgeable of the tactics of transnational repression; and

(B) is encrypted and, to the maximum extent practicable, protects the confidentiality of the identifying information of individuals who may call the tip line;

(2) not later than 270 days after the date of the enactment of this Act—

(A) identify existing Federal resources to assist and protect individuals and communities targeted by transnational repression in the United States; and

(B) in cooperation with the Secretary of Health and Human Services and the heads of other Federal agencies, publish such resources in a toolkit or guide;

(3) continue to conduct proactive outreach so that individuals in targeted communities—

(A) are aware of the tip line described in paragraph (1); and

(B) are informed about the types of incidents that should be reported to the Federal Bureau of Investigation;

(4) support data collection and analysis undertaken by Federal research and development centers regarding the needs of targeted communities in the United States, with the goal of identifying priority needs and developing solutions and assistance mechanisms, while recognizing that such mechanisms may differ depending on geographic location of targeted communities, language, and other factors;

(5) continue to issue advisories to, and engage regularly with, communities that are at particular risk of transnational repression, including specific diaspora communities—

(A) to explain what transnational repression is and clarify the threshold at which incidents of transnational repression constitute a crime; and

(B) to identify the resources available to individuals in targeted communities to facilitate their reporting of, and to protect them from, transnational repression, without placing such individuals at additional risk; and

(6) conduct annual trainings with caseworker staff in congressional offices regarding the tactics of transnational repression and the resources available to their constituents.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 for each of the fiscal years 2024 through 2027, for the research, development, outreach, and training activities described in subsection (a).

SA 994. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION __—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2024''.

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

DIVISION __—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.
Sec. 104. Increase in employee compensation and benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. Plan to recruit, train, and retain personnel with experience in financial intelligence and emerging technologies.
Sec. 302. Policy and performance framework for mobility of intelligence community workforce.
Sec. 303. In-State tuition rates for active duty members of the intelligence community.
Sec. 304. Standards, criteria, and guidance for counterintelligence vulnerability assessments and surveys.
Sec. 305. Improving administration of certain post-employment restrictions for intelligence community.
Sec. 306. Mission of the National Counterintelligence and Security Center.
Sec. 307. Prohibition relating to transport of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 308. Department of Energy science and technology risk assessments.
Sec. 309. Congressional oversight of intelligence community risk assessments.
Sec. 310. Inspector General review of dissemination by Federal Bureau of Investigation Richmond, Virginia, field office of certain document.
Sec. 311. Office of Intelligence and Analysis.

Subtitle B—Central Intelligence Agency

Sec. 321. Change to penalties and increased availability of mental health treatment for unlawful conduct on Central Intelligence Agency installations.
Sec. 322. Modifications to procurement authorities of the Central Intelligence Agency.

Sec. 323. Establishment of Central Intelligence Agency standard workplace sexual misconduct complaint investigation procedure.

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People's Republic of China

Sec. 401. Intelligence community coordinator for accountability of atrocities of the People's Republic of China.
Sec. 402. Interagency working group and report on the malign efforts of the People's Republic of China in Africa.
Sec. 403. Amendment to requirement for annual assessment by intelligence community working group for monitoring the economic and technological capabilities of the People's Republic of China.
Sec. 404. Assessments of reciprocity in the relationship between the United States and the People's Republic of China.
Sec. 405. Annual briefing on intelligence community efforts to identify and mitigate Chinese Communist Party and Russian foreign malign influence operations against the United States.
Sec. 406. Assessment of threat posed to United States ports by cranes manufactured by countries of concern.

Subtitle B—Other Foreign Countries

Sec. 411. Report on efforts to capture and detain United States citizens as hostages.
Sec. 412. Sense of Congress on priority of fentanyl in National Intelligence Priorities Framework.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

Sec. 501. Assignment of detailees from intelligence community to Department of Commerce.
Sec. 502. Threats posed by information and communications technology and services transactions and other activities.
Sec. 503. Support of intelligence community for export controls and other missions of the Department of Commerce.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

Sec. 511. Expanded annual assessment of economic and technological capabilities of the People's Republic of China.
Sec. 512. Assessment of using civil nuclear energy for intelligence community capabilities.
Sec. 513. Policies established by Director of National Intelligence for artificial intelligence capabilities.

TITLE VI—WHISTLEBLOWER MATTERS

Sec. 601. Submittal to Congress of complaints and information by whistleblowers in the intelligence community.
Sec. 602. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.
Sec. 603. Establishing process parity for adverse security clearance and access determinations.
Sec. 604. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.
Sec. 605. Modification and repeal of reporting requirements.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Classification and declassification of information.
Sec. 704. Transparency officers.

Subtitle B—Sensible Classification Act of 2023

Sec. 711. Short title.
Sec. 712. Definitions.
Sec. 713. Findings and sense of the Senate.
Sec. 714. Classification authority.
Sec. 715. Promoting efficient declassification review.
Sec. 716. Training to promote sensible classification.
Sec. 717. Improvements to Public Interest Declassification Board.
Sec. 718. Implementation of technology for classification and declassification.
Sec. 719. Studies and recommendations on necessity of security clearances.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

Sec. 801. Review of shared information technology services for personnel vetting.
Sec. 802. Timeliness standard for rendering determinations of trust for personnel vetting.
Sec. 803. Annual report on personnel vetting trust determinations.
Sec. 804. Survey to assess strengths and weaknesses of Trusted Workforce 2.0.
Sec. 805. Prohibition on denial of eligibility for access to classified information solely because of past use of cannabis.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

Sec. 901. Improved funding flexibility for payments made by the Central Intelligence Agency for qualifying injuries to the brain.
Sec. 902. Clarification of requirements to seek certain benefits relating to injuries to the brain.
Sec. 903. Intelligence community implementation of HAVANA Act of 2021 authorities.
Sec. 904. Report and briefing on Central Intelligence Agency handling of anomalous health incidents.

TITLE X—ELECTION SECURITY

Sec. 1001. Strengthening Election Cybersecurity to Uphold Respect for Elections through Independent Testing Act of 2023.

TITLE XI—OTHER MATTERS

Sec. 1101. Modification of reporting requirement for All-domain Anomaly Resolution Office.
Sec. 1102. Funding limitations relating to unidentified anomalous phenomena.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2024 the sum of $658,950,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2024 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

SEC. 104. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2024.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. PLAN TO RECRUIT, TRAIN, AND RETAIN PERSONNEL WITH EXPERIENCE IN FINANCIAL INTELLIGENCE AND EMERGING TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of human capital

of the Central Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a plan for the intelligence community to recruit, train, and retain personnel who have skills and experience in financial intelligence and emerging technologies in order to improve analytic tradecraft.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following elements:

(1) An assessment, including measurable benchmarks of progress, of current initiatives of the intelligence community to recruit, train, and retain personnel who have skills and experience in financial intelligence and emerging technologies.

(2) An assessment of whether personnel in the intelligence community who have such skills are currently well integrated into the analytical cadre of the relevant elements of the intelligence community that produce analyses with respect to financial intelligence and emerging technologies.

(3) An identification of challenges to hiring or compensation in the intelligence community that limit progress toward rapidly increasing the number of personnel with such skills, and an identification of hiring or other reforms to resolve such challenges.

(4) A determination of whether the National Intelligence University has the resources and expertise necessary to train existing personnel in financial intelligence and emerging technologies.

(5) A strategy, including measurable benchmarks of progress, to, by January 1, 2025, increase by 10 percent the analytical cadre of personnel with expertise and previous employment in financial intelligence and emerging technologies.

SEC. 302. POLICY AND PERFORMANCE FRAMEWORK FOR MOBILITY OF INTELLIGENCE COMMUNITY WORKFORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Secretary of Defense and the Director of the Office of Personnel Management as the Director of National Intelligence considers appropriate, develop and implement a policy and performance framework to ensure the timely and effective mobility of employees and contractors of the Federal Government who are transferring employment between elements of the intelligence community.

(b) ELEMENTS.—The policy and performance framework required by subsection (a) shall include processes with respect to the following:

(1) Human resources.

(2) Medical reviews.

(3) Determinations of suitability or eligibility for access to classified information in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information).

SEC. 303. IN-STATE TUITION RATES FOR ACTIVE DUTY MEMBERS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 135(d) of the Higher Education Act of 1965 (20 U.S.C. 1015d(d)), as amended by section 6206(a)(4) of the Foreign Service Families Act of 2021 (Public Law 117–81), is further amended—

(1) in paragraph (1), by striking ''or'' after the semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) a member of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who is on active duty for a period of more than 30 days.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at each public institution of higher education in a State that receives assistance under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) for the first period of enrollment at such institution that begins after July 1, 2026.

SEC. 304. STANDARDS, CRITERIA, AND GUIDANCE FOR COUNTERINTELLIGENCE VULNERABILITY ASSESSMENTS AND SURVEYS.

Section 904(d)(7)(A) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(d)(7)(A)) is amended to read as follows:

''(A) COUNTERINTELLIGENCE VULNERABILITY ASSESSMENTS AND SURVEYS.—To develop standards, criteria, and guidance for counterintelligence risk assessments and surveys of the vulnerability of the United States to intelligence threats, including with respect to critical infrastructure and critical technologies, in order to identify the areas, programs, and activities that require protection from such threats.''.

SEC. 305. IMPROVING ADMINISTRATION OF CERTAIN POST-EMPLOYMENT RESTRICTIONS FOR INTELLIGENCE COMMUNITY.

Section 304 of the National Security Act of 1947 (50 U.S.C. 3073a) is amended—

(1) in subsection (c)(1)—

(A) by striking ''A former'' and inserting the following:

''(A) IN GENERAL.—A former''; and

(B) by adding at the end the following:

''(B) PRIOR DISCLOSURE TO DIRECTOR OF NATIONAL INTELLIGENCE.—

''(i) IN GENERAL.—In the case of a former employee who occupies a covered post-service position in violation of subsection (a), whether the former employee voluntarily notified the Director of National Intelligence of the intent of the former employee to occupy such covered post-service position before occupying such post-service position may be used in determining whether the violation was knowing and willful for purposes of subparagraph (A).

''(ii) PROCEDURES AND GUIDANCE.—The Director of National Intelligence may establish procedures and guidance relating to the submittal of notice for purposes of clause (i).''; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''the restrictions under subsection (a) and'' before ''the report requirements'';

(B) in paragraph (2), by striking ''ceases to occupy'' and inserting ''occupies''; and

(C) in paragraph (3)(B), by striking ''before the person ceases to occupy a covered intelligence position'' and inserting ''when the person occupies a covered intelligence position''.

SEC. 306. MISSION OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

(a) IN GENERAL.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

''(d) MISSION.—The mission of the National Counterintelligence and Security Center shall include organizing and leading strategic planning for counterintelligence activities of the United States Government by integrating instruments of national power as needed to counter foreign intelligence activities.''.

(b) CONFORMING AMENDMENTS.—

(1) COUNTERINTELLIGENCE ENHANCEMENT ACT OF 2002.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(A) in subsection (e), as redesignated by subsection (a)(1), by striking ''Subject to subsection (e)'' both places it appears and inserting ''Subject to subsection (f)''; and

(B) in subsection (f), as so redesignated—

(i) in paragraph (1), by striking ''subsection (d)(1)'' and inserting ''subsection (e)(1)''; and

(ii) in paragraph (2), by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''.

(2) COUNTERINTELLIGENCE AND SECURITY ENHANCEMENTS ACT OF 1994.—Section 811(d)(1)(B)(ii) of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381(d)(1)(B)(ii)) is amended by striking ''section 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))'' and inserting ''section 904(e)(2) of that Act (50 U.S.C. 3383(e)(2))''.

SEC. 307. PROHIBITION RELATING TO TRANSPORT OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) DEFINITION OF INDIVIDUAL DETAINED AT GUANTANAMO.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

(b) PROHIBITION ON CHARTERING PRIVATE OR COMMERCIAL AIRCRAFT TO TRANSPORT INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—No head of an element of the intelligence community may charter any private or commercial aircraft to transport an individual who is or was an individual detained at Guantanamo.

SEC. 308. DEPARTMENT OF ENERGY SCIENCE AND TECHNOLOGY RISK ASSESSMENTS.

(a) DEFINITIONS.—In this section:

(1) COUNTRY OF RISK.—

(A) IN GENERAL.—The term ''country of risk'' means a foreign country determined by the Secretary, in accordance with subparagraph (B), to present a risk of theft of United States intellectual property or a threat to the national security of the United States if nationals of the country, or entities owned or controlled by the country or nationals of the country, participate in any research, development, demonstration, or deployment activity authorized under this Act or an amendment made by this Act.

(B) DETERMINATION.—In making a determination under subparagraph (A), the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence, shall take into consideration—

(i) the most recent World Wide Threat Assessment of the United States Intelligence Community, prepared by the Director of National Intelligence; and

(ii) the most recent National Counterintelligence Strategy of the United States.

(2) COVERED SUPPORT.—The term ''covered support'' means any grant, contract, subcontract, award, loan, program, support, or other activity authorized under this Act or an amendment made by this Act.

(3) ENTITY OF CONCERN.—The term ''entity of concern'' means any entity, including a national, that is—

(A) identified under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note; Public Law 105–261);

(B) identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note; Public Law 116–283);

(C) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

(D) included in the list required by section 9(b)(3) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 134 Stat. 656); or

(E) identified by the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence and the applicable office that would provide, or is providing, covered support, as posing an unmanageable threat—

(i) to the national security of the United States; or

(ii) of theft or loss of United States intellectual property.

(4) NATIONAL.—The term ''national'' has the meaning given the term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) SCIENCE AND TECHNOLOGY RISK ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall develop and maintain tools and processes to manage and mitigate research security risks, such as a science and technology risk matrix, informed by threats identified by the Director of the Office of Intelligence and Counterintelligence, to facilitate determinations of the risk of loss of United States intellectual property or threat to the national security of the United States posed by activities carried out under any covered support.

(2) CONTENT AND IMPLEMENTATION.—In developing and using the tools and processes developed under paragraph (1), the Secretary shall—

(A) deploy risk-based approaches to evaluating, awarding, and managing certain research, development, demonstration, and deployment activities, including designations that will indicate the relative risk of activities;

(B) assess, to the extent practicable, ongoing high-risk activities;

(C) designate an officer or employee of the Department of Energy to be responsible for tracking and notifying recipients of any covered support of unmanageable threats to United States national security or of theft or loss of United States intellectual property posed by an entity of concern;

(D) consider requiring recipients of covered support to implement additional research security mitigations for higher-risk activities if appropriate; and

(E) support the development of research security training for recipients of covered support on the risks posed by entities of concern.

(3) ANNUAL UPDATES.—The tools and processes developed under paragraph (1) shall be evaluated annually and updated as needed, with threat-informed input from the Office of Intelligence and Counterintelligence, to reflect changes in the risk designation under paragraph (2)(A) of research, development, demonstration, and deployment activities conducted by the Department of Energy.

(c) ENTITY OF CONCERN.—

(1) PROHIBITION.—Except as provided in paragraph (2), no entity of concern, or individual that owns or controls, is owned or controlled by, or is under common ownership or control with an entity of concern, may receive, or perform work under, any covered support.

(2) WAIVER OF PROHIBITION.—

(A) IN GENERAL.—The Secretary may waive the prohibition under paragraph (1) if determined by the Secretary to be in the national interest.

(B) NOTIFICATION TO CONGRESS.—Not less than 2 weeks prior to issuing a waiver under subparagraph (A), the Secretary shall notify Congress of the intent to issue the waiver, including a justification for the waiver.

(3) PENALTY.—

(A) TERMINATION OF SUPPORT.—On finding that any entity of concern or individual described in paragraph (1) has received covered support and has not received a waiver under paragraph (2), the Secretary shall terminate all covered support to that entity of concern or individual, as applicable.

(B) PENALTIES.—An entity of concern or individual identified under subparagraph (A) shall be—

(i) prohibited from receiving or participating in covered support for a period of not less than 1 year but not more than 10 years, as determined by the Secretary; or

(ii) instead of the penalty described in clause (i), subject to any other penalties authorized under applicable law or regulations that the Secretary determines to be in the national interest.

(C) NOTIFICATION TO CONGRESS.—Prior to imposing a penalty under subparagraph (B), the Secretary shall notify Congress of the intent to impose the penalty, including a description of and justification for the penalty.

(4) COORDINATION.—The Secretary shall—

(A) share information about the unmanageable threats described in subsection (a)(3)(E) with other Federal agencies; and

(B) develop consistent approaches to identifying entities of concern.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(e) REPORT REQUIRED.—Not later than 240 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes—

(A) the tools and processes developed under subsection (b)(1) and any updates to those tools and processes; and

(B) if applicable, the science and technology risk matrix developed under that subsection and how that matrix has been applied;

(2) includes a mitigation plan for managing risks posed by countries of risk with respect to future or ongoing research and development activities of the Department of Energy; and

(3) defines critical research areas, designated by risk, as determined by the Secretary.

SEC. 309. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE COMMUNITY RISK ASSESSMENTS.

(a) RISK ASSESSMENT DOCUMENTS AND MATERIALS.—Except as provided in subsection (b), whenever an element of the intelligence community conducts a risk assessment arising from the mishandling or improper disclosure of classified information, the Director of National Intelligence shall, not later than 30 days after the date of the commencement of such risk assessment—

(1) submit to the congressional intelligence committees copies of such documents and materials as are—

(A) within the jurisdiction of such committees; and

(B) subject to the risk assessment; and

(2) provide such committees a briefing on such documents, materials, and risk assessment.

(b) EXCEPTION.—If the Director determines, with respect to a risk assessment described in subsection (a), that the documents and other materials otherwise subject to paragraph (1) of such subsection (a) are of such a volume that submittal pursuant to such paragraph would be impracticable, the Director shall—

(1) in lieu of submitting copies of such documents and materials, submit a log of such documents and materials; and

(2) pursuant to a request by the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a document or material included in such log, submit to such committee such copy.

SEC. 310. INSPECTOR GENERAL REVIEW OF DISSEMINATION BY FEDERAL BUREAU OF INVESTIGATION RICHMOND, VIRGINIA, FIELD OFFICE OF CERTAIN DOCUMENT.

(a) REVIEW REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall conduct a review of the actions and events, including any underlying policy direction, that served as a basis for the January 23, 2023, dissemination by the field office of the Federal Bureau of Investigation located in Richmond, Virginia, of a document titled ''Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities.''.

(b) SUBMITTAL TO CONGRESS.—The Inspector General of the Department of Justice shall submit the findings of the Inspector General with respect to the review required by subsection (a) to the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate.

(3) The Committee on the Judiciary, the Committee on Oversight and Accountability, and the Committee on Appropriations of the House of Representatives.

SEC. 311. OFFICE OF INTELLIGENCE AND ANALYSIS.

Section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following:

''(h) PROHIBITION.—

''(1) DEFINITION.—In this subsection, the term 'United States person' means a United States citizen, an alien known by the Office of Intelligence and Analysis to be a permanent resident alien, an unincorporated association substantially composed of United States citizens or permanent resident aliens, or a corporation incorporated in the United States, except for a corporation directed and controlled by 1 or more foreign governments.

''(2) COLLECTION OF INFORMATION FROM UNITED STATES PERSONS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Office of Intelligence and Analysis may not engage in the collection of information or intelligence targeting any United States person except as provided in subparagraph (B).

''(B) EXCEPTION.—Subparagraph (A) shall not apply to any employee, officer, or contractor of the Office of Intelligence and Analysis who is responsible for collecting information from individuals working for a State, local, or Tribal territory government or a private employer.''.

Subtitle B—Central Intelligence Agency

SEC. 321. CHANGE TO PENALTIES AND INCREASED AVAILABILITY OF MENTAL HEALTH TREATMENT FOR UNLAWFUL CONDUCT ON CENTRAL INTELLIGENCE AGENCY INSTALLATIONS.

Section 15(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(b)) is amended, in the second sentence, by striking ''those specified in section 1315(c)(2) of title 40, United States Code'' and inserting ''the maximum penalty authorized for a Class B misdemeanor under section 3559 of title 18, United States Code''.

SEC. 322. MODIFICATIONS TO PROCUREMENT AUTHORITIES OF THE CENTRAL INTELLIGENCE AGENCY.

Section 3 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3503) is amended—

(1) in subsection (a), by striking ''sections'' and all that follows through ''session)'' and inserting ''sections 3201, 3203, 3204, 3206, 3207, 3302 through 3306, 3321 through 3323, 3801 through 3808, 3069, 3134, 3841, and 4752 of title 10, United States Code'' and

(2) in subsection (d), by striking ''in paragraphs'' and all that follows through ''1947'' and inserting ''in sections 3201 through 3204 of title 10, United States Code, shall not be delegable. Each determination or decision required by sections 3201 through 3204, 3321 through 3323, and 3841 of title 10, United States Code''.

SEC. 323. ESTABLISHMENT OF CENTRAL INTELLIGENCE AGENCY STANDARD WORKPLACE SEXUAL MISCONDUCT COMPLAINT INVESTIGATION PROCEDURE.

(a) WORKPLACE SEXUAL MISCONDUCT DEFINED.—The term ''workplace sexual misconduct''—

(1) means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when—

(A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(C) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; and

(2) includes sexual harassment and sexual assault.

(b) STANDARD COMPLAINT INVESTIGATION PROCEDURE.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) establish a standard workplace sexual misconduct complaint investigation procedure;

(2) implement the standard workplace sexual misconduct complaint investigation procedure through clear workforce communication and education on the procedure; and

(3) submit the standard workplace sexual misconduct complaint investigation procedure to the congressional intelligence committees.

(c) MINIMUM REQUIREMENTS.—The procedure established pursuant to subsection (b)(1) shall, at a minimum—

(1) identify the individuals and offices of the Central Intelligence Agency to which an employee of the Agency may bring a complaint of workplace sexual misconduct;

(2) detail the steps each individual or office identified pursuant to paragraph (1) shall take upon receipt of a complaint of workplace sexual misconduct and the timeframes within which those steps shall be taken, including—

(A) documentation of the complaint;

(B) referral or notification to another individual or office;

(C) measures to document or preserve witness statements or other evidence; and

(D) preliminary investigation of the complaint;

(3) set forth standard criteria for determining whether a complaint of workplace sexual misconduct will be referred to law enforcement and the timeframe within which such a referral shall occur; and

(4) for any complaint not referred to law enforcement, set forth standard criteria for determining—

(A) whether a complaint has been substantiated; and

(B) for any substantiated complaint, the appropriate disciplinary action.

(d) ANNUAL REPORTS.—On or before April 30 of each year, the Director shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives an annual report that includes, for the preceding calendar year, the following:

(1) The number of workplace sexual misconduct complaints brought to each individual or office of the Central Intelligence Agency identified pursuant to subsection (c)(1), disaggregated by—

(A) complaints referred to law enforcement; and

(B) complaints substantiated.

(2) For each complaint described in paragraph (1) that is substantiated, a description of the disciplinary action taken by the Director.

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People's Republic of China

SEC. 401. INTELLIGENCE COMMUNITY COORDINATOR FOR ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) ATROCITY.—The term ''atrocity'' means a crime against humanity, genocide, or a war crime.

(2) FOREIGN PERSON.—The term ''foreign person'' means—

(A) any person or entity that is not a United States person; or

(B) any entity not organized under the laws of the United States or of any jurisdiction within the United States.

(3) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 105A(c) of the National Security Act of 1947 (50 U.S.C. 3039).

(b) INTELLIGENCE COMMUNITY COORDINATOR FOR ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) DESIGNATION.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate a senior official of the Office of the Director of National Intelligence to serve as the intelligence community coordinator for accountability of atrocities of the People's Republic of China (in this section referred to as the ''Coordinator'').

(2) DUTIES.—The Coordinator shall lead the efforts of and coordinate and collaborate with the intelligence community with respect to the following:

(A) Identifying and addressing any gaps in intelligence collection relating to atrocities of the People's Republic of China, including by recommending the modification of the priorities of the intelligence community with respect to intelligence collection and by utilizing informal processes and collaborative mechanisms with key elements of the intelligence community to increase collection on atrocities of the People's Republic of China.

(B) Prioritizing and expanding the intelligence analysis with respect to ongoing atrocities of the People's Republic of China and disseminating within the United States Government intelligence relating to the identification and activities of foreign persons suspected of being involved with or providing support to atrocities of the People's Republic of China, including genocide and forced labor practices in Xinjiang, in order to support the efforts of other Federal agencies, including the Department of State, the Department of Justice, the Department of the Treasury, the Office of Foreign Assets Control, the Department of Commerce, the Bureau of Industry and Security, U.S. Customs and Border Protection, and the National Security Council, to hold the People's Republic of China accountable for such atrocities.

(C) Increasing efforts to declassify and share with the people of the United States and the international community information regarding atrocities of the People's Republic of China in order to expose such atrocities and counter the disinformation and misinformation campaign by the People's Republic of China to deny such atrocities.

(D) Documenting and storing intelligence and other unclassified information that may be relevant to preserve as evidence of atrocities of the People's Republic of China for future accountability, and ensuring that other relevant Federal agencies receive appropriate support from the intelligence community with respect to the collection, analysis, preservation, and, as appropriate, dissemination, of intelligence related to atrocities of the People's Republic of China, which may include the information from the annual report required by section 6504 of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(E) Sharing information with the Forced Labor Enforcement Task Force, established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681), the Department of Commerce, and the Department of the Treasury for the purposes of entity listings and sanctions.

(3) PLAN REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress—

(A) the name of the official designated as the Coordinator pursuant to paragraph (1); and

(B) the strategy of the intelligence community for the collection and dissemination of intelligence relating to ongoing atrocities of the People's Republic of China, including a detailed description of how the Coordinator shall support, and assist in facilitating the implementation of, such strategy.

(4) ANNUAL REPORT TO CONGRESS.—

(A) REPORTS REQUIRED.—Not later than May 1, 2024, and annually thereafter until May 1, 2034, the Director shall submit to Congress a report detailing, for the year covered by the report—

(i) the analytical findings, changes in collection, and other activities of the intelligence community with respect to ongoing atrocities of the People's Republic of China;

(ii) the recipients of information shared pursuant to this section for the purpose of—

(I) providing support to Federal agencies to hold the People's Republic of China accountable for such atrocities; and

(II) sharing information with the people of the United States to counter the disinformation and misinformation campaign by the People's Republic of China to deny such atrocities; and

(iii) with respect to clause (ii), the date of any such sharing.

(B) FORM.—Each report submitted under subparagraph (A) may be submitted in classified form, consistent with the protection of intelligence sources and methods.

(c) SUNSET.—This section shall cease to have effect on the date that is 10 years after the date of the enactment of this Act.

SEC. 402. INTERAGENCY WORKING GROUP AND REPORT ON THE MALIGN EFFORTS OF THE PEOPLE'S REPUBLIC OF CHINA IN AFRICA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish an interagency working group within the intelligence community to analyze the tactics and capabilities of the People's Republic of China in Africa.

(2) ESTABLISHMENT FLEXIBILITY.—The working group established under paragraph (1) may be—

(A) independently established; or

(B) to avoid redundancy, incorporated into existing working groups or cross-intelligence efforts within the intelligence community.

(b) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and twice annually thereafter, the working group established under subsection (a) shall submit to the appropriate committees of Congress a report on the specific tactics and capabilities of the People's Republic of China in Africa.

(3) ELEMENTS.—Each report required by paragraph (2) shall include the following elements:

(A) An assessment of efforts by the Government of the People's Republic of China to exploit mining and reprocessing operations in Africa.

(B) An assessment of efforts by the Government of the People's Republic of China to provide or fund technologies in Africa, including—

(i) telecommunications and energy technologies, such as advanced reactors, transportation, and other commercial products; and

(ii) by requiring that the People's Republic of China be the sole provider of such technologies.

(C) An assessment of efforts by the Government of the People's Republic of China to expand intelligence capabilities in Africa.

(D) A description of actions taken by the intelligence community to counter such efforts.

(E) An assessment of additional resources needed by the intelligence community to better counter such efforts.

(4) FORM.—Each report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) SUNSET.—The requirements of this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 403. AMENDMENT TO REQUIREMENT FOR ANNUAL ASSESSMENT BY INTELLIGENCE COMMUNITY WORKING GROUP FOR MONITORING THE ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

Section 6503(c)(3)(D) of the Intelligence Authorization Act for Fiscal Year 2023 (division F of Public Law 117–263) is amended by striking ''the top 200'' and inserting ''all the known''.

SEC. 404. ASSESSMENTS OF RECIPROCITY IN THE RELATIONSHIP BETWEEN THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research, in consultation with the Director of National Intelligence and such other heads of elements of the intelligence community as the Assistant Secretary considers relevant, shall submit to Congress the following:

(1) A comprehensive assessment that identifies critical areas in the security, diplomatic, economic, financial, technological, scientific, commercial, academic, and cultural spheres in which the United States does not enjoy a reciprocal relationship with the People's Republic of China.

(2) A comprehensive assessment that describes how the lack of reciprocity between the People's Republic of China and the United States in the areas identified in the assessment required by paragraph (1) provides advantages to the People's Republic of China.

(b) FORM OF ASSESSMENTS.—

(1) CRITICAL AREAS.—The assessment required by subsection (a)(1) shall be submitted in unclassified form.

(2) ADVANTAGES.—The assessment required by subsection (a)(2) shall be submitted in classified form.

SEC. 405. ANNUAL BRIEFING ON INTELLIGENCE COMMUNITY EFFORTS TO IDENTIFY AND MITIGATE CHINESE COMMUNIST PARTY AND RUSSIAN FOREIGN MALIGN INFLUENCE OPERATIONS AGAINST THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) CHINESE ENTITIES ENGAGED IN FOREIGN MALIGN INFLUENCE OPERATIONS.—The term ''hinese entities engaged in foreign malign influence operations'' means all of the elements of the Government of the People's Republic of China and the Chinese Communist Party involved in foreign malign influence, such as—

(A) the Ministry of State Security;

(B) other security services of the People's Republic of China;

(C) the intelligence services of the People's Republic of China;

(D) the United Front Work Department and other united front organs;

(E) state-controlled media systems, such as the China Global Television Network (CGTN); and

(F) any entity involved in foreign malign influence operations that demonstrably and intentionally disseminate false information and propaganda of the Government of the People's Republic of China or the Chinese Communist Party.

(2) RUSSIAN MALIGN INFLUENCE ACTORS.—The term ''Russian malign influence actors'' refers to entities or individuals engaged in foreign malign influence operations against the United States who are affiliated with—

(A) the intelligence and security services of the Russian Federation

(B) the Presidential Administration;

(C) any other entity of the Government of the Russian Federation; or

(D) Russian mercenary or proxy groups such as the Wagner Group.

(3) FOREIGN MALIGN INFLUENCE OPERATION.—The term ''foreign malign influence operation'' means a coordinated and often concealed activity that is covered by the definition of the term ''foreign malign influence'' in section 119C of the National Security Act of 1947 (50 U.S.C. 3059) and uses disinformation, press manipulation, economic coercion, targeted investments, corruption, or academic censorship, which are often intended—

(A) to coerce and corrupt United States interests, values, institutions, or individuals; and

(B) to foster attitudes, behavior, decisions, or outcomes in the United States that support the interests of the Government of the People's Republic of China or the Chinese Communist Party.

(b) BRIEFING REQUIRED.—Not later than 120 days after the date of the enactment of this Act and annually thereafter until the date that is 5 years after the date of the enactment of this Act, the Director of the Foreign Malign Influence Center shall, in collaboration with the heads of the elements of the intelligence community, provide Congress a classified briefing on the ways in which the relevant elements of the intelligence community are working internally and coordinating across the intelligence community to identify and mitigate the actions of Chinese and Russian entities engaged in foreign malign influence operations against the United States, including against United States persons.

(c) ELEMENTS.—The classified briefing required by subsection (b) shall cover the following:

(1) The Government of the Russian Federation, the Government of the People's Republic of China, and the Chinese Communist Party tactics, tools, and entities that spread disinformation, misinformation, and malign information and conduct influence operations, information campaigns, or other propaganda efforts.

(2) A description of ongoing foreign malign influence operations and campaigns of the Russian Federation against the United States and an assessment of their objectives and effectiveness in meeting those objectives.

(3) A description of ongoing foreign malign influence operations and campaigns of the People's Republic of China against the United States and an assessment of their objectives and effectiveness in meeting those objectives.

(4) A description of any cooperation, information-sharing, amplification, or other coordination between the Russian Federation and the People's Republic of China in developing or carrying out foreign malign influence operations against the United States.

(5) A description of front organizations, proxies, cut-outs, aligned third-party countries, or organizations used by the Russian Federation or the People's Republic of China to carry out foreign malign influence operations against the United States.

(6) An assessment of the loopholes or vulnerabilities in United States law that Russia and the People's Republic of China exploit to carry out foreign malign influence operations.

(7) The actions of the Foreign Malign Influence Center, in coordination with the Global Engagement Center, relating to early-warning, information sharing, and proactive risk mitigation systems, based on the list of entities identified in subsection (a)(1), to detect, expose, deter, and counter foreign malign influence operations of the Government of the People's Republic of China or the Chinese Communist Party against the United States.

(8) The actions of the Foreign Malign Influence Center to conduct outreach, to identify and counter tactics, tools, and entities described in paragraph (1) by sharing information with allies and partners of the United States, in coordination with the Global Engagement Center, as well as State and local governments, the business community, and civil society in order to expose the political influence operations and information operations of the Government of the Russian

Federation and the Government of the People's Republic of China or the Chinese Communist Party carried out against individuals and entities in the United States.

SEC. 406. ASSESSMENT OF THREAT POSED TO UNITED STATES PORTS BY CRANES MANUFACTURED BY COUNTRIES OF CONCERN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Armed Services, the Committee on Oversight and Accountability, the Committee on Financial Services, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) COUNTRY OF CONCERN.—The term ''country of concern'' has the meaning given that term in section 1(m)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)(1)).

(b) ASSESSMENT.—The Director of National Intelligence, in coordination with such other heads of the elements of the intelligence community as the Director considers appropriate and the Secretary of Defense, shall conduct an assessment of the threat posed to United States ports by cranes manufactured by countries of concern and commercial entities of those countries, including the Shanghai Zhenhua Heavy Industries Co. (ZPMC).

(c) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit a report and provide a briefing to the appropriate committees of Congress on the findings of the assessment required by subsection (b).

(2) ELEMENTS.—The report and briefing required by paragraph (1) shall outline the potential for the cranes described in subsection (b) to collect intelligence, disrupt operations at United States ports, and impact the national security of the United States.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle B—Other Foreign Countries

SEC. 411. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on the Judiciary, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on efforts by the Maduro regime in Venezuela to detain United States citizens and lawful permanent residents.

(c) ELEMENTS.—The report required by subsection (b) shall include, regarding the arrest, capture, detainment, or imprisonment of United States citizens and lawful permanent residents, the following:

(1) The names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities.

(2) A description of any role played by transnational criminal organizations, and an identification of such organizations.

(3) Where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(4) An analysis of the motive for the arrest, capture, detainment, or imprisonment of United States citizens and lawful permanent residents.

(5) The total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 412. SENSE OF CONGRESS ON PRIORITY OF FENTANYL IN NATIONAL INTELLIGENCE PRIORITIES FRAMEWORK.

It is the sense of Congress that the trafficking of illicit fentanyl, including precursor chemicals and manufacturing equipment associated with illicit fentanyl production and organizations that traffic or finance the trafficking of illicit fentanyl, originating from the People's Republic of China and Mexico should be among the highest priorities in the National Intelligence Priorities Framework of the Office of the Director of National Intelligence.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

SEC. 501. ASSIGNMENT OF DETAILEES FROM INTELLIGENCE COMMUNITY TO DEPARTMENT OF COMMERCE.

(a) AUTHORITY.—In order to better facilitate the sharing of actionable intelligence on foreign adversary intent, capabilities, threats, and operations that pose a threat to the interests or security of the United States, particularly as they relate to the procurement, development, and use of dual-use and emerging technologies, the Director of National Intelligence may assign or facilitate the assignment of members from across the intelligence community to serve as detailees to the Bureau of Industry and Security of the Department of Commerce.

(b) ASSIGNMENT.—Detailees assigned pursuant to subsection (a) shall be drawn from such elements of the intelligence community as the Director considers appropriate, in consultation with the Secretary of Commerce.

(c) EXPERTISE.—The Director shall ensure that detailees assigned pursuant to subsection (a) have subject matter expertise on countries of concern, including China, Iran, North Korea, and Russia, as well as functional areas such as illicit procurement, counterproliferation, emerging and foundational technology, economic and financial intelligence, information and communications technology systems, supply chain vulnerability, and counterintelligence.

(d) DUTY CREDIT.—The detail of an employee of the intelligence community to the Department of Commerce under subsection (a) shall be without interruption or loss of civil service status or privilege.

SEC. 502. THREATS POSED BY INFORMATION AND COMMUNICATIONS TECHNOLOGY AND SERVICES TRANSACTIONS AND OTHER ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) COVERED TRANSACTION.—The term ''covered transaction'' means a transaction reviewed under authority established under Executive Order 13873, Executive Order 13984, Executive Order 14034, or any successor order.

(2) EMERGING AND FOUNDATIONAL TECHNOLOGIES.—The term ''emerging and foundational technologies'' means emerging and foundational technologies described in section 1758(a)(1) of the Export Control Reform Act of 2018 (50 U.S.C. 4817(a)(1)).

(3) EXECUTIVE ORDER 13873.—The term ''Executive Order 13873'' means Executive Order 13873 (84 Fed. Reg. 22689; relating to securing information and communications technology and services supply chain).

(4) EXECUTIVE ORDER 13984.—The term ''Executive Order 13984'' means Executive Order 13984 (86 Fed. Reg. 6837; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities).

(5) EXECUTIVE ORDER 14034.—The term ''Executive Order 14034'' means Executive Order 14034 (84 Fed. Reg. 31423; relating to protecting Americans' sensitive data from foreign adversaries).

(6) SIGNIFICANT TRANSACTION.—The term ''significant transaction'' means a covered transaction that—

(A) involves emerging or foundational technologies;

(B) poses an undue or unacceptable risk to national security; and

(C) involves—

(i) an individual who acts as an agent, representative, or employee, or any individual who acts in any other capacity at the order, request, or under the direction or control, of a foreign adversary or of an individual whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in majority part by a foreign adversary;

(ii) any individual, wherever located, who is a citizen or resident of a nation-state controlled by a foreign adversary;

(iii) any corporation, partnership, association, or other organization organized under the laws of a nation-state controlled by a foreign adversary; or

(iv) any corporation, partnership, association, or other organization, wherever organized or doing business, that is owned or controlled by a foreign adversary.

(b) THREAT ASSESSMENT BY DIRECTOR OF NATIONAL INTELLIGENCE.—

(1) IN GENERAL.—The Director of National Intelligence shall expeditiously carry out a threat assessment of each significant transaction.

(2) IDENTIFICATION OF GAPS.—Each assessment required by paragraph (1) shall include the identification of any recognized gaps in the collection of intelligence relevant to the assessment.

(3) VIEWS OF INTELLIGENCE COMMUNITY.—The Director of National Intelligence shall seek and incorporate into each assessment required by paragraph (1) the views of all affected or appropriate elements of the intelligence community with respect to the significant transaction or class of significant transactions.

(4) PROVISION OF ASSESSMENT.—The Director of National Intelligence shall provide an assessment required by paragraph (1) to such agency heads and committees of Congress as the Director considers appropriate, as necessary, to implement Executive Order 13873, Executive Order 13984, Executive Order 14034, or any successor order.

(c) INTERACTION WITH INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—The Director of National Intelligence shall ensure that the intelligence community remains engaged in the collection, analysis, and dissemination to such agency heads as the Director considers

appropriate of any additional relevant information that may become available during the course of any investigation or review process conducted under authority established under Executive Order 13873, Executive Order 13984, Executive Order 14034, or any successor order.

(2) ELEMENTS.—The collection, analysis, and dissemination of information described in paragraph (1) shall include routine assessments of the following:

(A) The intent, capability, and operations of foreign adversaries as related to a significant transaction or class of significant transactions.

(B) Supply chains and procurement networks associated with the procurement of emerging and foundational technologies by foreign adversaries.

(C) Emerging and foundational technologies pursued by foreign adversaries, including information on prioritization, spending, and technology transfer measures.

(D) The intent, capability, and operations of the use by malicious cyber actors of infrastructure as a service (IaaS) against the United States.

(E) The impact on the intelligence community of a significant transaction or class of significant transactions.

(d) INFORMATION IN CIVIL ACTIONS.—

(1) PROTECTED INFORMATION IN CIVIL ACTIONS.—(A) If a civil action challenging an action or finding under Executive Order 13873, Executive Order 13984, Executive Order 14034, or any successor order is brought, and the court determines that protected information in the administrative record relating to the action or finding, including classified or other information subject to privilege or protections under any provision of law, is necessary to resolve the action, that information shall be submitted ex parte and in camera to the court and the court shall maintain that information under seal.

(B) If the Court determines that, in order to resolve the civil action, it is necessary to make such protected information available to a party to the litigation, other than the government, the Court shall conduct an ex parte and in camera hearing to make all determinations concerning the use, relevance, or admissibility of such protected information before such protected information is disclosed to a party other than then government.

(C) Nothing in this paragraph shall be interpreted to require the government to disclose such protected information to a party other than the government.

(D) If the government declines to disclose such protected information to a party after the court has determined that it is necessary for the government to do so in order to resolve the civil action, the court may order an appropriate remedy, including entering a judgment in favor of the party. Any such judgement shall be subject to interlocutory appeal.

(E) This paragraph does not confer or imply any right to judicial review.

(2) NONAPPLICABILITY OF USE OF INFORMATION PROVISIONS.—The use of information provisions of sections 106, 305, 405, and 706 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806, 1825, 1845, and 1881e) shall not apply in a civil action described in paragraph (1).

(e) RULE OF CONSTRUCTION CONCERNING RIGHT TO ACCESS.—No provision of this section may be construed to create a right to obtain access to information in the possession of the Federal Government that was considered by the Secretary of Commerce under authority established under Executive Order 13873, Executive Order 13984, Executive Order 14034, or any successor order, including any classified information or sensitive but unclassified information.

(f) ADMINISTRATIVE RECORD.—The following information may be included in the administrative record relating to an action or finding described in subsection (d)(1) and shall be submitted only to the court ex parte and in camera:

(1) Sensitive security information, as defined in section 1520.5 of title 49, Code of Federal Regulations.

(2) Privileged law enforcement information.

(3) Information obtained or derived from any activity authorized under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), except that, with respect to such information, subsections (c), (e), (f), (g), and (h) of section 106 (50 U.S.C. 1806), subsections (d), (f), (g), (h), and (i) of section 305 (50 U.S.C. 1825), subsections (c), (e), (f), (g), and (h) of section 405 (50 U.S.C. 1845), and section 706 (50 U.S.C. 1881e) of that Act shall not apply.

(4) Information subject to privilege or protection under any other provision of law, including the Currency and Foreign Transactions Reporting Act of 1970 (31 U.S.C. 5311 et seq.).

(g) TREATMENT CONSISTENT WITH SECTION.—Any information that is part of the administrative record filed ex parte and in camera under subsection (d)(1), or cited by the court in any decision in a civil action described in such subsection, shall be treated by the court consistent with the provisions of this section. In no event shall such information be released to the petitioner or as part of the public record.

(h) INAPPLICABILITY OF FREEDOM OF INFORMATION ACT.—Any information submitted to the Federal Government by a party to a covered transaction in accordance with this section, as well as any information the Federal Government may create relating to review of the covered transaction, is exempt from disclosure under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act'').

(i) INAPPLICABILITY TO OTHER AUTHORITIES.—Nothing in this section shall be construed to modify authority established under Executive Order 13913 (47 U.S.C. 154 note; relating to establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector), including the process and timelines established therein.

SEC. 503. SUPPORT OF INTELLIGENCE COMMUNITY FOR EXPORT CONTROLS AND OTHER MISSIONS OF THE DEPARTMENT OF COMMERCE.

(a) DEFINITIONS.—In this section:

(1) EMERGING AND FOUNDATIONAL TECHNOLOGIES.—The term ''emerging and foundational technologies'' includes technologies identified under section 1758(a)(1) of the Export Control Reform Act of 2018 (50 U.S.C. 4817(a)(1)).

(2) FOREIGN ADVERSARY.—The term ''foreign adversary'' means any foreign government, foreign regime, or foreign nongovernment person determined by the Director of National Intelligence, in consultation with the heads of such other agencies as the Director considers appropriate, to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or the security and safety of United States persons.

(b) COLLECTION, ANALYSIS, AND DISSEMINATION REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence—

(A) is authorized to collect, retain, analyze, and disseminate information or intelligence necessary to support the missions of the Department of Commerce, including with respect to the administration of export controls pursuant to the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); and

(B) shall, through regular consultation with the Secretary of Commerce, ensure that the intelligence community is engaged in such collection, retention, analysis, and dissemination.

(2) INFORMATION TO BE COLLECTED, ANALYZED, AND DISSEMINATED.—The information to be collected, analyzed, and disseminated under subsection (a) shall include information relating to the following:

(A) The intent, capability, and operations of foreign adversaries with respect to items under consideration to be controlled pursuant to the authority provided by part I of the Export Control Reform Act of 2018 (50 U.S.C. 4811 et seq.).

(B) Attempts by foreign adversaries to circumvent controls on items imposed pursuant to that part.

(C) Supply chains and procurement networks associated with procurement and development of emerging and foundational technologies by foreign adversaries.

(D) Emerging and foundational technologies pursued by foreign adversaries, including relevant information on prioritization, spending, and technology transfer measures with respect to such technologies.

(E) The scope and application of the export control systems of foreign countries, including decisions with respect to individual export transactions.

(F) Corporate and contractual relationships, ownership, and other equity interests, including monetary capital contributions, corporate investments, and joint ventures, resulting in end uses of items that threaten the national security and foreign policy interests of the United States, as described in the policy set forth in section 1752 of the Export Control Reform Act of 2018 (50 U.S.C. 4811).

(G) The effect of export controls imposed pursuant to part I of that Act (50 U.S.C. 4811 et seq.), including—

(i) the effect of actions taken and planned to be taken by the Secretary of Commerce under the authority provided by that part; and

(ii) the effectiveness of such actions in achieving the national security and foreign policy objectives of such actions.

(c) PROVISION OF ANALYSIS TO DEPARTMENT OF COMMERCE.—Upon the request of the Secretary of Commerce, the Director of National Intelligence shall expeditiously—

(1) carry out analysis of any matter relating to the national security of the United States that is relevant to a mission of the Department of Commerce; and

(2) consistent with the protection of sources and methods, make such analysis available to the Secretary and such individuals as the Secretary may designate to receive such analysis.

(d) IDENTIFICATION OF SINGLE OFFICE TO SUPPORT MISSIONS OF DEPARTMENT OF COMMERCE.—The Director of National Intelligence shall identify a single office within the intelligence community to be responsible for supporting the missions of the Department of Commerce.

(e) TREATMENT OF CLASSIFIED AND SENSITIVE INFORMATION.—

(1) IN GENERAL.—A civil action challenging an action or finding of the Secretary of Commerce made on the basis of any classified or sensitive information made available to officials of the Department of Commerce pursuant to this section may be brought only in the United States Court of Appeals for the District of Columbia Circuit.

(2) CONSIDERATION AND TREATMENT IN CIVIL ACTIONS.—(A) If a civil action described in paragraph (1) is brought, and the court determines that protected information in the administrative record, including classified or other information subject to privilege or protections under any provision of law, is necessary to resolve the civil action, that information shall be submitted ex parte and in camera to the court and the court shall maintain that information under seal.

(B) If the Court determines that, in order to resolve the civil action, it is necessary to make such protected information available to a party to the litigation, other than the government, the Court shall conduct an ex parte and in camera hearing to make all determinations concerning the use, relevance, or admissibility of such protected information before such protected information is disclosed to a party other than then government.

(C) Nothing in this paragraph shall be interpreted to require the government to disclose such protected information to a party other than the government.

(D) If the government declines to disclose such protected information to a party after the court has determined that it is necessary for the government to do so in order to resolve the civil action, the court may order an appropriate remedy, to include entering a judgment in favor of the party. Any such judgement shall be subject to interlocutory appeal.

(E) This paragraph does not confer or imply any right to judicial review.

(3) ADMINISTRATIVE RECORD.—

(A) IN GENERAL.—The following information may be included in the administrative record relating to an action or finding described in paragraph (1) and shall be submitted only to the court ex parte and in camera:

(i) Sensitive security information, as defined by section 1520.5 of title 49, Code of Federal Regulations.

(ii) Privileged law enforcement information.

(iii) Information obtained or derived from any activity authorized under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(iv) Information subject to privilege or protection under any other provision of law.

(B) TREATMENT CONSISTENT WITH SECTION.—Any information that is part of the administrative record filed ex parte and in camera under subparagraph (A), or cited by the court in any decision in a civil action described in paragraph (1), shall be treated by the court consistent with the provisions of this subsection. In no event shall such information be released to the petitioner or as part of the public record.

(4) NONAPPLICABILITY OF USE OF INFORMATION PROVISIONS.—The use of information provisions of sections 106, 305, 405, and 706 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806, 1825, 1845, and 1881e) shall not apply in a civil action challenging an action or finding of the Secretary of Commerce made on the basis of information made available to officials of the Department of Commerce pursuant to this section.

(5) RULE OF CONSTRUCTION CONCERNING RIGHT TO ACCESS.—No provision of this section shall be construed to create a right to obtain access to information in the possession of the Federal Government that was considered in an action or finding of the Secretary of Commerce, including any classified information or sensitive but unclassified information.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

SEC. 511. EXPANDED ANNUAL ASSESSMENT OF ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

Section 6503(c)(3) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by adding at the end the following:

''(I) A detailed assessment, prepared in consultation with all elements of the working group—

''(i) of the investments made by the People's Republic of China in—

''(I) artificial intelligence;

''(II) next-generation energy technologies, especially small modular reactors and advanced batteries; and

''(III) biotechnology; and

''(ii) that identifies—

''(I) competitive practices of the People's Republic of China relating to the technologies described in clause (i);

''(II) opportunities to counter the practices described in subclause (I);

''(III) countries the People's Republic of China is targeting for exports of civil nuclear technology;

''(IV) countries best positioned to utilize civil nuclear technologies from the United States in order to facilitate the commercial export of those technologies;

''(V) United States vulnerabilities in the supply chain of these technologies; and

''(VI) opportunities to counter the export by the People's Republic of China of civil nuclear technologies globally.

''(J) An identification and assessment of any unmet resource or authority needs of the working group that affect the ability of the working group to carry out this section.''.

SEC. 512. ASSESSMENT OF USING CIVIL NUCLEAR ENERGY FOR INTELLIGENCE COMMUNITY CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of National Intelligence shall, in consultation with the heads of such other elements of the intelligence community as the Director considers appropriate, conduct an assessment of capabilities identified by the Intelligence Community Continuity Program established pursuant to section E(3) of Intelligence Community Directive 118, or any successor directive, or such other intelligence community facilities or intelligence community capabilities as may be determined by the Director to be critical to United States national security, that have unique energy needs—

(1) to ascertain the feasibility and advisability of using civil nuclear reactors to meet such needs; and

(2) to identify such additional resources, technologies, infrastructure, or authorities needed, or other potential obstacles, to commence use of a nuclear reactor to meet such needs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate, and the Committee on Oversight and Accountability and the Committee on Appropriations of the House of Representatives a report, which may be in classified form, on the findings of the Director with respect to the assessment conducted pursuant to subsection (a).

SEC. 513. POLICIES ESTABLISHED BY DIRECTOR OF NATIONAL INTELLIGENCE FOR ARTIFICIAL INTELLIGENCE CAPABILITIES.

(a) IN GENERAL.—Section 6702 of the Intelligence Authorization Act for Fiscal Year 2023 (50 U.S.C. 3334m) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) POLICIES.—

''(1) IN GENERAL.—In carrying out subsection (a)(1), not later than 1 year after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2024, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, the Director of the Office of Management and Budget, and such other officials as the Director of National Intelligence determines appropriate, shall establish the policies described in paragraph (2).

''(2) POLICIES DESCRIBED.—The policies described in this paragraph are policies for the acquisition, adoption, development, use, coordination, and maintenance of artificial intelligence capabilities that—

''(A) establish a lexicon relating to the use of machine learning and artificial intelligence developed or acquired by elements of the intelligence community;

''(B) establish guidelines for evaluating the performance of models developed or acquired by elements of the intelligence community, such as by—

''(i) specifying conditions for the continuous monitoring of artificial intelligence capabilities for performance, including the conditions for retraining or retiring models based on performance;

''(ii) documenting performance objectives, including specifying how performance objectives shall be developed and contractually enforced for capabilities procured from third parties;

''(iii) specifying the manner in which models should be audited, as necessary, including the types of documentation that should be provided to any auditor; and

''(iv) specifying conditions under which models used by elements of the intelligence community should be subject to testing and evaluation for vulnerabilities to techniques meant to undermine the availability, integrity, or privacy of an artificial intelligence capability;

''(C) establish guidelines for tracking dependencies in adjacent systems, capabilities, or processes impacted by the retraining or sunsetting of any model described in subparagraph (B);

''(D) establish documentation requirements for capabilities procured from third parties, aligning such requirements, as necessary, with existing documentation requirements applicable to capabilities developed by elements of the intelligence community;

''(E) establish standards for the documentation of imputed, augmented, or synthetic data used to train any model developed, procured, or used by an element of the intelligence community; and

''(F) provide guidance on the acquisition and usage of models that have previously been trained by a third party for subsequent modification and usage by such an element.

''(3) POLICY REVIEW AND REVISION.—The Director of National Intelligence shall periodically review and revise each policy established under paragraph (1).''.

(b) CONFORMING AMENDMENT.—Section 6712(b)(1) of such Act (50 U.S.C. 3024 note) is amended by striking ''section 6702(b)'' and inserting ''section 6702(c)''.

TITLE VI—WHISTLEBLOWER MATTERS

SEC. 601. SUBMITTAL TO CONGRESS OF COMPLAINTS AND INFORMATION BY WHISTLEBLOWERS IN THE INTELLIGENCE COMMUNITY.

(a) AMENDMENTS TO CHAPTER 4 OF TITLE 5.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 416 of title 5, United States Code, is amended by adding at the end the following:

''(i) APPOINTMENT OF SECURITY OFFICERS.—Each Inspector General under this section, including the designees of the Inspector General of the Department of Defense pursuant to subsection (b)(3), shall appoint within their offices security officers to provide, on a permanent basis, confidential, security-related guidance and direction to employees and contractors described in subsection (b)(1) who intend to report to Congress complaints or information, so that such employees and contractors can obtain direction on how to report to Congress in accordance with appropriate security practices.''.

(2) PROCEDURES.—Subsection (e) of such section is amended—

(A) in paragraph (1), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

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

''(2) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the employee may contact an intelligence committee or another committee of jurisdiction directly as described in paragraph (1) of this subsection or in subsection (b)(4) only if the employee—

''(i) before making such a contact, furnishes to the head of the establishment, through the Inspector General (or designee), a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(ii)(I) obtains and follows, from the head of the establishment, through the Inspector General (or designee), procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(II) obtains and follows such procedural direction from the applicable security officer appointed under subsection (i).

''(B) LACK OF PROCEDURAL DIRECTION.—If an employee seeks procedural direction under subparagraph (A)(ii) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.''; and

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(3) COMMITTEE MEMBERS AND STAFF.—An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subsection (b) of such section is amended by adding at the end the following:

''(4) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subject to paragraphs (2) and (3) of subsection (e), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress.''.

(b) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 103H(j) of the National Security Act of 1947 (50 U.S.C. 3033(j)) is amended by adding at the end the following:

''(5) The Inspector General shall appoint within the Office of the Inspector General security officers as required by section 416(i) of title 5, United States Code.''.

(2) PROCEDURES.—Subparagraph (D) of section 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5)) is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the congressional intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact a congressional intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows, from the Director, through the Inspector General, procedural direction on how to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 416(i) of title 5, United States Code.

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(c) AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding at the end the following:

''(I) The Inspector General shall appoint within the Office of the Inspector General security officers as required by section 416(i) of title 5, United States Code.''.

(2) PROCEDURES.—Subparagraph (D) of such section is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact an intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows, from the Director, through the Inspector General, procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 416(i) of title 5, United States Code.

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to revoke or diminish any right of an individual provided by section 2303 of title 5, United States Code.

SEC. 602. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES AND CONTRACTORS IN INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (a)(3) of such section—

(A) in subparagraph (I), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

''(J) a knowing and willful disclosure revealing the identity or other personally identifiable information of an employee or contractor employee so as to identify the employee or contractor employee as an employee or contractor employee who has made a lawful disclosure described in subsection (b) or (c); or'';

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

''(f) PERSONNEL ACTIONS INVOLVING DISCLOSURE OF WHISTLEBLOWER IDENTITY.—A personnel action described in subsection (a)(3)(J) shall not be considered to be in violation of subsection (b) or (c) under the following circumstances:

''(1) The personnel action was taken with the express consent of the employee or contractor employee.

''(2) An Inspector General with oversight responsibility for a covered intelligence community element determines that—

''(A) the personnel action was unavoidable under section 103H(g)(3)(A) of this Act (50 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)(A)), section 407(b) of title 5, United States Code, or section 420(b)(2)(B) of such title;

''(B) the personnel action was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

''(C) the personnel action was required by statute or an order from a court of competent jurisdiction.''.

(b) APPLICABILITY TO DETAILEES.—Subsection (a) of section 1104 of such Act (50 U.S.C. 3234) is amended by adding at the end the following:

''(5) EMPLOYEE.—The term 'employee', with respect to an agency or a covered intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element.''.

(c) HARMONIZATION OF ENFORCEMENT.—Subsection (g) of such section, as redesignated by subsection (a)(2) of this section, is amended to read as follows:

''(g) ENFORCEMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the President shall provide for the enforcement of this section.

''(2) HARMONIZATION WITH OTHER ENFORCEMENT.—To the fullest extent possible, the President shall provide for enforcement of this section in a manner that is consistent with the enforcement of section 2302(b)(8) of title 5, United States Code, especially with respect to policies and procedures used to adjudicate alleged violations of such section.''.

SEC. 603. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) CONTRIBUTING FACTOR.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 604. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

Section 3001(j)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B)) is amended, in the second sentence, by striking ''not to exceed $300,000''.

SEC. 605. MODIFICATION AND REPEAL OF REPORTING REQUIREMENTS.

(a) MODIFICATION OF FREQUENCY OF WHISTLEBLOWER NOTIFICATIONS TO INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 5334(a) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92; 50 U.S.C. 3033 note) is amended by striking ''in real time'' and inserting ''monthly''.

(b) REPEAL OF REQUIREMENT FOR INSPECTORS GENERAL REVIEWS OF ENHANCED PERSONNEL SECURITY PROGRAMS.—

(1) IN GENERAL.—Section 11001 of title 5, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) TECHNICAL CORRECTIONS.—Subsection (d) of section 11001 of such title, as redesignated by paragraph (1)(B), is amended—

(A) in paragraph (3), by adding ''and'' after the semicolon at the end; and

(B) in paragraph (4), by striking ''; and'' and inserting a period.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

SEC. 701. SHORT TITLE.

This subtitle may be cited as the ''Classification Reform Act of 2023''.

SEC. 702. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' means any Executive agency as defined in section 105 of title 5, United States Code, any military department as defined in section 102 of such title, and any other entity in the executive branch of the Federal Government that comes into the possession of classified information.

(2) CLASSIFY, CLASSIFIED, CLASSIFICATION.—The terms ''classify'', ''classified'', and ''classification'' refer to the process by which information is determined to require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703 in order to protect the national security of the United States.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been classified under Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703.

(4) DECLASSIFY, DECLASSIFIED, DECLASSIFICATION.—The terms ''declassify'', ''declassified'', and ''declassification'' refer to the process by which information that has been classified is determined to no longer require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703.

(5) INFORMATION.—The term ''information'' means any knowledge that can be communicated, or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

SEC. 703. CLASSIFICATION AND DECLASSIFICATION OF INFORMATION.

(a) IN GENERAL.—The President may, in accordance with this section, protect from unauthorized disclosure any information owned by, produced by or for, or under the control of the executive branch of the Federal Government when there is a demonstrable need to do so in order to protect the national security of the United States.

(b) ESTABLISHMENT OF STANDARDS AND PROCEDURES FOR CLASSIFICATION AND DECLASSIFICATION.—

(1) GOVERNMENTWIDE PROCEDURES.—

(A) CLASSIFICATION.—The President shall, to the extent necessary, establish categories of information that may be classified and procedures for classifying information under subsection (a).

(B) DECLASSIFICATION.—At the same time the President establishes categories and procedures under subparagraph (A), the President shall establish procedures for declassifying information that was previously classified.

(C) MINIMUM REQUIREMENTS.—The procedures established pursuant to subparagraphs (A) and (B) shall—

(i) provide that information may be classified under this section, and may remain classified under this section, only if the harm to national security that might reasonably be expected from disclosure of such information

outweighs the public interest in disclosure of such information;

(ii) establish standards and criteria for the classification of information;

(iii) establish standards, criteria, and timelines for the declassification of information classified under this section;

(iv) provide for the automatic declassification of classified records with permanent historical value;

(v) provide for the timely review of materials submitted for pre-publication;

(vi) narrow the criteria for classification set forth under section 1.4 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), as in effect on the day before the date of the enactment of this Act;

(vii) narrow the exemptions from automatic declassification set forth under section 3.3(b) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), as in effect on the day before the date of the enactment of this Act;

(viii) provide a clear and specific definition of ''harm to national security'' as it pertains to clause (i); and

(ix) provide a clear and specific definition of ''intelligence sources and methods'' as it pertains to the categories and procedures under subparagraph (A).

(2) AGENCY STANDARDS AND PROCEDURES.—

(A) IN GENERAL.—The head of each agency shall establish a single set of consolidated standards and procedures to permit such agency to classify and declassify information created by such agency in accordance with the categories and procedures established by the President under this section and otherwise to carry out this section.

(B) SUBMITTAL TO CONGRESS.—Each agency head shall submit to Congress the standards and procedures established by such agency head under subparagraph (A).

(c) CONFORMING AMENDMENT TO FOIA.—Section 552(b)(1) of title 5, United States Code, is amended to read as follows:

''(1)(A) specifically authorized to be classified under section 703 of the Intelligence Authorization Act for Fiscal Year 2024, or specifically authorized under criteria established by an Executive order to be kept secret in the interest of national security; and

''(B) are in fact properly classified pursuant to that section or Executive order;''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(2) RELATION TO PRESIDENTIAL DIRECTIVES.—Presidential directives regarding classifying, safeguarding, and declassifying national security information, including Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, in effect on the day before the date of the enactment of this Act, as well as procedures issued pursuant to such Presidential directives, shall remain in effect until superseded by procedures issues pursuant to subsection (b).

SEC. 704. TRANSPARENCY OFFICERS.

(a) DESIGNATION.—The Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the head of any other department, agency, or element of the executive branch of the Federal Government determined by the Privacy and Civil Liberties Oversight Board established by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) to be appropriate for coverage under this section, shall each designate at least 1 senior officer to serve as the principal advisor to assist such head of a department, agency, or element and other officials of the department, agency, or element of the head in identifying records of significant public interest and prioritizing appropriate review of such records in order to facilitate the public disclosure of such records in redacted or unredacted form.

(b) DETERMINING PUBLIC INTEREST IN DISCLOSURE.—In assisting the head of a department, agency, or element and other officials of such department, agency, or element in identifying records of significant public interest under subsection (a), the senior officer designated by the head under such subsection shall consider whether—

(1) or not disclosure of the information would better enable United States citizens to hold Federal Government officials accountable for their actions and policies;

(2) or not disclosure of the information would assist the United States criminal justice system in holding persons responsible for criminal acts or acts contrary to the Constitution;

(3) or not disclosure of the information would assist Congress or any committee or subcommittee thereof, in carrying out its oversight responsibilities with regard to the executive branch of the Federal Government or in adequately informing itself of executive branch policies and activities in order to carry out its legislative responsibilities;

(4) the disclosure of the information would assist Congress or the public in understanding the interpretation of the Federal Government of a provision of law, including Federal regulations, Presidential directives, statutes, case law, and the Constitution of the United States; or

(5) or not disclosure of the information would bring about any other significant benefit, including an increase in public awareness or understanding of Government activities or an enhancement of Federal Government efficiency.

(c) PERIODIC REPORTS.—

(1) IN GENERAL.—Each senior officer designated under subsection (a) shall periodically, but not less frequently than annually, submit a report on the activities of the officer, including the documents determined to be in the public interest for disclosure under subsection (b), to—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate;

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the head of the department, agency, or element of the senior officer.

(2) FORM.—Each report submitted pursuant to paragraph (1) shall be submitted, to the greatest extent possible, in unclassified form, with a classified annex as may be necessary.

Subtitle B—Sensible Classification Act of 2023

SEC. 711. SHORT TITLE.

This subtitle may be cited as the ''Sensible Classification Act of 2023''.

SEC. 712. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code.

(2) CLASSIFICATION.—The term ''classification'' means the act or process by which information is determined to be classified information.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been determined pursuant to Executive Order 12958 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(4) DECLASSIFICATION.—The term ''declassification'' means the authorized change in the status of information from classified information to unclassified information.

(5) DOCUMENT.—The term ''document'' means any recorded information, regardless of the nature of the medium or the method or circumstances of recording.

(6) DOWNGRADE.—The term ''downgrade'' means a determination by a declassification authority that information classified and safeguarded at a specified level shall be classified and safeguarded at a lower level.

(7) INFORMATION.—The term ''information'' means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

(8) ORIGINATE, ORIGINATING, AND ORIGINATED.—The term ''originate'', ''originating'', and ''originated'', with respect to classified information and an authority, means the authority that classified the information in the first instance.

(9) RECORDS.—The term ''records'' means the records of an agency and Presidential papers or Presidential records, as those terms are defined in title 44, United States Code, including those created or maintained by a government contractor, licensee, certificate holder, or grantee that are subject to the sponsoring agency's control under the terms of the contract, license, certificate, or grant.

(10) SECURITY CLEARANCE.—The term ''security clearance'' means an authorization to access classified information.

(11) UNAUTHORIZED DISCLOSURE.—The term ''unauthorized disclosure'' means a communication or physical transfer of classified information to an unauthorized recipient.

(12) UNCLASSIFIED INFORMATION.—The term ''unclassified information'' means information that is not classified information.

SEC. 713. FINDINGS AND SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following findings:

(1) According to a report released by the Office of the Director of Intelligence in 2020 titled ''Fiscal Year 2019 Annual Report on Security Clearance Determinations'', more than 4,000,000 individuals have been granted eligibility for a security clearance.

(2) At least 1,300,000 of such individuals have been granted access to information classified at the Top Secret level.

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

(1) the classification system of the Federal Government is in urgent need of reform;

(2) the number of people with access to classified information is exceedingly high and must be justified or reduced;

(3) reforms are necessary to reestablish trust between the Federal Government and the people of the United States; and

(4) classification should be limited to the minimum necessary to protect national security while balancing the public's interest in disclosure.

SEC. 714. CLASSIFICATION AUTHORITY.

(a) IN GENERAL.—The authority to classify information originally may be exercised only by—

(1) the President and, in the performance of executive duties, the Vice President;

(2) the head of an agency or an official of any agency authorized by the President pursuant to a designation of such authority in the Federal Register; and

(3) an official of the Federal Government to whom authority to classify information originally has been delegated pursuant to subsection (c).

(b) SCOPE OF AUTHORITY.—An individual authorized by this section to classify information originally at a specified level may also classify the information originally at a lower level.

(c) DELEGATION OF ORIGINAL CLASSIFICATION AUTHORITY.—An official of the Federal Government may be delegated original classification authority subject to the following:

(1) Delegation of original classification authority shall be limited to the minimum required to administer this section. Agency heads shall be responsible for ensuring that designated subordinate officials have a demonstrable and continuing need to exercise this authority.

(2) Authority to originally classify information at the level designated as ''Top Secret'' may be delegated only by the President, in the performance of executive duties, the Vice President, or an agency head or official designated pursuant to subsection (a)(2).

(3) Authority to originally classify information at the level designated as ''Secret'' or ''Confidential'' may be delegated only by the President, in the performance of executive duties, the Vice President, or an agency head or official designated pursuant to subsection (a)(2), or the senior agency official described in section 5.4(d) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, provided that official has been delegated ''Top Secret'' original classification authority by the agency head.

(4) Each delegation of original classification authority shall be in writing and the authority shall not be redelegated except as provided by paragraphs (1), (2), and (3). Each delegation shall identify the official by name or position title.

(d) TRAINING REQUIRED.—

(1) IN GENERAL.—An individual may not be delegated original classification authority under this section unless the individual has first received training described in paragraph (2).

(2) TRAINING DESCRIBED.—Training described in this paragraph is training on original classification that includes instruction on the proper safeguarding of classified information and of the criminal, civil, and administrative sanctions that may be brought against an individual who fails to protect classified information from unauthorized disclosure.

(e) EXCEPTIONAL CASES.—

(1) IN GENERAL.—When an employee, contractor, licensee, certificate holder, or grantee of an agency who does not have original classification authority originates information believed by that employee, contractor, licensee, certificate holder, or grantee to require classification, the information shall be protected in a manner consistent with Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order.

(2) TRANSMITTAL.—An employee, contractor, licensee, certificate holder, or grantee described in paragraph (1), who originates information described in such paragraph, shall promptly transmit such information to—

(A) the agency that has appropriate subject matter interest and classification authority with respect to this information; or

(B) if it is not clear which agency has appropriate subject matter interest and classification authority with respect to the information, the Director of the Information Security Oversight Office.

(3) AGENCY DECISIONS.—An agency that receives information pursuant to paragraph (2)(A) or (4) shall decide within 30 days whether to classify this information.

(4) INFORMATION SECURITY OVERSIGHT OFFICE ACTION.—If the Director of the Information Security Oversight Office receives information under paragraph (2)(B), the Director shall determine the agency having appropriate subject matter interest and classification authority and forward the information, with appropriate recommendations, to that agency for a classification determination.

SEC. 715. PROMOTING EFFICIENT DECLASSIFICATION REVIEW.

(a) IN GENERAL.—Whenever an agency is processing a request pursuant to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or the mandatory declassification review provisions of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, and identifies responsive classified records that are more than 25 years of age as of December 31 of the year in which the request is received, the head of the agency shall review the record and process the record for declassification and release by the National Declassification Center of the National Archives and Records Administration.

(b) APPLICATION.—Subsection (a) shall apply—

(1) regardless of whether or not the record described in such subsection is in the legal custody of the National Archives and Records Administration; and

(2) without regard for any other provisions of law or existing agreements or practices between agencies.

SEC. 716. TRAINING TO PROMOTE SENSIBLE CLASSIFICATION.

(a) DEFINITIONS.—In this section:

(1) OVER-CLASSIFICATION.—The term ''over-classification'' means classification at a level that exceeds the minimum level of classification that is sufficient to protect the national security of the United States.

(2) SENSIBLE CLASSIFICATION.—The term ''sensible classification'' means classification at a level that is the minimum level of classification that is sufficient to protect the national security of the United States.

(b) TRAINING REQUIRED.—Each head of an agency with classification authority shall conduct training for employees of the agency with classification authority to discourage over-classification and to promote sensible classification.

SEC. 717. IMPROVEMENTS TO PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 703 of the Public Interest Declassification Act of 2000 (50 U.S.C. 3355a) is amended—

(1) in subsection (c), by adding at the end the following:

''(5) A member of the Board whose term has expired may continue to serve until a successor is appointed and sworn in.''; and

(2) in subsection (f)—

(A) by inserting ''(1)'' before ''Any employee''; and

(B) by adding at the end the following:

''(2)(A) In addition to any employees detailed to the Board under paragraph (1), the Board may hire not more than 12 staff members.

''(B) There are authorized to be appropriated to carry out subparagraph (A) such sums as are necessary for fiscal year 2024 and each fiscal year thereafter.''.

SEC. 718. IMPLEMENTATION OF TECHNOLOGY FOR CLASSIFICATION AND DECLASSIFICATION.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Office of Electronic Government (in this section referred to as the ''Administrator'') shall, in consultation with the Secretary of Defense, the Director of the Central Intelligence Agency, the Director of National Intelligence, the Public Interest Declassification Board, the Director of the Information Security Oversight Office, and the head of the National Declassification Center of the National Archives and Records Administration—

(1) research a technology-based solution—

(A) utilizing machine learning and artificial intelligence to support efficient and effective systems for classification and declassification; and

(B) to be implemented on an interoperable and federated basis across the Federal Government; and

(2) submit to the President a recommendation regarding a technology-based solution described in paragraph (1) that should be adopted by the Federal Government.

(b) STAFF.—The Administrator may hire sufficient staff to carry out subsection (a).

(c) REPORT.—Not later than 540 days after the date of the enactment of this Act, the President shall submit to Congress a classified report on the technology-based solution recommended by the Administrator under subsection (a)(2) and the President's decision regarding its adoption.

SEC. 719. STUDIES AND RECOMMENDATIONS ON NECESSITY OF SECURITY CLEARANCES.

(a) AGENCY STUDIES ON NECESSITY OF SECURITY CLEARANCES.—

(1) STUDIES REQUIRED.—The head of each agency that grants security clearances to personnel of such agency shall conduct a study on the necessity of such clearances.

(2) REPORTS REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, each head of an agency that conducts a study under paragraph (1) shall submit to Congress a report on the findings of the agency head with respect to such study, which the agency head may classify as appropriate.

(B) REQUIRED ELEMENTS.—Each report submitted by the head of an agency under subparagraph (A) shall include, for such agency, the following:

(i) The number of personnel eligible for access to information up to the ''Top Secret'' level.

(ii) The number of personnel eligible for access to information up to the ''Secret'' level.

(iii) Information on any reduction in the number of personnel eligible for access to classified information based on the study conducted under paragraph (1).

(iv) A description of how the agency head will ensure that the number of security clearances granted by such agency will be kept to the minimum required for the conduct of agency functions, commensurate with the size, needs, and mission of the agency.

(3) INDUSTRY.—This subsection shall apply to the Secretary of Defense in the Secretary's capacity as the Executive Agent for the National Industrial Security Program, and the Secretary shall treat contractors, licensees, and grantees as personnel of the Department of Defense for purposes of the studies and reports required by this subsection.

(b) DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF SENSITIVE COMPARTMENTED INFORMATION.—The Director of National Intelligence shall—

(1) review the number of personnel eligible for access to sensitive compartmented information; and

(2) submit to Congress a report on how the Director will ensure that the number of such personnel is limited to the minimum required.

(c) AGENCY REVIEW OF SPECIAL ACCESS PROGRAMS.—Each head of an agency who is authorized to establish a special access program by Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, shall—

(1) review the number of personnel of the agency eligible for access to such special access programs; and

(2) submit to Congress a report on how the agency head will ensure that the number of such personnel is limited to the minimum required.

(d) SECRETARY OF ENERGY REVIEW OF Q AND L CLEARANCES.—The Secretary of Energy shall—

(1) review the number of personnel of the Department of Energy granted Q and L access; and

(2) submit to Congress a report on how the Secretary will ensure that the number of such personnel is limited to the minimum required

(e) INDEPENDENT REVIEWS.—Not later than 180 days after the date on which a study is completed under subsection (a) or a review is completed under subsections (b) through (d), the Director of the Information Security Oversight Office of the National Archives and Records Administration, the Director of National Intelligence, and the Public Interest Declassification Board shall each review the study or review, as the case may be.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

SEC. 801. REVIEW OF SHARED INFORMATION TECHNOLOGY SERVICES FOR PERSONNEL VETTING.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a review of the extent to which the intelligence community can use information technology services shared among the intelligence community for purposes of personnel vetting, including with respect to human resources, suitability, and security.

SEC. 802. TIMELINESS STANDARD FOR RENDERING DETERMINATIONS OF TRUST FOR PERSONNEL VETTING.

(a) TIMELINESS STANDARD.—

(1) IN GENERAL.—The President shall, acting through the Security Executive Agent and the Suitability and Credentialing Executive Agent, establish and publish in such public venue as the President considers appropriate, new timeliness performance standards for processing personnel vetting trust determinations in accordance with the Federal personnel vetting performance management standards.

(2) QUINQUENNIAL REVIEWS.—Not less frequently than once every 5 years, the President shall, acting through the Security Executive Agent and the Suitability and Credentialing Executive Agent—

(A) review the standards established pursuant to paragraph (1); and

(B) pursuant to such review—

(i) update such standards as the President considers appropriate; and

(ii) publish in the Federal Register such updates as may be made pursuant to clause (i).

(3) CONFORMING AMENDMENT.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by striking subsection (g).

(b) QUARTERLY REPORTS ON IMPLEMENTATION.—

(1) IN GENERAL.—Not less frequently than quarterly, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly make available to the public a quarterly report on the compliance of Executive agencies (as defined in section 105 of title 5, United States Code) with the standards established pursuant to subsection (a).

(2) DISAGGREGATION.—Each report made available pursuant to paragraph (1) shall disaggregate, to the greatest extent practicable, data by appropriate category of personnel risk and between Government and contractor personnel.

(c) COMPLEMENTARY STANDARDS FOR INTELLIGENCE COMMUNITY.—The Director of National Intelligence may, in consultation with the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information) establish for the intelligence community standards complementary to those established pursuant to subsection (a).

SEC. 803. ANNUAL REPORT ON PERSONNEL VETTING TRUST DETERMINATIONS.

(a) DEFINITION OF PERSONNEL VETTING TRUST DETERMINATION.—In this section, the term ''personnel vetting trust determination'' means any determination made by an executive branch agency as to whether an individual can be trusted to perform job functions or to be granted access necessary for a position.

(b) ANNUAL REPORT.—Not later than March 30, 2024, and annually thereafter for 5 years, the Director of National Intelligence, acting as the Security Executive Agent, and the Director of the Office of Personnel Management, acting as the Suitability and Credentialing Executive Agent, in coordination with the Security, Suitability, and Credentialing Performance Accountability Council, shall jointly make available to the public a report on specific types of personnel vetting trust determinations made during the fiscal year preceding the fiscal year in which the report is made available, disaggregated, to the greatest extent possible, by the following:

(1) Determinations of eligibility for national security-sensitive positions, separately noting—

(A) the number of individuals granted access to national security information; and

(B) the number of individuals determined to be eligible for but not granted access to national security information.

(2) Determinations of suitability or fitness for a public trust position.

(3) Status as a Government employee, a contractor employee, or other category.

(c) ELIMINATION OF REPORT REQUIREMENT.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by striking subsection (h).

SEC. 804. SURVEY TO ASSESS STRENGTHS AND WEAKNESSES OF TRUSTED WORKFORCE 2.0.

Not later than 1 year after the date of the enactment of this Act, and once every 2 years thereafter until 2029, the Comptroller General of the United States shall administer a survey to such sample of Federal agencies, Federal contractors, and other persons that require security clearances to access classified information as the Comptroller General considers appropriate to assess—

(1) the strengths and weaknesses of the implementation of the Trusted Workforce 2.0 initiative; and

(2) the effectiveness of vetting Federal personnel while managing risk during the onboarding of such personnel.

SEC. 805. PROHIBITION ON DENIAL OF ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION SOLELY BECAUSE OF PAST USE OF CANNABIS.

(a) DEFINITIONS.—In this section:

(1) CANNABIS.—The term ''cannabis'' has the meaning given the term ''marihuana'' in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term ''eligibility for access to classified information'' has the meaning given the term in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a)).

(b) PROHIBITION.—Notwithstanding any other provision of law, the head of an element of the intelligence community may not make a determination to deny eligibility for access to classified information to an individual based solely on the use of cannabis by the individual prior to the submission of the application for a security clearance by the individual.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

SEC. 901. IMPROVED FUNDING FLEXIBILITY FOR PAYMENTS MADE BY THE CENTRAL INTELLIGENCE AGENCY FOR QUALIFYING INJURIES TO THE BRAIN.

Section 19A(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)) is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) FUNDING.—

''(A) IN GENERAL.—Payment under paragraph (2) in a fiscal year may be made using any funds—

''(i) appropriated in advance specifically for payments under such paragraph; or

''(ii) reprogrammed in accordance with section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

''(B) BUDGET.—For each fiscal year, the Director shall include with the budget justification materials submitted to Congress in support of the budget of the President for that fiscal year pursuant to section 1105(a) of title 31, United States Code, an estimate of the funds required in that fiscal year to make payments under paragraph (2).''.

SEC. 902. CLARIFICATION OF REQUIREMENTS TO SEEK CERTAIN BENEFITS RELATING TO INJURIES TO THE BRAIN.

(a) IN GENERAL.—Section 19A(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(5)) is amended—

(1) by striking ''Payments made'' and inserting the following:

''(A) IN GENERAL.—Payments made''; and

(2) by adding at the end the following:

''(B) RELATION TO CERTAIN FEDERAL WORKERS COMPENSATION LAWS.—Without regard to the requirements in sections (b) and (c), covered employees need not first seek benefits provided under chapter 81 of title 5, United States Code, to be eligible solely for payment authorized under paragraph (2) of this subsection.''.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) revise applicable regulations to conform with the amendment made by subsection (a); and

(2) submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of

the Committee on Appropriations of the House of Representatives copies of such regulations, as revised pursuant to paragraph (1).

SEC. 903. INTELLIGENCE COMMUNITY IMPLEMENTATION OF HAVANA ACT OF 2021 AUTHORITIES.

(a) REGULATIONS.—Except as provided in subsection (c), not later than 180 days after the date of the enactment of this Act, each head of an element of the intelligence community that has not already done so shall—

(1) issue regulations and procedures to implement the authorities provided by section 19A(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)) and section 901(i) of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(i)) to provide payments under such sections, to the degree that such authorities are applicable to the head of the element; and

(2) submit to the congressional intelligence, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives committees copies of such regulations.

(b) REPORTING.—Not later than 210 days after the date of the enactment of this Act, each head of an element of the intelligence community shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on—

(1) the estimated number of individuals associated with their element that may be eligible for payment under the authorities described in subsection (a)(1);

(2) an estimate of the obligation that the head of the intelligence community element expects to incur in fiscal year 2025 as a result of establishing the regulations pursuant to subsection (a)(1); and

(3) any perceived barriers or concerns in implementing such authorities.

(c) ALTERNATIVE REPORTING.—Not later than 180 days after the date of the enactment of this Act, each head of an element of the intelligence community (other than the Director of the Central Intelligence Agency) who believes that the authorities described in subsection (a)(1) are not currently relevant for individuals associated with their element, or who are not otherwise in position to issue the regulations and procedures required by subsection (a)(1) shall provide written and detailed justification to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives to explain this position.

SEC. 904. REPORT AND BRIEFING ON CENTRAL INTELLIGENCE AGENCY HANDLING OF ANOMALOUS HEALTH INCIDENTS.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''Agency'' means the Central Intelligence Agency.

(2) QUALIFYING INJURY.—The term ''qualifying injury'' has the meaning given such term in section 19A(d)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(1)).

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the handling of anomalous health incidents by the Agency.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) HAVANA ACT IMPLEMENTATION.—

(A) An explanation of how the Agency determines whether a reported anomalous health incident resulted in a qualifying injury or a qualifying injury to the brain.

(B) The number of participants of the Expanded Care Program of the Central Intelligence Agency who—

(i) have a certified qualifying injury or a certified qualifying injury to the brain; and

(ii) as of September 30, 2023, applied to the Expanded Care Program due to a reported anomalous health incident.

(C) A comparison of the number of anomalous health incidents reported by applicants to the Expanded Care Program that occurred in the United States and that occurred in a foreign country.

(D) The specific reason each applicant was approved or denied for payment under the Expanded Care Program.

(E) The number of applicants who were initially denied payment but were later approved on appeal.

(F) The average length of time, from the time of application, for an applicant to receive a determination from the Expanded Care Program, aggregated by qualifying injuries and qualifying injuries to the brain.

(2) PRIORITY CASES.—

(A) A detailed list of priority cases of anomalous health incidents, including, for each incident, locations, dates, times, and circumstances.

(B) For each priority case listed in accordance with subparagraph (A), a detailed explanation of each credible alternative explanation that the Agency assigned to the incident, including—

(i) how the incident was discovered;

(ii) how the incident was assigned within the Agency; and

(iii) whether an individual affected by the incident is provided an opportunity to appeal the credible alternative explanation.

(C) For each priority case of an anomalous health incident determined to be largely consistent with the definition of ''anomalous health incident'' established by the National Academy of Sciences and for which the Agency does not have a credible alternative explanation, a detailed description of such case.

(3) ANOMALOUS HEALTH INCIDENT SENSORS.—

(A) A list of all types of sensors that the Agency has developed or deployed with respect to reports of anomalous health incidents, including, for each type of sensor, the deployment location, the date and the duration of the employment of such type of sensor, and, if applicable, the reason for removal.

(B) A list of entities to which the Agency has provided unrestricted access to data associated with anomalous health incidents.

(C) A list of requests for support the Agency has received from elements of the Federal Government regarding sensor development, testing, or deployment, and a description of the support provided in each case.

(D) A description of all emitter signatures obtained by sensors associated with anomalous health incidents in Agency holdings since 2016, including—

(i) the identification of any of such emitters that the Agency prioritizes as a threat; and

(ii) an explanation of such prioritization.

(d) ADDITIONAL SUBMISSIONS.—Concurrent with the submission of the report required by subsection (b), the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives—

(1) a template of each form required to apply for the Expanded Care Program, including with respect to payments for a qualifying injury or a qualifying injury to the brain;

(2) copies of internal guidance used by the Agency to adjudicate claims for the Expanded Care Program, including with respect to payments for a qualifying injury to the brain;

(3) the case file of each applicant to the Expanded Care Program who applied due to a reported anomalous health incident, including supporting medical documentation, with name and other identifying information redacted;

(4) copies of all informational and instructional materials provided to employees of and other individuals affiliated with the Agency with respect to applying for the Expanded Care Program; and

(5) copies of Agency guidance provided to employees of and other individuals affiliated with the Agency with respect to reporting and responding to a suspected anomalous health incident, and the roles and responsibilities of each element of the Agency tasked with responding to a report of an anomalous health incident.

(e) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall brief the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives on the report.

TITLE X—ELECTION SECURITY

SEC. 1001. STRENGTHENING ELECTION CYBERSECURITY TO UPHOLD RESPECT FOR ELECTIONS THROUGH INDEPENDENT TESTING ACT OF 2023.

(a) REQUIRING PENETRATION TESTING AS PART OF THE TESTING AND CERTIFICATION OF VOTING SYSTEMS.—Section 231 of the Help America Vote Act of 2002 (52 U.S.C. 20971) is amended by adding at the end the following new subsection:

''(e) REQUIRED PENETRATION TESTING.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Commission shall provide for the conduct of penetration testing as part of the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories under this section.

''(2) ACCREDITATION.—The Director of the National Institute of Standards and Technology shall recommend to the Commission entities the Director proposes be accredited to carry out penetration testing under this subsection and certify compliance with the penetration testing-related guidelines required by this subsection. The Commission shall vote on the accreditation of any entity recommended. The requirements for such accreditation shall be a subset of the requirements for accreditation of laboratories under subsection (b) and shall only be based on consideration of an entity's competence to conduct penetration testing under this subsection.''.

(b) INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

"PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS

"SEC. 297. INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS.

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The Commission, in consultation with the Secretary, shall establish an Independent Security Testing and Coordinated Vulnerability Disclosure Pilot Program for Election Systems (VDP–E) (in this section referred to as the 'program') in order to test for and disclose cybersecurity vulnerabilities in election systems.

''(2) DURATION.—The program shall be conducted for a period of 5 years.

''(3) REQUIREMENTS.—In carrying out the program, the Commission, in consultation with the Secretary, shall—

''(A) establish a mechanism by which an election systems vendor may make their election system (including voting machines and source code) available to cybersecurity researchers participating in the program;

''(B) provide for the vetting of cybersecurity researchers prior to their participation in the program, including the conduct of background checks;

''(C) establish terms of participation that—

''(i) describe the scope of testing permitted under the program;

''(ii) require researchers to—

''(I) notify the vendor, the Commission, and the Secretary of any cybersecurity vulnerability they identify with respect to an election system; and

''(II) otherwise keep such vulnerability confidential for 180 days after such notification;

''(iii) require the good faith participation of all participants in the program;

''(iv) require an election system vendor, within 180 days after validating notification of a critical or high vulnerability (as defined by the National Institute of Standards and Technology) in an election system of the vendor, to—

''(I) send a patch or propound some other fix or mitigation for such vulnerability to the appropriate State and local election officials, in consultation with the researcher who discovered it; and

''(II) notify the Commission and the Secretary that such patch has been sent to such officials;

''(D) in the case where a patch or fix to address a vulnerability disclosed under subparagraph (C)(ii)(I) is intended to be applied to a system certified by the Commission, provide—

''(i) for the expedited review of such patch or fix within 90 days after receipt by the Commission; and

''(ii) if such review is not completed by the last day of such 90 day period, that such patch or fix shall be deemed to be certified by the Commission, subject to any subsequent review of such determination by the Commission; and

''(E) 180 days after the disclosure of a vulnerability under subparagraph (C)(ii)(I), notify the Director of the Cybersecurity and Infrastructure Security Agency of the vulnerability for inclusion in the database of Common Vulnerabilities and Exposures.

''(4) VOLUNTARY PARTICIPATION; SAFE HARBOR.—

''(A) VOLUNTARY PARTICIPATION.—Participation in the program shall be voluntary for election systems vendors and researchers.

''(B) SAFE HARBOR.—When conducting research under this program, such research and subsequent publication shall be considered to be:

''(i) Authorized in accordance with section 1030 of title 18, United States Code (commonly known as the 'Computer Fraud and Abuse Act'), (and similar state laws), and the election system vendor will not initiate or support legal action against the researcher for accidental, good faith violations of the program.

''(ii) Exempt from the anti-circumvention rule of section 1201 of title 17, United States Code (commonly known as the 'Digital Millennium Copyright Act'), and the election system vendor will not bring a claim against a researcher for circumvention of technology controls.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to limit or otherwise affect any exception to the general prohibition against the circumvention of technological measures under subparagraph (A) of section 1201(a)(1) of title 17, United States Code, including with respect to any use that is excepted from that general prohibition by the Librarian of Congress under subparagraphs (B) through (D) of such section 1201(a)(1).

''(5) EXEMPT FROM DISCLOSURE.—Cybersecurity vulnerabilities discovered under the program shall be exempt from section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

''(6) DEFINITIONS.—In this subsection:

''(A) CYBERSECURITY VULNERABILITY.—The term 'cybersecurity vulnerability' means, with respect to an election system, any security vulnerability that affects the election system.

''(B) ELECTION INFRASTRUCTURE.—The term 'election infrastructure' means—

''(i) storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office; and

''(ii) related information and communications technology, including—

''(I) voter registration databases;

''(II) election management systems;

''(III) voting machines;

''(IV) electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results); and

''(V) other systems used to manage the election process and to report and display election results on behalf of an election agency.

''(C) ELECTION SYSTEM.—The term 'election system' means any information system that is part of an election infrastructure, including any related information and communications technology described in subparagraph (B)(ii).

''(D) ELECTION SYSTEM VENDOR.—The term 'election system vendor' means any person providing, supporting, or maintaining an election system on behalf of a State or local election official.

''(E) INFORMATION SYSTEM.—The term 'information system' has the meaning given the term in section 3502 of title 44, United States Code.

''(F) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(G) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS

''Sec. 297. Independent security testing and coordinated cybersecurity vulnerability disclosure program for election systems.''.

TITLE XI—OTHER MATTERS

SEC. 1101. MODIFICATION OF REPORTING REQUIREMENT FOR ALL-DOMAIN ANOMALY RESOLUTION OFFICE.

Section 1683(k)(1) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended—

(1) in the heading, by striking ''DIRECTOR OF NATIONAL INTELLIGENCE AND SECRETARY OF DEFENSE'' and inserting ''ALL-DOMAIN ANOMALY RESOLUTION OFFICE''; and

(2) in subparagraph (A), by striking ''Director of National Intelligence and the Secretary of Defense shall jointly'' and inserting ''Director of the Office shall''.

SEC. 1102. FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(3) DIRECTOR.—The term ''Director'' means the Director of the All-domain Anomaly Resolution Office.

(4) UNIDENTIFIED ANOMALOUS PHENOMENA.—The term ''unidentified anomalous phenomena'' has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(b) SENSE OF CONGRESS.—It is the sense of Congress that, due to the increasing potential for technology surprise from foreign adversaries and to ensure sufficient integration across the United States industrial base and avoid technology and security stovepipes—

(1) the United States industrial base must retain its global lead in critical advanced technologies; and

(2) the Federal Government must expand awareness about any historical exotic technology antecedents previously provided by the Federal Government for research and development purposes.

(c) LIMITATIONS.—No amount authorized to be appropriated by this Act may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or restricted access limitations that have not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress, congressional leadership, and the Director, including for any activities relating to the following:

(1) Recruiting, employing, training, equipping, and operations of, and providing security for, government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft.

(2) Analyzing such craft or pieces or components thereof, including for the purpose of determining properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology.

(3) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise.

(4) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems, that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, or electric ion thrust.

(d) NOTIFICATION AND REPORTING.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(1) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(2) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(A) all such material and information; and

(B) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena material.

(e) LIABILITY.—No criminal or civil action may lie or be maintained in any Federal or State court against any person for receiving material or information described in subsection (d) if that person complies with the notification and reporting provisions described in such subsection.

(f) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (c) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (d).

(2) EFFECTIVE DATE AND APPLICABILITY.—Paragraph (1) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to funding from amounts appropriated before, on, or after such date.

(g) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under paragraph (1) of subsection (d) or information or material under paragraph (2) of such subsection, the Director shall provide written notification of such receipt to the appropriate committees of Congress and congressional leadership.

SA 995. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 104__. DESIGNATION OF CERTAIN AIRPORTS BY THE UNITED STATES FISH AND WILDLIFE SERVICE.

(a) IN GENERAL.—The Director of the United States Fish and Wildlife Service shall designate each of the airports among the top 10 United States airports with respect to all-cargo landed weight during calendar year 2021 as a ''port of entry designated for the importation and exportation of wildlife and wildlife products'' (referred to in this section as a ''Designated Port'') under section 14.12 of title 50, Code of Federal Regulations.

(b) ELECTION TO OPERATE AS A DESIGNATED PORT.—An airport authority responsible for the operation of an airport described in subsection (a) may determine whether or not such airport will serve as a Designated Port.

SA 996. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION I—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2023''.

SEC. 11002. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 11003. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2024 through 2034''.

SEC. 11004. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including education-related stipends, college housing assistance, and other education-related assistance for low-income college students,'' after ''self-sufficiency and other services,''.

SEC. 11005. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 11006. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination

Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$10,000''.

SEC. 11007. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 11008. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 11009. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 11010. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 11011. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 11012. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 11013. AMENDMENTS FOR BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

Section 802(e) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4222(e)) is amended by—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of State law requiring competitive procurement, the Director may make subawards to subrecipients, except for for-profit entities, using amounts provided under this title to carry out affordable housing activities upon a determination by the Director that such subrecipients have adequate capacity to carry out activities in accordance with this Act.''.

SEC. 11014. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2024 through 2034.''.

SEC. 11015. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 11016. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS AND SPECIAL ACTIVITIES BY INDIAN TRIBES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITION.—In this subsection, the term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).

''(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An Indian tribe receiving a grant under paragraph (1) of section 106(a)(1) shall be authorized to directly carry out activities described in paragraph (15) of such section 106(a)(1).''.

SEC. 11017. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting before the period at the end the following: '', Indian tribes, and tribally designated housing entities'';

(2) in subparagraph (B), by inserting '', Indian tribes, and tribally designated housing entities'' after ''organizations)'';

(3) by redesignating subparagraph (F) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

''(F) DEFINITIONS.—In this paragraph, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

SEC. 11018. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) AUTHORITY.—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian Tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies, and to expand homeownership opportunities to Indian families, Indian housing authorities and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, Indian housing authority, or Indian Tribe on trust land and fee simple land.''; and

(2) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(iii) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(iv) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the term of the loan shall not exceed 40 years''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2034.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2024 through 2034''.

SEC. 11019. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting '', and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii'' after ''markets'';

(2) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) in subparagraph (B)—

(I) by redesignating clause (iv) as clause (v); and

(II) by adding after clause (iii) the following:

''(iv) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(ii) by adding at the end the following:

''(C) INDEMNIFICATION.—

''(i) IN GENERAL.—If the Secretary determines that a loan was not originated in accordance with the requirements established by the Secretary under this section, the Secretary may require the lender to indemnify the Secretary for any loss or potential loss, regardless of whether the non-compliance caused or may cause the loan default.

''(ii) DIRECT GUARANTEE ENDORSEMENT.—The Secretary may, dependent on the availability of systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(iii) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in the direct guarantee endorsement process by a lender under this section, the Secretary shall require the approved direct guarantee endorsement lender to indemnify the Secretary for any loss or potential loss, regardless of whether the fraud or misrepresentation caused or may cause the loan default.

''(iv) IMPLEMENTATION.—The Secretary may implement any requirements described in this subparagraph by regulation, notice, or Dear Lender Letter.''.

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (d)—

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

''(C) EXCEPTION.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii), subparagraphs (A) and (B) of this paragraph shall not apply.'';

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

''(2) STANDARD FOR APPROVAL.—

''(A) APPROVAL.—The Secretary may approve a loan for guarantee under this section and issue a certificate under this subsection only if the Secretary determines that there is a reasonable prospect of repayment of the loan.

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements prescribed by the Secretary.''; and

(C) in paragraph (3)(A), by inserting ''or, where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' and

(4) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2034.''.

SEC. 11020. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing communities funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents;

(8) sports programs and sports activities that serve primarily youths from housing communities funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those communities; and

(9) other programs for youth in school settings that address drug prevention and positive alternatives for youth, including education and activities related to science, technology, engineering, and math.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall publish on the website of the Department a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, as specified in the program requirements published in a notice by the Secretary, which may include—

(A) the use of on-site monitoring, independent public audit requirements, certification by Tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2);

(B) entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section; and

(C) adopting enforcement authority that is substantially similar to the authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2024 through 2034 to carry out this section.

SEC. 11021. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(E) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 11022. CONTINUUM OF CARE.

(a) DEFINITIONS.—In this section—

(1) the terms ''collaborative applicant'' and ''eligible entity'' have the meanings given those terms in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360); and

(2) the terms ''Indian tribe'' and ''tribally designated housing entity'' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(b) NONAPPLICATION OF CIVIL RIGHTS LAWS.—With respect to the funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' in the Department of Housing and Urban Development Appropriations Act, 2021 (Public Law 116–260) and under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications by or awards for projects to be carried out—

(1) on or off reservation or trust lands for awards made to Indian tribes or tribally designated housing entities; or

(2) on reservation or trust lands for awards made to eligible entities.

(c) CERTIFICATION.—With respect to funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a)—

(1) applications for projects to be carried out on reservations or trust land shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112), notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361);

(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land shall certify that they are following an approved housing plan developed under section102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112) and

(3) a collaborative applicant for a Continuum of Care whose geographic area includes only reservation and trust land is not required to meet the requirement in section 402(f)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360a(f)(2)).

SEC. 11023. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 997. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10____. MODIFICATION OF TRIBAL LEASES AND RIGHTS-OF-WAY ACROSS INDIAN LAND.

(a) EXTENSION OF TRIBAL LEASE PERIOD.—The first section of the Act of August 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C. 415) (commonly known as the ''Long-Term Leasing Act''), is amended—

(1) by striking ''That (a)'' and all that follows through the end of subsection (a) and inserting the following:

''SECTION 1. LEASES OF RESTRICTED LAND.

''(a) AUTHORIZED PURPOSES; TERM; APPROVAL BY SECRETARY.—

''(1) IN GENERAL.—Any restricted Indian lands, regardless of whether that land is tribally or individually owned, may be leased by the Indian owner of the land, with the approval of the Secretary, for—

''(A) a public, religious, educational, recreational, residential, business, or grazing purposes; or

''(B) a farming purpose that requires the making of a substantial investment in the improvement of the land for the production of 1 or more specialized crops as determined by the Secretary.

''(2) INCLUSIONS.—A lease under paragraph (1) may include the development or use of natural resources in connection with operations under that lease.

''(3) TERM.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a lease under paragraph (1) shall be for a term of not more than 99 years, including any renewals.

''(B) EXCEPTION FOR GRAZING PURPOSES.—A lease under paragraph (1) for grazing purposes may be for a term of not more than 10 years, including any renewals.

''(4) REQUIREMENT.—Each lease and renewal under this subsection shall be made in accordance with such terms and regulations as may be prescribed by the Secretary.

''(5) CONDITIONS FOR APPROVAL.—Before the approval of any lease or renewal of an existing lease pursuant to this subsection, the Secretary shall determine that adequate consideration has been given to—

''(A) relationship between the use of the leased lands and the use of neighboring land;

''(B) the height, quality, and safety of any structures or other facilities to be constructed on the leased land;

''(C) the availability of police and fire protection and other services on the leased land;

''(D) the availability of judicial forums for all criminal and civil causes of action arising on the leased land; and

''(E) the effects on the environment of the uses to which the leased lands will be subject.'';

(2) in subsection (b)—

(A) by striking ''(b) Any lease'' and inserting the following:

''(b) EXCEPTION FOR SECRETARY APPROVAL.—Any lease'';

(B) by striking ''of the Interior'' each place it appears; and

(C) by striking ''clause (3)'' and inserting ''paragraph'';

(3) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(4) by striking ''subsection (a)'' each place it appears and inserting ''subsection (b)''; and

(5) in subsection (h)(1)—

(A) in the matter preceding subparagraph (A), by striking ''and the term of the lease does not exceed—'' and inserting a period; and

(B) by striking subparagraphs (A) and (B).

(b) TECHNICAL CORRECTION.—Section 2 of the Act of August 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C. 415a) (commonly known as the ''Long-Term Leasing Act''), is amended by inserting ''of the Interior'' after ''Secretary'' each place it appears.

(c) MODIFICATIONS OF RIGHTS-OF-WAY ACROSS INDIAN LAND.—The Act of February 5, 1948 (62 Stat. 17, chapter 45), is amended—

(1) in the first section (62 Stat. 17, chapter 45; 25 U.S.C. 323), by striking ''That the Secretary of the Interior be, and he is hereby, empowered to'' and inserting the following:

''SECTION 1. RIGHTS-OF-WAY FOR ALL PURPOSES ACROSS INDIAN LAND.

''(a) RIGHTS-OF-WAY.—The Secretary of the Interior may'';

(2) in section 2 (62 Stat. 18, chapter 45; 25 U.S.C. 324), by striking ''organized under the

Act of June 18, 1934 (48 Stat. 984), as amended; the Act of May 1, 1936 (49 Stat. 1250); or the Act of June 26, 1936 (49 Stat. 1967),''; and

(3) by adding at the end the following:

''SEC. 8. TRIBAL GRANTS OF RIGHTS-OF-WAY.

''(a) RIGHTS-OF-WAY.—

''(1) IN GENERAL.—Subject to paragraph (2), an Indian tribe may grant a right-of-way over and across the Tribal land of the Indian tribe for any purpose.

''(2) AUTHORITY.—A right-of-way granted under paragraph (1) shall not require the approval of the Secretary of the Interior or a grant by the Secretary of the Interior under the section 1 if the right-of-way granted under paragraph (1) is executed in accordance with a Tribal regulation approved by the Secretary of the Interior under subsection (b).

''(b) REVIEW OF TRIBAL REGULATIONS.—

''(1) TRIBAL REGULATION SUBMISSION AND APPROVAL.—

''(A) SUBMISSION.—An Indian tribe seeking to grant a right-of-way under subsection (a) shall submit for approval a Tribal regulation governing the granting of rights-of-way over and across the Tribal land of the Indian tribe.

''(B) APPROVAL.—Subject to paragraph (2), the Secretary of the Interior shall have the authority to approve or disapprove any Tribal regulation submitted under subparagraph (A).

''(2) CONSIDERATIONS FOR APPROVAL.—

''(A) IN GENERAL.—The Secretary of the Interior shall approve a Tribal regulation submitted under paragraph (1)(A), if the Tribal regulation—

''(i) is consistent with any regulations (or successor regulations) issued by the Secretary of the Interior under section 4;

''(ii) provides for an environmental review process that includes—

''(I) the identification and evaluation of any significant impacts the proposed action may have on the environment; and

''(II) a process for ensuring—

''(aa) that the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Indian tribe under subclause (I); and

''(bb) the Indian tribe provides a response to each relevant and substantive public comment on the significant environmental impacts identified by the Indian tribe under subclause (I) before the Indian tribe approves the right-of-way.

''(B) STATUTORY EXEMPTIONS.—The Secretary of the Interior, in making an approval decision under this subsection, shall not be subject to—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) section 306108 of title 54, United States Code; or

''(iii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

''(3) REVIEW PROCESS.—

''(A) IN GENERAL.—Not later than 180 days after the date on which the Indian tribe submits a Tribal regulation to the Secretary of the Interior under paragraph (1)(A), the Secretary of the Interior shall—

''(i) review the Tribal regulation;

''(ii) approve or disapprove the Tribal regulation; and

''(iii) notify the Indian tribe that submitted the Tribal regulation of the approval or disapproval.

''(B) WRITTEN DOCUMENTATION.—If the Secretary of the Interior disapproves a Tribal regulation submitted under paragraph (1)(A), the Secretary of the Interior shall include with the disapproval notification under subparagraph (A)(iii) written documentation describing the basis for the disapproval.

''(C) EXTENSION.—The Secretary of the Interior may, after consultation with the Indian tribe that submitted a Tribal regulation under paragraph (1)(A), extend the 180-day period described in subparagraph (A).

''(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if an Indian tribe carries out a project or activity funded by a Federal agency, the Indian tribe may rely on the environmental review process of the applicable Federal agency rather than any Tribal environmental review process required under this subsection.

''(c) DOCUMENTATION.—An Indian tribe granting a right-of-way under subsection (a) shall provide to the Secretary of the Interior—

''(1) a copy of the right-of-way, including any amendments or renewals; and

''(2) if the right-of-way allows for compensation to be made directly to the Indian tribe, documentation of payments that are sufficient, as determined by the Secretary of the Interior, as to enable the Secretary of the Interior to discharge the trust responsibility of the United States under subsection (d).

''(d) TRUST RESPONSIBILITY.—

''(1) IN GENERAL.—The United States shall not be liable for losses sustained by any party to a right-of-way granted under subsection (a).

''(2) AUTHORITY OF THE SECRETARY.—

''(A) IN GENERAL.—Pursuant to the authority of the Secretary of the Interior to fulfill the trust obligation of the United States to the applicable Indian tribe under Federal law (including regulations), the Secretary of the Interior may, on reasonable notice from the applicable Indian tribe and at the discretion of the Secretary of the Interior, enforce the provisions of, or cancel, any right-of-way granted by the Indian tribe under subsection (a).

''(B) AUTHORITY.—The enforcement or cancellation of a right-of-way under subparagraph (A) shall be conducted using regulatory procedures issued under section 6.

''(e) COMPLIANCE.—

''(1) IN GENERAL.—An interested party, after exhaustion of any applicable Tribal remedies, may submit a petition to the Secretary of the Interior, at such time and in such form as determined by the Secretary of the Interior, to review the compliance of an applicable Indian tribe with a Tribal regulation approved by the Secretary of the Interior under subsection (b).

''(2) VIOLATIONS.—If the Secretary of the Interior determines that a Tribal regulation was violated after conducting a review under paragraph (1), the Secretary of the Interior may take any action the Secretary of the Interior determines to be necessary to remedy the violation, including rescinding the approval of the Tribal regulation and reassuming responsibility for approving rights-of-way through the trust land of the applicable Indian tribe.

''(3) DOCUMENTATION.—If the Secretary of the Interior determines that a Tribal regulation was violated after conducting a review under paragraph (1), the Secretary of the Interior shall—

''(A) provide written documentation, with respect to the Tribal regulation that has been violated, to the appropriate interested party and Indian tribe;

''(B) provide the applicable Indian tribe with a written notice of the alleged violation; and

''(C) prior to the exercise of any remedy, including rescinding the approval for the applicable Tribal regulation or reassuming responsibility for approving rights-of-way through the trust land of the applicable Indian tribe, provide the applicable Indian tribe with—

''(i) a hearing that is on the record; and

''(ii) a reasonable opportunity to cure the alleged violation.

''(f) SAVINGS CLAUSE.—Nothing in this section affects the application of any Tribal regulations issued under Federal environmental law.

''(g) EFFECT OF TRIBAL REGULATIONS.—An approved Tribal regulation under subsection (b) shall not preclude an Indian tribe from, in the discretion of the Indian tribe, consenting to the grant of a right-of-way by the Secretary of the Interior under the section 1.

''(h) TERMS OF RIGHT-OF-WAY.—The compensation for, and terms of, a right-of-way granted under subsection (a) will be determined by—

''(1) negotiations by the Indian tribe; or

''(2) the regulations of the Indian tribe.

''(i) JURISDICTION.—The grant of a right-of-way under subsection (a) does not waive the sovereign immunity of the Indian tribe or diminish the jurisdiction of that Indian tribe over the Tribal land subject to the right-of-way, unless otherwise provided in—

''(1) the grant of the right-of-way; or

''(2) the regulations of the Indian tribe.''.

SA 998. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1025. OVERSEAS MAINTENANCE OF CERTAIN NAVAL VESSELS.

(a) IN GENERAL.—Section 8680(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''A naval vessel'' and inserting ''Except as provided in paragraphs (2) through (4), a naval vessel''; and

(2) by adding at the end the following:

''(4)(A) Notwithstanding paragraph (1), any conventionally-powered surface naval vessel operating in the Seventh Fleet Area of Responsibility may be maintained (including overhauls) in Japan if the Secretary of the Navy determines that a delay of longer than 1 year is expected before a shipyard located in the United States or in Guam is available to perform such maintenance on such vessel.

''(B) Not later than 6 months after the initiation of maintenance in Japan on any vessel described in subparagraph (A), the Secretary of the Navy shall submit a report to Congress describing the progress that has been made in addressing the maintenance backlog for naval vessels at shipyards in the United States.''.

(b) SUNSET.—The amendments made subsection (a) shall remain in effect until the date that is 5 years after the date of the enactment of this Act.

SA 999. Mr. RISCH (for Mr. BARRASSO (for himself, Mr. MANCHIN, and Mr. RISCH)) submitted an amendment intended to be proposed by Mr. Risch to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 31_____. U.S. NUCLEAR FUEL SECURITY INITIATIVE.

(a) SHORT TITLE.—This section may be cited as the ''Nuclear Fuel Security Act of 2023''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should—

(A) prioritize activities to increase domestic production of low-enriched uranium; and

(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and

(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor demonstration projects of the Department, the Secretary shall consider and implement, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, without impacting existing Department missions, until such time that commercial enrichment and deconversion capability for high-assay, low-enriched uranium exists at a scale sufficient to meet future needs; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(c) OBJECTIVES.—The objectives of this section are—

(1) to expeditiously increase domestic production of low-enriched uranium;

(2) to expeditiously increase domestic production of high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—

(A) advanced nuclear reactor developers; and

(B) the consortium;

(3) to ensure the availability of domestically produced, converted, enriched, deconverted, and reduced uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption;

(4) to address gaps and deficiencies in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;

(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear nonproliferation and civil nuclear energy objectives of the Department;

(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and

(7) to ensure that, until such time that domestic enrichment and deconversion of high-assay, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers, the Secretary considers and implements, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules.

(d) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ASSOCIATED ENTITY.—The term ''associated entity'' means an entity that—

(A) is owned, controlled, or dominated by—

(i) the government of a country that is an ally or partner of the United States; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United States, including a corporation that is incorporated in such a country.

(3) ASSOCIATED INDIVIDUAL.—The term ''associated individual'' means an alien who is a national of a country that is an ally or partner of the United States.

(4) CONSORTIUM.—The term ''consortium'' means the consortium established under section 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).

(5) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(6) HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.—The term ''high-assay, low-enriched uranium'' or ''HALEU'' means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).

(7) LOW-ENRICHED URANIUM; LEU.—The term ''low-enriched uranium'' or ''LEU'' means each of—

(A) low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and

(B) low-enriched uranium (as defined in section 3112A(a) of that Act (42 U.S.C. 2297h–10a(a))).

(8) PROGRAMS.—The term ''Programs'' means—

(A) the Nuclear Fuel Security Program established under subsection (e)(1);

(B) the American Assured Fuel Supply Program of the Department; and

(C) the HALEU for Advanced Nuclear Reactor Demonstration Projects Program established under subsection (e)(3).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(10) U.S. NUCLEAR ENERGY COMPANY.—The term ''U.S. nuclear energy company'' means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(e) ESTABLISHMENT AND EXPANSION OF PROGRAMS.—The Secretary, consistent with the objectives described in subsection (c), shall—

(1) establish a program, to be known as the ''Nuclear Fuel Security Program'', to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, enriched, deconverted, and reduced uranium in the event of a supply disruption; and

(3) establish a program, to be known as the ''HALEU for Advanced Nuclear Reactor Demonstration Projects Program''—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States at a scale sufficient to meet future needs; and

(B) where practicable, to partner with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(f) NUCLEAR FUEL SECURITY PROGRAM.—

(1) IN GENERAL.—In carrying out the Nuclear Fuel Security Program, the Secretary—

(A) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible date thereafter), to ensure diversity of supply in domestic uranium mining, conversion, enrichment, and deconversion capacity and technologies, including new capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (j)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes;

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that were intended to be downblended for other purposes, but were instead used in carrying out activities under

the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(3) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Program, the Secretary, to the extent practicable and consistent with the purposes of that program, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(g) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(1) expand the American Assured Fuel Supply Program of the Department by merging the operations of the Uranium Reserve Program of the Department with the American Assured Fuel Supply Program; and

(2) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (1)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner determined by the Secretary to be consistent with the purposes of that program and the objectives described in subsection (c);

(B) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States;

(C) make uranium available from the American Assured Fuel Supply, subject to terms and conditions determined by the Secretary to be reasonable and appropriate;

(D) refill and expand the supply of uranium in the American Assured Fuel Supply, including by maintaining a limited reserve of uranium to address a potential event in which a domestic or foreign recipient of uranium experiences a supply disruption for which uranium cannot be obtained through normal market mechanisms or under normal market conditions; and

(E) take other actions that the Secretary determines to be necessary or appropriate to address the purposes of that program and the objectives described in subsection (c).

(h) HALEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS PROGRAM.—

(1) ACTIVITIES.—On enactment of this Act, the Secretary shall immediately accelerate and, as necessary, initiate activities to make available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(2) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities and forms sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(3) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2023;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile (excluding stockpiles intended for national security needs), which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (e)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (e)(1); and

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—

(A) CERTAIN SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to—

(i) the final disposition of radioactive waste from uranium that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or

(ii) environmental cleanup activities.

(B) CERTAIN COMMITMENTS.—In carrying out activities under this subsection, the Secretary—

(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (j)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(5) SUNSET.—The authority of the Secretary to carry out activities under this subsection shall terminate on the date on which the Secretary notifies Congress that the HALEU needs of advanced nuclear reactor developers can be fully met by commercial HALEU suppliers in the United States, as determined by the Secretary, in consultation with U.S. nuclear energy companies.

(i) DOMESTIC SOURCING CONSIDERATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—

(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or

(B) the activity relies on resources, materials, or equipment developed or produced—

(i) in the United States; or

(ii) in a country that is an ally or partner of the United States by—

(I) the government of that country;

(II) an associated entity; or

(III) a U.S. nuclear energy company.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (c).

(j) REASONABLE COMPENSATION.—

(1) IN GENERAL.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) AVAILABILITY OF CERTAIN FUNDS.—

(A) IN GENERAL.—Notwithstanding section 3302(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel feed material acquired by the Secretary pursuant to a contract entered into under clause (i) or (ii) of subsection (f)(1)(A) shall—

(i) be deposited in the account described in subparagraph (B);

(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and

(iii) remain available until expended.

(B) REVOLVING FUND.—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—

(i) deposited in accordance with clause (i) of that subparagraph; and

(ii) made available in accordance with clauses (ii) and (iii) of that subparagraph.

(k) NUCLEAR REGULATORY COMMISSION.—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action related to the Programs to the extent permitted under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and related statutes.

(l) USEC PRIVATIZATION ACT.—The requirements of section 3112(d)(2) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)) shall

not apply to activities related to the Programs.

(m) NATIONAL SECURITY NEEDS.—The Secretary shall only make available to a member of the consortium under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security needs during or prior to fiscal year 2023, subject to the condition that the material made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.

(n) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(o) REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 40323 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and

(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.

(p) SUPPLY CHAIN INFRASTRUCTURE AND WORKFORCE CAPACITY BUILDING.—

(1) SUPPLY CHAIN INFRASTRUCTURE.—Section 10781(b)(1) of Public Law 117–167 (commonly known as the ''CHIPS and Science Act of 2022'') (42 U.S.C. 19351(b)(1)) is amended by striking ''and demonstration of advanced nuclear reactors'' and inserting ''demonstration, and deployment of advanced nuclear reactors and associated supply chain infrastructure''.

(2) WORKFORCE CAPACITY BUILDING.—Section 954(b) of the Energy Policy Act of 2005 (42 U.S.C. 16274(b)) is amended—

(A) in the subsection heading, by striking ''Graduate'';

(B) by striking ''graduate'' each place it appears;

(C) in paragraph (2)(A), by inserting ''community colleges, trade schools, registered apprenticeship programs, pre-apprenticeship programs,'' after ''universities,'';

(D) in paragraph (3), by striking ''2021 through 2025'' and inserting ''2023 through 2027'';

(E) by redesignating paragraph (3) as paragraph (4); and

(F) by inserting after paragraph (2) the following:

''(A) FOCUS AREAS.—In carrying out the subprogram under this subsection, the Secretary may implement traineeships in focus areas that, in the determination of the Secretary, are necessary to support the nuclear energy sector in the United States, including—

''(i) research and development;

''(ii) construction and operation;

''(iii) associated supply chains; and

''(iv) workforce training and retraining to support transitioning workforces.''.

SA 1000. Ms. LUMMIS (for herself, Mrs. GILLIBRAND, Ms. WARREN, and Mr. MARSHALL) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle _____—Crypto Assets

SEC. _____01. CRYPTO ASSET ANTI-MONEY LAUNDERING EXAMINATION STANDARDS.

Not later than 2 years after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Conference of State Bank Supervisors and Federal functional regulators, as defined in section 1010.100 of title 31, Code of Federal Regulations, shall establish a risk-focused examination and review process for financial institutions, as defined in that section, to assess the following relating to crypto assets, as determined by the Secretary:

(1) The adequacy of reporting obligations and anti-money laundering programs under subsections (g) and (h) of section 5318 of title 31, United States Code, respectively as applied to those institutions.

(2) Compliance of those institutions with anti-money laundering and countering the financing of terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

SEC. _____02. COMBATING ANONYMOUS CRYPTO ASSET TRANSACTIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report and provide a briefing, as determined by the Secretary, to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that assess the following issues:

(1) Categories of anonymity-enhancing technologies or services used in connection with crypto assets, such as mixers and tumblers, in use as of the date on which the report is submitted.

(2) As data are available, estimates of the magnitude of transactions related to the categories in paragraph (1) that are believed to be connected, directly or indirectly, to illicit finance, including crypto asset transaction volumes associated with sanctioned entities and entities subject to special measures pursuant to section 5318A of title 31, United States Code, and a description of any limitations applicable to the data used in such estimates.

(3) Categories of privacy-enhancing technologies or services used in connection with crypto assets in use as of the date on which the report is submitted.

(4) Legislative and regulatory approaches employed by other jurisdictions relating to the technologies and services described in paragraphs (1) and (3).

(5) Recommendations for legislation or regulation relating to the technologies and services described in paragraphs (1) and (3).

SA 1001. Mr. OSSOFF (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28____. PROHIBITION ON CLOSURE OF COMBAT READINESS TRAINING CENTERS.

(a) LIMITATION.—The Secretary of the Air Force shall not close, or prepare to close, any combat readiness training center.

(b) WAIVER.—The Secretary of the Air Force may waive the prohibition under subsection (a) with respect to a combat readiness training center if the Secretary submits to the congressional defense committees the following:

(1) A certification that—

(A) the closure of the center would not be in violation of section 2687 of title 10, United States Code; and

(B) the support capabilities provided by the center will not be diminished as a result of the closure of the center.

(2) A report that includes—

(A) a detailed business case analysis for the closure of the center; and

(B) an assessment of the effects the closure of the center would have on training units of the Armed Forces, including any active duty units that may use the center.

SA 1002. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle D of title XXXI, insert the following:

SEC. 10_____. PROHIBITION ON EXPORTS OF LIQUEFIED NATURAL GAS TO CERTAIN COUNTRIES.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, unless a waiver has been issued under subsection (b), no person or entity may export liquefied natural gas—

(1) to any entity that is under the ownership or control of the Chinese Communist Party, the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran; or

(2) except on the condition that such liquefied natural gas will not be exported to the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

(b) WAIVER.—

(1) IN GENERAL.—On application by an exporter, the Secretary of Energy may waive, prior to the date of the applicable contract, the prohibitions described in subsection (a) with respect to the sale of liquefied natural gas.

(2) REQUIREMENT.—The Secretary of Energy may issue a waiver under this subsection only if the Secretary of Energy determines that the waiver is in the interest of the national security of the United States.

(3) APPLICATIONS.—An exporter seeking a waiver under this subsection shall submit to the Secretary of Energy an application by such date, in such form, and containing such information as the Secretary of Energy may require.

(4) NOTICE TO CONGRESS.—Not later than 15 days after issuing a waiver under this subsection, the Secretary of Energy shall provide a copy of the waiver to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SA 1003. Ms. CANTWELL submitted an amendment intended to be proposed

by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. FLIGHT EDUCATION ACCESS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Flight Education Access Act''.

(b) INCREASE IN FEDERAL STUDENT LOAN LIMITS FOR STUDENTS IN FLIGHT EDUCATION AND TRAINING PROGRAMS.—Section 455 of the Higher Education Act of 1965 (20 U.S.C. 1087e) is amended—

(1) in subsection (p)—

(A) by striking ''Each institution'' and inserting the following:

''(1) IN GENERAL.—Each institution''; and

(B) in paragraph (1) (as designated by subparagraph (A)), by inserting before the period at the end the following: ''and, shall, with respect to Federal Direct Unsubsidized Stafford Loans made after the date of enactment of the Flight Education Access Act to an eligible student (as defined in subsection (r)), comply with the requirements of paragraph (2)''; and

(C) by adding at the end the following:

''(2) ADDITIONAL DISCLOSURES.—At or prior to the disbursement of a Federal Direct Unsubsidized Stafford Loan after the date of enactment of the Flight Education Access Act to an eligible student (as defined in subsection (r)), the following shall be disclosed:

''(A) The principal amount of the loan, the stated interest rate on the loan, the number of required monthly payments to be made on the loan (which shall be based on a standard repayment plan), and the estimated number of months before the start of the repayment period for the loan (based on the expected date on which the repayment period is to begin or the deferment period is to end, as applicable).

''(B) The estimated balance to be owed by the borrower on such loan (including, if applicable, the estimated amount of interest to be capitalized) as of the scheduled date on which the repayment period is to begin or the deferment period is to end, as applicable, and an estimate of the projected monthly payment.

''(C) An estimate of the aggregate amount the borrower will pay for the loan, including the total amount of monthly payments made over the life of the loan plus the amount of any charges for the loan, such as an origination fee.''; and

(2) by adding at the end the following:

''(r) INCREASE IN LOAN LIMITS FOR STUDENTS IN FLIGHT EDUCATION AND TRAINING PROGRAMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, the loan limits for Federal Direct Unsubsidized Stafford Loans made after the date of enactment of the Flight Education Access Act with respect to eligible students shall be subject to this subsection.

''(2) DEFINITIONS.—In this section:

''(A) ELIGIBLE STUDENT.—The term 'eligible student' means a student who is enrolled in an eligible undergraduate flight education and training program.

''(B) ELIGIBLE UNDERGRADUATE FLIGHT EDUCATION AND TRAINING PROGRAM.—The term 'eligible undergraduate flight education and training program' means an undergraduate flight education and training program that offers training for applicants seeking a commercial pilot certificate and—

''(i) during the period beginning on the date of enactment of the Flight Education Access Act and ending on the date on which 3 years of data has been collected pursuant to paragraph (3)(C), that meets all the applicable requirements of this Act; and

''(ii) beginning on the date on which 3 years of data has been collected pursuant to paragraph (3)(C), that meets all the applicable requirements of this Act and has a completion rate averaged over a 3-year period, as calculated under paragraph (3)(C) that is equal to or greater than 70 percent.

''(C) UNDERGRADUATE FLIGHT EDUCATION AND TRAINING PROGRAM.—The term 'undergraduate flight education and training program'—

''(i) has the meaning given the term by the Secretary, in consultation with the Administrator of the Federal Aviation Administration;

''(ii) shall include a flight education and training program offered by an eligible institution that is accredited by an accrediting agency recognized by the Secretary, that—

''(I) awards undergraduate certificates or associate or bachelor degrees; and

''(II) provides pilot training in accordance with part 141 of title 14, Code of Federal Regulations, or any successor regulation; and

''(iii) shall not include a flight education and training program certified under part 61 of title 14, Code of Federal Regulations, or any successor regulation.

''(3) LOAN LIMITS FOR ELIGIBLE UNDERGRADUATE FLIGHT EDUCATION AND TRAINING PROGRAMS.—

''(A) LIMITS FOR ELIGIBLE STUDENTS WHO ARE DEPENDENT STUDENTS.—

''(i) ANNUAL LIMITS.—The maximum annual amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is a dependent student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be—

''(I) in the case of an eligible student at an eligible institution who has not successfully completed the first year of an eligible undergraduate flight education and training program—

''(aa) $13,500, if such student is enrolled in such a program whose length is at least one academic year in length; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(II) in the case of an eligible student at an eligible institution who has successfully completed the first year of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $15,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(III) in the case of a student at an eligible institution who has successfully completed the first year and second years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $16,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year; and

''(IV) in the case of a student at an eligible institution who has successfully completed the first, second, and third years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $15,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year.

''(ii) AGGREGATE LIMITS.—The maximum aggregate amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is a dependent student may borrow shall be $65,000.

''(B) LIMITS FOR ELIGIBLE STUDENTS WHO ARE INDEPENDENT STUDENTS.—

''(i) ANNUAL LIMITS.—The maximum annual amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is an independent student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be—

''(I) in the case of an eligible student at an eligible institution who has not successfully completed the first year of an eligible undergraduate flight education and training program—

''(aa) $21,500, if such student is enrolled in such a program whose length is at least one academic year in length; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(II) in the case of an eligible student at an eligible institution who has successfully completed the first year of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $25,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(III) in the case of a student at an eligible institution who has successfully completed the first year and second years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $25,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year; and

''(IV) in the case of a student at an eligible institution who has successfully completed

the first, second, and third years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $22,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year.

''(ii) AGGREGATE LIMITS.—The maximum aggregate amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is an independent student may borrow shall be $107,500.

''(C) DATA COLLECTION ON, AND CALCULATION OF, COMPLETION RATES.—

''(i) IN GENERAL.—The Secretary shall annually calculate the completion rate of each undergraduate flight education and training program at each eligible institution based on the information collected under clause (ii).

''(ii) COLLECTION OF INFORMATION.—The Secretary shall annually collect information, for each academic year, on—

''(I) the total number of students enrolled in an undergraduate flight education and training program at an eligible institution; and

''(II) those students who complete such program—

''(aa) who earn a private pilot's certificate for an airplane category rating with a single-engine class rating while enrolled in such program; or

''(bb) who at the time of enrollment, possess such a certificate.

''(iii) CALCULATION OF COMPLETION RATE.—To calculate the completion rate described in clause (i), the Secretary shall—

''(I) consider as having completed, those students who earn a private pilot's certificate for an airplane category rating with a single-engine class rating, or who at the time of enrollment possess such a certificate, and complete the undergraduate flight education and training program at an eligible institution—

''(aa) that predominantly awards associate degrees, within 200 percent of the normal time for completion;

''(bb) that predominantly awards bachelor degrees, within 150 percent of the normal time for completion; and

''(cc) that predominantly awards undergraduate certificates, within 200 percent of the normal time for completion;

''(II) consider as not having completed, those students who earn a private pilot's certificate for an airplane category rating with a single-engine class rating, or who at the time of enrollment possess such a certificate, and who transfer out of the undergraduate flight education and training program to another program at the eligible institution that is not an undergraduate flight education and training program or to a program that is not an undergraduate flight education and training program at another eligible institution; and

''(III) not include in the calculation, any student who—

''(aa) is a foreign national;

''(bb) earns a private pilot's certificate for an airplane category rating with a single-engine class rating and transfers out of the undergraduate flight education and training program to another undergraduate flight education and training program at a different eligible institution; or

''(cc) is enrolled in an undergraduate flight education and training program and never earns a private pilot's certificate for an airplane category rating with a single-engine class rating.

''(D) REPORTING REQUIREMENTS.—

''(i) IN GENERAL.—The Secretary shall require each undergraduate flight education and training program that enrolls students who receive assistance under this part to provide the data described in this subparagraph that is necessary for the completion of the reporting requirements described in this subparagraph.

''(ii) FORM OF DATA COLLECTION.—The Secretary shall prescribe the form and format of the data required to be provided under this subparagraph and include, at a minimum, the following data elements:

''(I) Student data elements necessary to calculate student enrollment, persistence, retention, transfer, and completion rates.

''(II) Information disaggregated by gender, race, ethnicity, and socioeconomic status.

''(iii) REPORT TO CONGRESS.—Not later than 9 months after the date of enactment of the Flight Education Access Act and biennially thereafter, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives, analyzing and assessing the data collected pursuant to this subparagraph and conforming to the requirements of this subparagraph that shall include the following:

''(I) An assessment of the effectiveness of the requirements under this subsection.

''(II) Information on enrollment, persistence, retention, transfer, completion, utilization of Federal financial aid, and unmet financial need, including information on applicable institutions.

''(III) Information on the gender, race, ethnicity, and socioeconomic status of students enrolled in an undergraduate flight education and training program.''.

(c) GAO REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) examine and review the implementation of this section and the amendments made by this section, which review shall include—

(A) the number of participating institutions offering undergraduate flight education and training programs (as defined in section 455(r) of the Higher Education Act of 1965 (20 U.S.C. 1087e(r)), as amended by this section);

(B) the number of students enrolled in such undergraduate flight education and training programs, and demographic data regarding such students;

(C) the level of such students' participation in the loan program under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.), including demographic data as appropriate; and

(D) feedback from participating institutions regarding the implementation of this section and the amendments made by this section;

(2) develop recommendations to the Department of Education on any changes that should be made to improve the implementation of this section and the amendments made by this section; and

(3) prepare and submit a report on the findings and recommendations under paragraphs (1) and (2) to—

(A) the Committee on Health, Education, Labor, and Pensions and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Education and the Workforce and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or an amendment made by this section, shall be construed to repeal, amend, supersede, or affect any pilot training or qualification provision under existing law.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Education, in addition to any amounts otherwise available, to carry out the amendments made by this section, $3,000,000 for each of fiscal years 2024 through 2033. Such funds shall be available until expended.

SEC. ___. REGIONAL AIR CARRIER PILOT TRAINING AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Subject to the availability of appropriations, not later than 90 days after the date of enactment of this section, the Secretary of Transportation (in this section referred to as the ''Secretary'') shall establish a pilot program to award grants to eligible applicants to support payment of costs—

(1) related to required flight education and training for aspiring pilots to become employed by a certificate holder under part 119 of title 14, Code of Federal Regulations, which conducts scheduled operations under part 135 or 121 of that title exclusively with aircraft having a seating capacity of not more than 80 passengers; and

(2) for the training of pilots employed by a certificate holder that conducts operations described in paragraph (1).

(b) ELIGIBLE APPLICANTS.—An application for a grant under this section shall be submitted in such form as the Secretary may require, by an eligible applicant pursuing flight education or training, including flight training on regional aircraft, who demonstrates to the Secretary—

(1) documentation of enrollment in an eligible pilot development program described in subsection (g); and

(2) receipt of direct financial assistance from a certificate holder for costs described in subsection (a) relating to flight education and training to participate in such pilot development program.

(c) MATCHING FUNDS.—In carrying out the pilot program established under this section, the Secretary shall award grants to support the flight education and training of an eligible applicant by issuing matching funds for amounts equal to the amount of direct financial assistance provided by a certificate holder that conducts operations described in subsection (a)(1) for the purposes of participation in an eligible pilot development program, provided that an individual grant for an eligible applicant provided under this subsection does not exceed $30,000. An eligible applicant may receive no more than one grant under the pilot program. The Secretary may reserve up to 5 percent of the funds made available under subsection (j) per fiscal year to carry out this section and provide oversight of the program by the Secretary.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A grant awarded under this section shall be used to support the costs of an eligible applicant's—

(A) flight training services;

(B) program tuition;

(C) training materials;

(D) equipment; or

(E) any other cost associated with expenses incurred by an eligible applicant for purposes of receiving flight education and training, including aircraft type training on regional jet aircraft or simulation equipment, through an eligible pilot development program.

(2) RETURN OF GRANT FUNDS.—

(A) IN GENERAL.—Grant funds disbursed to an eligible applicant by the Secretary pursuant to subsection (c) that are—

(i) used in violation of paragraph (1);

(ii) not expended as of the earlier of the date of termination of the eligible applicant's participation in, or the expiration of, the pilot program established in subsection (a); or

(iii) used by an eligible applicant who withdraws from, or does not complete, flight education and training,

shall be returned to the Secretary not later than 30 days after the Secretary issues a written determination to the eligible applicant stating the necessity for, and compelling the return of, appropriate grant funds.

(B) AUTHORITY.—The Secretary may investigate any eligible applicants who use grant funds in violation of paragraph (1).

(e) PREFERENCE FOR EMPLOYMENT WITH REGIONAL AIR CARRIERS.—In awarding grants under subsection (c) to an eligible applicant, the Secretary shall give preferential consideration to an eligible applicant who demonstrates a documented commitment, on a voluntary basis, to initiate or continue employment with a certificate holder that conducts operations described in subsection (a)(1) until such time as the eligible applicant attains the position of captain and serves in such position for at least 2 years.

(f) CONSIDERATIONS.—In carrying out the pilot program established under this section, the Secretary shall consider the following:

(1) Ensuring the issuance of awards reflects equal consideration of all eligible pilot development programs operated by certificate holders that conducts operations described in subsection (a)(1) from which eligible applicants could be enrolled in and receive direct financial assistance for flight education and training.

(2) Developing and issuing policies, in coordination with eligible pilot development programs described in subsection (g) that are operated by such certificate holders, to verify the use of awarded grant funds by eligible applicants to support costs related to flight education and training.

(g) ELIGIBLE PILOT DEVELOPMENT PROGRAM.—For purposes of the pilot program established under this section, an eligible pilot development program shall meet the following criteria:

(1) The program shall be operated by, affiliated with, or have an agreement with, a certificate holder that conducts operations described in subsection (a)(1) for the purposes of conducting flight education and training and providing student pilots pathways for employment with a certificate holder.

(2) The program shall be operated in conjunction with an eligible institution that—

(A) is accredited by an accrediting agency recognized by the Secretary of Education that awards undergraduate certificates or associate or bachelor's degrees; or

(B) provides pilot training in accordance with part 141 of title 14, Code of Federal Regulations, or any successor regulation, and contracts with an eligible institution described in subparagraph (A).

(3) The program shall not include a flight education and training program certified under part 61 of title 14, Code of Federal Regulations (or any successor regulation).

(4) The program shall be able to facilitate an eligible applicant's ability to fulfill Federal Aviation Administration flight education and training requirements.

(5) The program provides direct financial assistance to an enrolled eligible applicant or reimburses an enrolled eligible applicant for costs associated with expenses incurred by an enrolled eligible applicant for purposes of receiving flight education and training.

(h) CONSOLIDATION OF INFORMATION.—The Secretary shall provide, in a readily accessible web-based format, consolidated information on grants available under the pilot program established under this section.

(i) REPORT TO CONGRESS.—No later than 5 years after the establishment of the pilot program under this section, the Secretary shall submit a report (and provide a briefing) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the progress of the pilot program under this section, including—

(1) any detailed metrics associated with the implementation of the pilot program;

(2) the resulting impact on the domestic regional carrier pilot workforce; and

(3) any related recommendations for future action to improve the recruitment and retention of pilots at domestic regional carriers.

(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to repeal, amend, supersede, or affect any pilot training or qualification provision under existing law.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $21,000,000 for each of fiscal years 2024 through 2026, to remain available until expended.

SA 1004. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1240A. REPORT ON WAIVERS UNDER SECTION 907 OF THE FREEDOM FOR RUSSIA AND EMERGING EURASIAN DEMOCRACIES AND OPEN MARKETS SUPPORT ACT OF 1992 AND REPORT ON ACCESS TO THE LACHIN CORRIDOR.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the waiver of section 907 of the FREEDOM Support Act (Public Law 102–511; 22 U.S.C. 5812 note) has emboldened the Government of Azerbaijan to violate human rights and international law with impunity, undermining ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan.

(b) REPORTS.—

(1) WAIVERS UNDER SECTION 907 OF THE FREEDOM FOR RUSSIA AND EMERGING EURASIAN DEMOCRACIES AND OPEN MARKETS SUPPORT ACT OF 1992.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit a report to the appropriate committees of Congress on United States security assistance provided to the Government of Azerbaijan pursuant to the waiver of section 907 of the FREEDOM Support Act (Public Law 102–511; 22 U.S.C. 5812 note).

(B) ELEMENTS.—The report required by subparagraph (A) shall address the following:

(i) Documentation of the consideration by the Secretary of State, during the 5-year period ending on the date of the enactment of this Act, of all requirements relating to the waiver of section 907 of the FREEDOM Support Act (Public Law 102–511; 22 U.S.C. 5812 note).

(ii) Program-level detail and end-use monitoring reports of security assistance provided to the Government of Azerbaijan under such a waiver during such 5-year period.

(iii) An assessment of the impact of United States security assistance provided to Azerbaijan on—

(I) the negotiation of a peaceful settlement between Armenia and Azerbaijan over all disputed regions during such 5-year period; and

(II) the military balance between Azerbaijan and Armenia during such 5-year period.

(iv) An assessment of Azerbaijan's use of offensive force against Armenia or violations of Armenian sovereign territory during the period beginning on November 11, 2020, and ending on the date of the enactment of this Act.

(2) ACCESS TO THE LACHIN CORRIDOR.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Administrator of the United States Agency for International Development, shall submit to the appropriate committees of Congress a report on the Nagorno-Karabakh region that includes—

(A) an assessment of the humanitarian impact of Azerbaijan's blockade of the Lachin Corridor, which connects Armenia to Nagorno-Karabakh; and

(B) an assessment of the blockade's long-term impacts on—

(i) regional food, water, and energy security;

(ii) local civilians' ability to access basic medical care and other necessities;

(iii) the region's most vulnerable populations, including children, the elderly, and individuals with disabilities; and

(iv) the overall Nagorno-Karabakh conflict and prospects for de-escalating and avoiding a humanitarian crisis.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 1005. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XV, add the following:

SEC. 1510. PILOT PROGRAM ON DEVELOPMENT OF REENTRY VEHICLES AND RELATED SYSTEMS.

(a) IN GENERAL.—The Secretary of the Air Force may carry out a pilot program, to be known as the ''Reentry Vehicle Flight Test Bed Program'', to assess the feasibility of providing regular flight test opportunities that support the development of reentry vehicles—

(1) to facilitate technology upgrades tested in a realistic flight environment;

(2) to provide an enduring, high-cadence test bed to mature technologies for planned reentry vehicles; and

(3) to transition technologies developed under other programs, prototype projects, or research and development programs related to long-range ballistic missiles.

(b) GRANTS, CONTRACTS, AND OTHER AGREEMENTS.—

(1) AUTHORITY.—In carrying out a pilot program under this section, the Secretary may make grants and enter into contracts or other agreements with appropriate entities for the conduct of relevant flight tests of reentry vehicles and systems.

(2) USE OF FUNDS.—An entity that receives a grant, or enters into a contract or other agreement, as part of a pilot program carried out under this section shall use the grant, or any amount received under the contract or other agreement, to carry out one or more of the following activities:

(A) Conducting flight tests to develop or validate—

(i) aeroshell design;

(ii) thermal protective systems;

(iii) guidance and control systems;

(iv) sensors;

(v) communications;

(vi) environmental sensors; or

(vii) other relevant technologies.

(B) Expanding flight test opportunities through low-cost, high cadence platforms.

(c) COORDINATION.—If the Secretary of the Air Force carries out a pilot program under this section, the Secretary shall ensure that the activities under the pilot program are carried out in coordination with the Secretary of Defense and the Secretary of the Navy.

(d) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2029.

SA 1006. Mr. PADILLA (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 565. REPORT ON MENTAL HEALTH SUPPORT OF STUDENTS ENROLLED IN DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS.

(a) IN GENERAL.—Not later than December 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on programs and policies in Department of Defense Education Activity (DODEA) schools to support mental health and wellness among students.

(b) ELEMENTS.—The report required under subsection (a) shall include, at a minimum, the following elements:

(1) A description of the mental health and wellness resources available to students enrolled in DODEA schools.

(2) An overview of policies and procedures in place in DODEA schools to ensure that students are regularly screened for mental health and wellness.

(3) An overview of policies and procedures in place in DODEA schools for administrators and teachers to communicate and coordinate with parents and guardians of students in DODEA schools in cases where students have a demonstrated need for mental health and wellness support.

(4) Any recommendations for new policies, programs, or resources to improve mental health and wellness support for students enrolled in DODEA schools.

(5) An assessment of the feasibility and advisability of conducting a pilot program to detail licensed medical health care providers under the control of the Defense Health Agency to DODEA schools in order to improve mental health and wellness care for students enrolled in DODEA schools.

(6) Any other matters the Secretary concerned deems relevant and appropriate.

(c) STUDENT MENTAL HEALTH AND WELLNESS DEFINED.—For purposes of this section, student mental health and wellness includes, at a minimum, the following:

(1) Depression.

(2) Suicidal ideation.

(3) Anxiety.

(4) Attention-deficit/hyperactivity disorder (ADHD).

(5) Eating disorders.

(6) Substance abuse.

(7) Dual diagnosis conditions.

SA 1007. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. EXTENSION OF ANNUAL REPORT ON STRIKES UNDERTAKEN BY THE UNITED STATES AGAINST TERRORIST TARGETS OUTSIDE AREAS OF ACTIVE HOSTILITIES.

Section 1723 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1811) is amended—

(1) in subsection (a), by striking ''until 2022'' and inserting ''until 2028'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The report'' and inserting ''Each report''; and

(B) in paragraph (1), by striking the semicolon and inserting ''; and''; and

(3) in subsection (d), by striking ''The report'' and inserting ''Each report''.

SA 1008. Mr. TILLIS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. INVESTIGATION AND REPORT ON NATIONAL SECURITY IMPACTS OF TRIPS WAIVERS RELATING TO COVID–19 TECHNOLOGIES.

(a) INVESTIGATION.—The Secretary of Defense shall immediately after the date of the enactment of this Act initiate an investigation, in consultation with the Secretary of Commerce, to determine the effects of any proposed TRIPS waiver on the national security of the United States.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date on which an investigation is initiated under subsection (a), the Secretary of Defense, in consultation with the Secretary of Commerce, shall submit to the President a report that includes—

(A) the findings of such investigation with respect to the effects of a TRIPS waiver on the national security of the United States; and

(B) the recommendations of the Secretary of Defense for action or inaction regarding the TRIPS waiver.

(2) MANDATORY RECOMMENDATION OF OPPOSITION.—If the Secretary of Defense finds that a TRIPS waiver threatens to impair the national security of the United States, the Secretary shall include in the report required by paragraph (1) a recommendation to permanently oppose such TRIPS waiver.

(3) PUBLICATION.—Not later than 10 days after the President receives the report required by paragraph (1), the President shall publish in the Federal Register each portion of the report that does not contain classified or proprietary information.

(c) STATEMENT TO CONGRESS.—Not later than 30 days after the date on which the President receives the report required by subsection (b)(1), the President shall submit to the appropriate congressional committees a written statement describing the manner and extent to which the findings in such report will influence the decisions of the President on using the voice, vote, and influence of the United States at the World Trade Organization with respect to a TRIPS waiver.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Finance, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Armed Services, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives.

(2) TRIPS AGREEMENT.—The term ''TRIPS Agreement'' means the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)).

(3) TRIPS WAIVER.—The term ''TRIPS waiver'' means any waiver related to COVID–19 technologies of an obligation imposed on members of the World Trade Organization under the TRIPS Agreement.

SA 1009. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. CLARIFICATION OF RELATIONSHIP TO OTHER AUTHORITIES WITH RESPECT TO AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking subsection (i).

SA 1010. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

(a) SHORT TITLE.—This section may be cited as the ''Radiation Exposure Compensation Expansion Act''.

(b) CLAIMS RELATING TO MANHATTAN PROJECT WASTE.—The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means, in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Type 1 or type 2 diabetes.

''(D) Systemic lupus erythematosus.

''(E) Multiple sclerosis.

''(F) Hashimoto's disease.

''(G) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated;

''(xvi) lung;

''(xvii) bone; or

''(xviii) kidney.

''(f) PHYSICAL PRESENCE.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of contemporaneous written residential documentation and at least one additional employer-issued or government-issued document or record that the claimant, for a period of at least 2 years after January 1, 1949, was physically present in an affected area or, if applicable, was physically present in an area of the city of St. Louis or the county of St. Louis in the State of Missouri that is outside of an affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of contemporaneous written medical records or reports created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, that the claimant, after such period of physical presence, contracted a specified disease.''.

(c) EXTENSION ON FUND AND TIME TO SUBMIT CLAIMS.—The Radiation Exposure Compensation Act (Public Law 101–426; U.S.C. 2210 note) is amended—

(1) in section 3(d)—

(A) by striking ''2 years after the date of enactment of the RECA Extension Act of 2022'' and inserting ''22 years after the date of enactment the Radiation Exposure Compensation Expansion Act''; and

(B) by striking ''2-year period'' and inserting ''22-year period''; and

(2) in section 8(a), by striking ''2 years after the date of enactment of the RECA Extension Act of 2022'' and inserting ''22 years after the date of enactment of the Radiation Exposure Compensation Expansion Act''.

SA 1011. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AGENCY USE OF ARTIFICIAL INTELLIGENCE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of Federal Procurement Policy.

(2) AGENCY.—The term ''agency'' means any department, independent establishment, Government corporation, or other agency of the executive branch of the Federal Government.

(3) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401).

(4) DIRECTOR.—The term ''Director'' means the Director of the National Institute of Standards and Technology.

(5) FRAMEWORK.—The term ''framework'' means document number NIST AI 100–1 of the National Institute of Standards and Technology entitled ''Artificial Intelligence Risk Management Framework'', or any successor document.

(6) PLAYBOOK.—The term ''playbook'' means the AI RMF Playbook developed by the National Institute of Standards and Technology.

(7) PROFILE.—The term ''profile'' means an implementation of the artificial intelligence risk management functions, categories, and subcategories for a specific setting or application based on the requirements, risk tolerance, and resources of the framework user.

(b) REQUIREMENTS FOR AGENCY USE OF ARTIFICIAL INTELLIGENCE.—

(1) OMB GUIDANCE.—Not later than 180 days after the date on which the Director of the National Institute of Standards and Technology issues guidelines under paragraph (2), the Director of the Office of Management and Budget shall issue guidance requiring agencies to incorporate the framework into their artificial intelligence risk management efforts, consistent with such guidelines.

(2) NIST GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall, in consultation with the Administrator, issue guidelines for each agency to incorporate the framework into the artificial intelligence risk management efforts of the agency, which shall—

(A) provide standards consistent with the framework and tailored to risks that could endanger human life, health, property, or the environment for agency implementation in the development, procurement, and use of artificial intelligence;

(B) specify appropriate cybersecurity strategies and the installation of effective cybersecurity tools;

(C) provide standards—

(i) that are consistent with the framework and Circular A–119 of the Office of Management and Budget;

(ii) that are tailored to risks that could endanger human life, health, property, or the environment; and

(iii) which a supplier of artificial intelligence for the agency must attest to meet before the head of an agency may procure artificial intelligence from that supplier;

(D) recommend training on the framework and the guidelines for each agency responsible for procuring artificial intelligence;

(E) develop profiles for agency use of artificial intelligence consistent with the framework; and

(F) develop profiles for framework use for an entity that is a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

(3) ADDITIONAL REQUIREMENTS.—

(A) DRAFT CONTRACT LANGUAGE.—The Administrator shall, in consultation with the Director, provide draft contract language for each agency to use in procurement that requires a supplier of artificial intelligence to adhere to certain actions that are consistent with the framework.

(B) TEMPLATES.—The Director of the Office of Management and Budget shall, in consultation with the Director, provide a template for agency use on the guidance issued under paragraph (1) that includes recommended procedures for implementation.

(4) CONFORMING REQUIREMENT.—The head of each agency shall conform any policy, principle, practice, procedure, or guideline governing the design, development, implementation, deployment, use, or evaluation of an artificial intelligence system by the agency to the guidance issued under paragraph (1).

(5) SUPPORTING MATERIAL.—In carrying out paragraph (4), the head of each agency may use the supporting materials of the framework, including the playbook.

(6) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the impact of the application of the framework on agency use of artificial intelligence.

(7) REPORTING REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 3 years thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on agency implementation of and conformity to the framework.

(c) REQUIREMENTS FOR AGENCY PROCUREMENT OF ARTIFICIAL INTELLIGENCE.—Not later than 180 days after the issuance of guidance pursuant to subsection (b)(1), the Federal Acquisition Regulatory Council shall promulgate regulations that provide for—

(1) the requirements for the acquisition of artificial intelligence products, services, tools, and systems, to include risk-based compliance with the framework; and

(2) solicitation provisions and contract clauses that include references to the requirements described in paragraph (1) and the framework for use in artificial intelligence acquisitions.

SA 1012. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

(a) SHORT TITLE.—This section may be cited as the ''Radiation Exposure Compensation Expansion Act''.

(b) CLAIMS RELATING TO MANHATTAN PROJECT WASTE.—The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 years after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means, in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Type 1 or type 2 diabetes.

''(D) Systemic lupus erythematosus.

''(E) Multiple sclerosis.

''(F) Hashimoto's disease.

''(G) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated;

''(xvi) lung;

''(xvii) bone; or

''(xviii) kidney.

''(f) PHYSICAL PRESENCE.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of contemporaneous written residential documentation and at least one additional employer-issued or government-issued document or record that the claimant, for a period of at least 2 years after January 1, 1949, was physically present in an affected area or, if applicable, was physically present in an area of the city of St. Louis or the county of St. Louis in the State of Missouri that is outside of an affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of contemporaneous written medical records or reports created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, that the claimant, after such period of physical presence, contracted a specified disease.''.

(c) EXTENSION ON FUND AND TIME TO SUBMIT CLAIMS.—The Radiation Exposure Compensation Act (Public Law 101–426; U.S.C. 2210 note) is amended—

(1) in section 3(d)—

(A) by striking ''2 years after the date of enactment of the RECA Extension Act of

2022'' and inserting ''22 years after the date of enactment the Radiation Exposure Compensation Expansion Act''; and

(B) by striking ''2-year period'' and inserting ''22-year period''; and

(2) in section 8(a), by striking ''2 years after the date of enactment of the RECA Extension Act of 2022'' and inserting ''22 years after the date of enactment of the Radiation Exposure Compensation Expansion Act''.

SA 1013. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 779 submitted by Mr. MENENDEZ (for himself, Mr. KAINE, and Mrs. SHAHEEN) and intended to be proposed to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, , insert the following:

DIVISION G—AUKUS MATTERS

SEC. 7001. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) AUKUS PARTNERSHIP.—

(A) IN GENERAL.—The term ''AUKUS partnership'' means the enhanced trilateral security partnership between Australia, the United Kingdom, and the United States announced in September 2021.

(B) PILLARS.—The AUKUS partnership includes the following two pillars:

(i) Pillar One is focused on developing a pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

(ii) Pillar Two is focused on enhancing trilateral collaboration on advanced defense capabilities, including hypersonic and counter hypersonic capabilities, quantum technologies, undersea technologies, and artificial intelligence.

(3) DEPARTMENT.—The term ''Department'' means the Department of State.

(4) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE I—OUTLINING THE AUKUS PARTNERSHIP

SEC. 7011. STATEMENT OF POLICY ON THE AUKUS PARTNERSHIP.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the AUKUS partnership is integral to United States national security, increasing United States and allied capability in the undersea domain of the Indo-Pacific, and developing cutting edge military capabilities;

(2) the transfer of conventionally armed, nuclear-powered submarines to Australia will position the United States and its allies to maintain peace and security in the Indo-Pacific;

(3) the transfer of conventionally armed, nuclear-powered submarines to Australia will be safely implemented with the highest nonproliferation standards in alignment with—

(A) safeguards established by the International Atomic Energy Agency; and

(B) the Additional Protocol to the Agreement between Australia and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna September 23, 1997;

(4) the United States will enter into a mutual defense agreement with Australia, modeled on the 1958 bilateral mutual defense agreement with the United Kingdom, for the sole purpose of facilitating the transfer of naval nuclear propulsion technology to Australia;

(5) working with the United Kingdom and Australia to develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific will have tangible impacts on United States military effectiveness across the world; and

(6) in order to better facilitate cooperation under Pillar 2 of the AUKUS partnership, it is imperative that every effort be made to streamline United States export controls consistent with necessary and reciprocal security safeguards on United States technology at least comparable to those of the United States.

SEC. 7012. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP AT THE DEPARTMENT OF STATE.

(a) IN GENERAL.—There shall be a Senior Advisor for the AUKUS partnership at the Department, who—

(1) shall report directly to the Secretary; and

(2) may not hold another position in the Department concurrently while holding the position of Senior Advisor for the AUKUS partnership.

(b) DUTIES.—The Senior Advisor shall—

(1) be responsible for coordinating efforts related to the AUKUS partnership across the Department, including the bureaus engaged in nonproliferation, defense trade, security assistance, and diplomatic relations in the Indo-Pacific;

(2) serve as the lead within the Department for implementation of the AUKUS partnership in interagency processes, consulting with counterparts in the Department of Defense, the Department of Commerce, the Department of Energy, the Office of Naval Reactors, and any other relevant agencies;

(3) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific; and

(4) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed, on issues related to the AUKUS partnership, including in relation to the AUKUS Pillar 1 objective of supporting Australia's acquisition of conventionally armed, nuclear-powered submarines and the Pillar 2 objective of jointly developing advanced military capabilities to support security and stability in the Indo-Pacific, as affirmed by the President of the United States, the Prime Minister of the United Kingdom, and the Prime Minister of Australia on April 5, 2022.

(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—The Secretary shall ensure that the Senior Advisor is adequately staffed, including through encouraging details, or assignment of employees of the Department, with expertise related to the implementation of the AUKUS partnership, including staff with expertise in—

(1) nuclear policy, including nonproliferation;

(2) defense trade and security cooperation, including security assistance; and

(3) relations with respect to political-military issues in the Indo-Pacific and Europe.

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not later than 90 days after a Senior Advisor assumes such position, the Secretary shall notify the appropriate congressional committees of the number of full-time equivalent positions, relevant expertise, and duties of any employees of the Department or detailees supporting the Senior Advisor.

(e) SUNSET.—

(1) IN GENERAL.—The position of the Senior Advisor for the AUKUS partnership shall terminate on the date that is 8 years after the date of the enactment of this Act.

(2) RENEWAL.—The Secretary may renew the position of the Senior Advisor for the AUKUS partnership for 1 additional period of 4 years, following notification to the appropriate congressional committees of the renewal.

TITLE II—AUTHORIZATION FOR SUBMARINE TRANSFERS, SUPPORT, AND INFRASTRUCTURE IMPROVEMENT ACTIVITIES

SEC. 7021. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY ACTIVITIES.

(a) AUTHORIZATION TO TRANSFER SUBMARINES.—

(1) IN GENERAL.—Subject to paragraphs (3), (4), and (11), the President may, under section 21 of the Arms Export Control Act (22 U.S.C. 2761)—

(A) transfer not more than two Virginia class submarines from the inventory of the United States Navy to the Government of Australia on a sale basis; and

(B) transfer not more than one additional Virginia class submarine to the Government of Australia on a sale basis.

(2) REQUIREMENTS NOT APPLICABLE.—A sale carried out under paragraph (1)(B) shall not be subject to the requirements of—

(A) section 36 of the Arms Export Control Act (22 U.S.C. 2776); or

(B) section 8677 of title 10, United States Code.

(3) CERTIFICATION; BRIEFING.—

(A) PRESIDENTIAL CERTIFICATION.—The President may exercise the authority provided by paragraph (1) not earlier than 60 days after the date on which the President certifies to the appropriate congressional committees that any submarine transferred under such authority shall be used to support the joint security interests and military operations of the United States and Australia.

(B) WAIVER OF CHIEF OF NAVAL OPERATIONS CERTIFICATION.—The requirement for the Chief of Naval Operations to make a certification under section 8678 of title 10, United States Code, shall not apply to a transfer under paragraph (1).

(C) BRIEFING.—Not later than 90 days before the sale of any submarine under paragraph (1), the Secretary of the Navy shall provide to the appropriate congressional committees a briefing on—

(i) the impacts of such sale to the readiness of the submarine fleet of the United States, including with respect to maintenance timelines, deployment-to-dwell ratios, training, exercise participation, and the ability to meet combatant commander requirements;

(ii) the impacts of such sale to the submarine industrial base of the United States, including with respect to projected maintenance requirements, acquisition timelines for spare and replacement parts, and future procurement of Virginia class submarines for the submarine fleet of the United States; and

(iii) other relevant topics as determined by the Secretary of the Navy.

(4) REQUIRED MUTUAL DEFENSE AGREEMENT.—Before any transfer occurs under subsection (a), the United States and Australia shall have a mutual defense agreement in place, which shall—

(A) provide a clear legal framework for the sole purpose of Australia's acquisition of conventionally armed, nuclear-powered submarines; and

(B) meet the highest nonproliferation standards for the exchange of nuclear materials, technology, equipment, and information between the United States and Australia.

(5) SUBSEQUENT SALES.—A sale of a Virginia class submarine that occurs after the sales described in paragraph (1) may occur only if such sale is explicitly authorized in legislation enacted after the date of the enactment of this Act.

(6) COSTS OF TRANSFER.—Any expense incurred by the United States in connection with a transfer under paragraph (1) shall be charged to the Government of Australia.

(7) CREDITING OF RECEIPTS.—Notwithstanding any provision of law pertaining to the crediting of amounts received from a sale under section 21 of the Arms Export Control Act (22 U.S.C. 2761), any funds received by the United States pursuant to a transfer under paragraph (1) shall—

(A) be credited, at the discretion of the President, to—

(i) the fund or account used in incurring the original obligation for the acquisition of submarines transferred under paragraph (1);

(ii) an appropriate fund or account available for the purposes for which the expenditures for the original acquisition of submarines transferred under paragraph (1) were made; or

(iii) any other fund or account available for the purpose specified in paragraph (8)(B); and

(B) remain available for obligation until expended.

(8) USE OF FUNDS.—Subject to paragraphs (9) and (10), the President may use funds received pursuant to a transfer under paragraph (1)—

(A) for the acquisition of submarines to replace the submarines transferred to the Government of Australia; or

(B) for improvements to the submarine industrial base of the United States.

(9) PLAN FOR USE OF FUNDS.—Before any use of any funds received pursuant to a transfer under paragraph (1), the President shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a plan detailing how such funds will be used, including specific amounts and purposes.

(10) NOTIFICATION AND REPORT.—

(A) NOTIFICATION.—Not later than 30 days after the date of any transfer under paragraph (1), and upon any transfer or depositing of funds received pursuant to such a transfer, the President shall notify the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives of—

(i) the amount of funds received pursuant to the transfer; and

(ii) the specific account or fund into which the funds described in clause (i) are deposited.

(B) ANNUAL REPORT.—Not later than November 30 of each year until 1 year after the date on which all funds received pursuant to transfers under paragraph (1) have been fully expended, the President shall submit to the committees described in subparagraph (A) a report that includes an accounting of how funds received pursuant to transfers under paragraph (1) were used in the fiscal year preceding the fiscal year in which the report is submitted.

(11) APPLICABILITY OF EXISTING LAW TO TRANSFER OF SPECIAL NUCLEAR MATERIAL AND UTILIZATION FACILITIES FOR MILITARY APPLICATIONS.—

(A) IN GENERAL.—With respect to any special nuclear material for use in utilization facilities or any portion of a submarine transferred under paragraph (1) constituting utilization facilities for military applications under section 91 of the Atomic Energy Act of 1954 (42 U.S.C. 2121), transfer of such material or such facilities shall occur only in accordance with such section 91.

(B) USE OF FUNDS.—The President may use proceeds from a transfer described in subparagraph (A) for the acquisition of submarine naval nuclear propulsion plants and nuclear fuel to replace propulsion plants and fuel transferred to the Government of Australia.

(b) REPAIR AND REFURBISHMENT OF AUKUS SUBMARINES.—Section 8680 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) REPAIR AND REFURBISHMENT OF CERTAIN SUBMARINES.—

''(1) SHIPYARD.—Notwithstanding any other provision of this section, and subject to paragraph (2), the President shall determine the appropriate public or private shipyard in the United States, Australia, or the United Kingdom to perform any repair or refurbishment of a United States submarine involved in submarine security activities between the United States, Australia, and the United Kingdom.

''(2) CONDITIONS.—

''(A) IN GENERAL.—The President may determine under paragraph (1) that repair or refurbishment described in such paragraph may be performed in Australia or the United Kingdom only if—

''(i) such repair or refurbishment will facilitate the development of repair or refurbishment capabilities in the United Kingdom or Australia;

''(ii) such repair or refurbishment will be for a United States submarine that is assigned to a port outside of the United States; or

''(iii) the Secretary of Defense certifies to Congress that performing such repair or refurbishment at a shipyard in Australia or the United Kingdom is required due to an exigent threat to the national security interests of the United States.

''(B) CONSIDERATION.—In making a determination under subparagraph (A), the President shall consider any effects of such determination on the capacity and capability of shipyards in the United States.

''(C) BRIEFING REQUIRED.—Not later than 15 days after the date on which the Secretary of Defense makes a certification under subparagraph (A)(iii), the Secretary shall brief the congressional defense committees on—

''(i) the threat that requires the use of a shipyard in Australia or the United Kingdom; and

''(ii) opportunities to mitigate the future potential need to leverage foreign shipyards.

''(3) PERSONNEL.—Repair or refurbishment described in paragraph (1) may be carried out by personnel of the United States, the United Kingdom, or Australia in accordance with the international arrangements governing the submarine security activities described in such paragraph.''.

SEC. 7022. ACCEPTANCE OF CONTRIBUTIONS FOR AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY ACTIVITIES; AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.

(a) ACCEPTANCE AUTHORITY.—The President may accept from the Government of Australia contributions of money made by the Government of Australia for use by the Department of Defense in support of non-nuclear related aspects of submarine security activities between Australia, the United Kingdom, and the United States (AUKUS).

(b) ESTABLISHMENT OF AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.—

(1) IN GENERAL.—There is established in the Treasury of the United States a special account to be known as the ''AUKUS Submarine Security Activities Account''.

(2) CREDITING OF CONTRIBUTIONS OF MONEY.—Contributions of money accepted by the President under subsection (a) shall be credited to the AUKUS Submarine Security Activities Account.

(3) AVAILABILITY.—Amounts credited to the AUKUS Submarine Security Activities Account shall remain available until expended.

(c) USE OF AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.—

(1) IN GENERAL.—Subject to paragraph (2), the President may use funds in the AUKUS Submarine Security Activities Account—

(A) for any purpose authorized by law that the President determines would support submarine security activities between Australia, the United Kingdom, and the United States;

(B) to carry out a military construction project related to the AUKUS partnership that is not otherwise authorized by law;

(C) to develop and increase the submarine industrial base workforce by investing in recruiting, training, and retaining key specialized labor at public and private shipyards; or

(D) to upgrade facilities, equipment, and infrastructure needed to repair and maintain submarines at public and private shipyards.

(2) PLAN FOR USE OF FUNDS.—Before any use of any funds in the AUKUS Submarine Security Activities Account, the President shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a plan detailing—

(A) the amount of funds in the AUKUS Submarine Security Activities Account; and

(B) how such funds will be used, including specific amounts and purposes.

(d) TRANSFERS OF FUNDS.—

(1) IN GENERAL.—In carrying out subsection (c) and subject to paragraphs (2) and (5), the President may transfer funds available in the AUKUS Submarine Security Activities Account to an account or fund available to the Department of Defense or any other appropriate agency.

(2) DEPARTMENT OF ENERGY.—In carrying out subsection (c), and in accordance with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the President may transfer funds available in the AUKUS Submarine Security Activities Account to an account or fund available to the Department of Energy to carry out activities related to submarine security activities between Australia, the United Kingdom, and the United States.

(3) AVAILABILITY FOR OBLIGATION.—Funds transferred under this subsection shall be available for obligation for the same time period and for the same purpose as the account or fund to which transferred.

(4) TRANSFER BACK TO ACCOUNT.—Upon a determination by the President that all or part of the funds transferred from the AUKUS Submarine Security Activities Account are not necessary for the purposes for which

such funds were transferred, and subject to paragraph (5), all or such part of such funds shall be transferred back to the AUKUS Submarine Security Activities Account.

(5) NOTIFICATION AND REPORT.—

(A) NOTIFICATION.—The President shall notify the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives of—

(i) before the transfer of any funds under this subsection—

(I) the amount of funds to be transferred; and

(II) the planned or anticipated purpose of such funds; and

(ii) before the obligation of any funds transferred under this subsection—

(I) the amount of funds to be obligated; and

(II) the purpose of the obligation.

(B) ANNUAL REPORT.—Not later than November 30 of each year until 1 year after the date on which all funds transferred under this subsection have been fully expended, the President shall submit to the committees described in subparagraph (A) a report that includes a detailed accounting of—

(i) the amount of funds transferred under this subsection during the fiscal year preceding the fiscal year in which the report is submitted; and

(ii) the purposes for which such funds were used.

(e) INVESTMENT OF MONEY.—

(1) AUTHORIZED INVESTMENTS.—The President may invest money in the AUKUS Submarine Security Activities Account in securities of the United States or in securities guaranteed as to principal and interest by the United States.

(2) INTEREST AND OTHER INCOME.—Any interest or other income that accrues from investment in securities referred to in paragraph (1) shall be deposited to the credit of the AUKUS Submarine Security Activities Account.

(f) RELATIONSHIP TO OTHER LAWS.—The authority to accept or transfer funds under this section is in addition to any other authority to accept or transfer funds.

SEC. 7023. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY TRAINING.

(a) IN GENERAL.—The President may transfer or export directly to private individuals in Australia defense services that may be transferred to the Government of Australia under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to support the development of the submarine industrial base of Australia necessary for submarine security activities between Australia, the United Kingdom, and the United States, including if such individuals are not officers, employees, or agents of the Government of Australia.

(b) SECURITY CONTROLS.—

(1) IN GENERAL.—Any defense service transferred or exported under subsection (a) shall be subject to appropriate security controls to ensure that any sensitive information conveyed by such transfer or export is protected from disclosure to persons unauthorized by the United States to receive such information.

(2) CERTIFICATION.—Not later than 30 days before the first transfer or export of a defense service under subsection (a), and annually thereafter, the President shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the controls described in paragraph (1) will protect the information described in such paragraph for the defense services so transferred or exported.

(c) APPLICATION OF REQUIREMENTS FOR RETRANSFER AND REEXPORT.—Any person who receives any defense service transferred or exported under subsection (a) may retransfer or reexport such service to other persons only in accordance with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

TITLE III—STREAMLINING TRANSFERS OF UNITED STATES MILITARY TECHNOLOGY TO TRUSTED ALLIES

SEC. 7031. PRIORITY FOR AUSTRALIA AND THE UNITED KINGDOM IN FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

(a) TECHNOLOGY RELEASE POLICY FOR AUSTRALIA, CANADA, AND THE UNITED KINGDOM.—The Secretary of State, in consultation with the Secretary of Defense, shall create a policy for key Foreign Military Sales and Direct Commercial Sales for Australia, the United Kingdom, and Canada. Review of these capabilities for releasability shall be subject to an expedited decision-making process with a presumption of approval.

(b) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to Foreign Military Sales and Direct Commercial Sales requests, including incorporating the provisions of this section.

SEC. 7032. IDENTIFICATION AND PRE-CLEARANCE OF PLATFORMS, TECHNOLOGIES, AND EQUIPMENT FOR SALE TO AUSTRALIA AND THE UNITED KINGDOM THROUGH FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

Not later than 180 days after the date of the enactment of this Act, and on a biennial basis thereafter for 8 years, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a list of advanced military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Australia, the United Kingdom, and Canada through the Foreign Military Sales and Direct Commercial Sales program without regard to whether a letter of request to purchase such platforms, technologies, or equipment has been received from any of such country.

SEC. 7033. EXPORT CONTROL EXEMPTIONS AND STANDARDS.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(l) AUKUS DEFENSE TRADE COOPERATION.—

''(1) EXEMPTION FROM LICENSING AND APPROVAL REQUIREMENTS.—Subject to paragraph (2) and notwithstanding any other provision of this section, the Secretary of State may exempt from the licensing or other approval requirements of this section exports and transfers (including reexports, retransfers, temporary imports, and brokering activities) of defense articles and defense services between or among the United States, the United Kingdom, and Australia that—

''(A) are not excluded by those countries;

''(B) are not referred to in subsection(j)(1)(C)(ii); and

''(C) involve only persons or entities that are approved by—

''(i) the Secretary of State; and

''(ii) the Ministry of Defense, the Ministry of Foreign Affairs, or other similar authority within those countries.

''(2) LIMITATION.—The authority provided in subparagraph (1) shall not apply to any activity, including exports, transfers, reexports, retransfers, temporary imports, or brokering, of United States defense articles and defense services involving any country or a person or entity of any country other than the United States, the United Kingdom, and Australia.''.

(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—The Secretary may only exercise the authority under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, with respect to the United Kingdom or Australia 30 days after the Secretary submits to the appropriate congressional committees an unclassified certification and detailed unclassified assessment (which may include a classified annex) that the country concerned has implemented standards for a system of export controls that satisfies the elements of section 38(j)(2) of the Arms Export Control Act (22 U.S.C. 2778(j)(2)) for United States-origin defense articles and defense services, and for controlling the provision of military training, that are comparable to those standards administered by the United States in effect on the date of the enactment of this Act.

(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—Paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) shall not apply to transfers (including transfers of United States Government sales or grants, or commercial exports authorized under this chapter) among the United States, the United Kingdom, or Australia described in paragraph (1).

SEC. 7034. EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES TO AUSTRALIA, THE UNITED KINGDOM, AND CANADA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall initiate a rulemaking to establish an expedited decision-making process for applications for the export of commercial defense articles and defense services to Australia, the United Kingdom, and Canada with a presumption of approval.

(b) ELIGIBILITY.—To qualify for the expedited process described in subsection (a), the application must be for an export that will take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom and the United States and with governments or corporate entities from such countries.

SEC. 7035. UNITED STATES MUNITIONS LIST.

(a) EXEMPTION FOR THE GOVERNMENTS OF THE UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION AND CONGRESSIONAL NOTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN TRANSFERS.—Section 38(f)(3) of the Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amended by inserting '', the United Kingdom, or Australia'' after ''Canada''.

(b) UNITED STATES MUNITIONS LIST PERIODIC REVIEWS.—

(1) IN GENERAL.—The Secretary of State, acting through authority delegated by the President to carry out period reviews of items on the United States Munitions List under subsection (f) of section 38 of the Arms Export Control Act (22 U.S.C. 2778) and in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Director of the Office of Management and Budget, shall carry out such reviews not less frequently than every 2 years.

(2) SCOPE.—The periodic reviews described under paragraph (1) shall focus on matters including interagency resources to address current threats faced by the United States, the evolving technological and economic landscape, the widespread availability of certain technologies and items on the United States Munitions List, and risks of misuse of United States origin defense articles.

TITLE IV—OTHER AUKUS MATTERS

SEC. 7041. REPORTING RELATED TO THE AUKUS PARTNERSHIP.

(a) IN GENERAL.—Not later than 30 days after the signature, conclusion, or other finalization of any non-binding instrument related to the AUKUS partnership, the President shall submit to the appropriate congressional committees the text of such instrument.

(b) NON-DUPLICATION OF EFFORTS; RULE OF CONSTRUCTION.—To the extent the text of a non-binding instrument is submitted to the appropriate congressional committees pursuant to subsection (a), such text does not need to be submitted to Congress pursuant to section 112b(a)(1)(A)(ii) of title 1, United States Code, as amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476). Paragraph (1) shall not be construed to relieve the executive branch of any other requirement of section 112b of title 1, United States Code, as amended so amended, or any other provision of law.

(c) DEFINITIONS.—In this section:

(1) IN GENERAL.—The term ''text'', with respect to a non-binding instrument, includes—

(A) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument; and

(B) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument.

(2) CONTEMPORANEOUSLY AND IN CONJUNCTION WITH.—As used in subparagraph (A), the term ''contemporaneously and in conjunction with''—

(A) shall be construed liberally; and

(B) may not be interpreted to require any action to have occurred simultaneously or on the same day.

NOTICES OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, intend to object to proceeding to the nomination of Tanya J. Bradsher, of Virginia, to be Deputy Secretary of Veterans Affairs, dated July 20, 2023.

I, Senator RON WYDEN, intend to object to proceeding to S. 1080, a bill to amend the Controlled Substances Act to require electronic communication service providers and remote computing services to report to the Attorney General certain controlled substances violations, dated July 20, 2023.

I, Senator RON WYDEN, intend to object to proceeding to S. 1199, a bill to combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry, dated July 20, 2023.

I, Senator RON WYDEN, intend to object to proceeding to S. 1207, a bill to establish a National Commission on Online Child Sexual Exploitation Prevention, and for other purposes, dated July 20, 2023.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 9 a.m., to conduct a hearing on a nomination.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 9:30 a.m., to conduct a subcommittee hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Thursday, July 20, 2023, at 10:30 a.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 9:30 a.m., to conduct an executive business meeting.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 9:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON HEALTH CARE

The Subcommittee on Health Care of the Committee on Finance is authorized to meet during the session of the Senate on Thursday, July 20, 2023, at 10 a.m., to conduct a hearing.

ORDERS FOR FRIDAY, JULY 21, 2023

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma session only, with no business being conducted, at 6:30 a.m. on Friday, July 21, 2023; further, that when the Senate adjourns on Friday, July 21, it stand adjourned until 3 p.m. on Tuesday, July 25; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate resume consideration of Calendar No. 119, S. 2226; further, that at 5:30 p.m. the Senate vote on the Cornyn No. 931 and the Rounds No. 813 amendments in the order listed.

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

Mr. SCHUMER. For the information of the Senate, Members should expect two rollcall votes beginning at 5:30 p.m. on Tuesday.

ADJOURNMENT UNTIL 6:30 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:54 p.m., adjourned until Friday, July 21, 2023, at 6:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 20, 2023:

ENVIRONMENTAL PROTECTION AGENCY

DAVID M. UHLMANN, OF MICHIGAN, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.