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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

Eternal Lord God, the source of all freedom, thank You for people who join You in bringing deliverance to captives and healing to those who are bruised. Continue to bless those men and women who are Your hands, heart, voice, and feet in these challenging times. Support them all the day long until the shadows lengthen and the evening comes and the busy world is hushed and the fever of life is over and their work is done.

Lord, when their light of hope is threatened, renew them with faith in Your providence and power. Make them more than victorious because of Your great love.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 28, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. ROSEN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Omar Antonio Williams, of Connecticut, to be United States District Judge for the District of Connecticut.

RECOGNITION OF THE MINORITY LEADER

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

ATTORNEY GENERAL GARLAND

Mr. MCCONNELL. Madam President, yesterday brought reports that carjackings in my hometown of Louisville were up 150 percent since 2019, and the city's 2021 murder total is rapidly closing in on an alltime record that was set just last year.

These aren't just local problems; they are national trends. Twenty-twenty saw the homicide rate jump more than at any point in over a century—the worst spike in the murder rate in more than 100 years.

The law enforcement crises don't stop there. Our southern border saw more illegal crossings last year than in any year on record. Yet ICE has made its fewest interior arrests in a decade.

A crime epidemic and a border crisis—these are the sorts of problems you might expect the Nation's top law enforcement officer to face head-on. These are the sorts of issues that should keep the Department of Justice up all night long. But, alas, Attorney General Garland has other priorities.

The AG made waves this month with a bizarre memo that directed the FBI, along with DOJ's Criminal, National Security, and Civil Rights Divisions, to focus—now listen to this—special attention and security on parents—parents—who have opinions about their local school boards.

Yesterday, under questioning from the Judiciary Committee, the Attorney General seemed absolutely incapable of giving a satisfactory explanation as to why the parents of America are his A–1 priority; nor could he explain why this bizarre guidance came just days—days—after a powerful interest group sent a letter demanding this action.

Actually—listen to this—the interest group has already apologized for the letter. They say they regret sending it. But the Attorney General won't budge from his shocking guidance even after the special interests that asked for it have backed away. Apparently, the instant that special interests ask the Biden administration to jump, the Attorney General responds: How high?

The Attorney General insisted that all his Department is concerned about is ''violence and threats of violence.'' Well, of course violence and threats are always wrong. They are also already illegal and already the purview of local law enforcement.

There is no evidence that America's concerned parents needed to be singled out as targets of this J. Edgar Hoover

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

act from the Feds. If Democrats at the local, State, and Federal levels want fewer parents—concerned parents—showing up at school board meetings, the solution is to stop indoctrinating the kids with crazy messages on the taxpayers' dime, not trying to use Federal law enforcement to frighten families out of their First Amendment rights.

GOVERNMENT SPENDING

Madam President, now on a totally different matter, in recent years, Washington Democrats have shown an alarming willingness to invent crises to justify radical ideas. They have tried to vilify our independent judiciary and exhume the concept of court-packing from the ash heap of history. They have tried to sell a 50–State Federal takeover of election laws by fearmongering about mainstream and reasonable State decisions. When it came to an actual crisis, a once-in-a-century pandemic, Democrats didn't even try to conceal their intentions. As the House majority whip put it back in March of 2020, it was all ''a tremendous opportunity to restructure things to fit our vision.''

With unified control of government, they bragged this spring about passing the most progressive legislation in American history. This first spending spree expanded Federal supplements to unemployment insurance so massively that the best choice for huge numbers of skilled American workers was simply to stay home—stay home. The whole thing was an avalanche of cash that stunted our economic recovery and, of course, accelerated inflation.

Now Washington Democrats are behind closed doors again, assembling an even bigger reckless taxing-and-spending spree. It is meant to be a Trojan horse for permanent socialism—conclusive proof that the radical left is calling the shots in today's Democratic Party. I have talked about the laundry list of leftwing boondoggles that our colleagues are packing into this plan. At the heart of it all is one simple and dangerous assumption: that American families ought to be more reliant on the Federal Government.

Democrats' plans would chase more Americans off of the private health insurance plans they chose and onto government rolls. They would shred a decades-old consensus about the importance of work and massively expand cash grants to families without any employment requirements—without any employment requirements. They want to reinvent welfare without welfare reform. There is giveaway after giveaway that isn't even means tested. Their plans have literally proposed to have taxpayers fund free school lunch for the kids of millionaires and billionaires—no means testing whatsoever. None.

In addition, Washington Democrats want to insert themselves into the middle of the most personal family decisions about childcare and family structure, redistributing huge amounts of money only to households that arrange their lives the way Democrats want.

In area after area, Democrats want to implement far-left policies that would make the economy worse for working families and then clumsily try to make it up to citizens with socialism that is disconnected from work. This is a frontal assault on the nature of employment and work itself in American life.

They are out to, as one economist put it, ''fundamentally change the relationship between the state and its citizens.'' Even the New York Times last month called what Democrats are hammering out ''a cradle-to-grave reweaving'' of the government's role. Lower wages. Fewer jobs. At least American workers will have cradle-to-grave socialism.

It is one vision for the future, all right, but it is not one that Americans want, and it is one that Senate Republicans will fight every step of the way.

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. MORAN. Madam 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.

GOVERNMENT SPENDING

Mr. MORAN. Madam President, $28 trillion, $9,700 per person. It is common for Members of this Senate to stand on the Senate floor and debate the pricetag of spending bills and legislation that costs millions, billions, and even trillions of dollars. These numbers are so large that for many people—perhaps even for us—it is incomprehensible and unrelatable.

Today, I would like to take a moment to talk about dollars and cents. In Kansas, the current average price for a gallon of gas is $3.09. Last year, the average cost per gallon of gas in Kansas was $1.93. This means filling up a 15-gallon tank will cost you an extra $17 every time you fill up your car at the pump. If you fill up your vehicle once a week, that is an additional $904 you spent on gas this year as opposed to just last year.

Electricity prices are up 5.2 percent this year. The average monthly electric bill for a residence in Kansas last year was $113.52. A 5-percent increase is an additional $68 per family.

This winter is going to be expensive for American families, particularly in the Midwest, as households are expected to see their heating bills jump as much as 54 percent compared to last winter, making it the most expensive winter since 2008.

Thanks to inflation, the price of eggs is up 9.9 percent. A used car is going to be about 24 percent more expensive. Chicken has a 7.2-percent increase in cost, in price.

In fact, these realities are being reflected by media across the country.

Newsweek's headline: ''Your Thanksgiving Turkey Could Be the Most Expensive Ever.''

MSNBC: ''Thanksgiving is now less than a month away and it's shaping up to be the most expensive meal in the history of the holiday.''

CBS News: ''On the table for Thanksgiving this year? Higher food prices.''

NBC News: ''This Thanksgiving, be prepared to fork over more dough for your feast.''

And The New York Times: ''This Year's Thanksgiving Feast Will Wallop the Wallet.''

This is horrible news for almost every Kansan and for every American, and it is especially damaging to those who are already struggling to pay the bills because their hard-earned dollars just don't go far enough now.

An extra $17 at the gas pump or $68 on an electric bill and an extra 50 cents here or there is quickly adding up, for middle-class and low-income families, to be a major challenge.

These dollars add up to tough decisions, like: Will we be able to make our mortgage payment this month? Do we forgo a Thanksgiving meal this year so we can keep the heat on? Can we afford to make the drive across the country to see the grandparents for the holidays?

The current trajectory for inflation doesn't look good either. Treasury Secretary Janet Yellen said on Sunday that the United States hasn't experienced the recent inflation levels in a ''long time'' and expects higher inflation to continue into 2022.

Part of inflation—a significant portion of inflation is caused by government spending, and the Democrats' out-of-control spending and policies have sped up the rate of inflation, creating these higher prices for families.

In particular, President Biden's effort to restrain American oil and gas production—this one is not about spending, but it is about policy. President Biden's efforts to restrain American oil and gas production while, oddly, hypocritically, strangely, appealing to OPEC to increase the global oil supply in the face of high gas prices at home has resulted in higher energy prices, which could drive inflation even higher in the months to come.

It is time for Congress to turn off the spending spigot. The Democrats' nearly $2 trillion spending package that passed at the beginning of this session, in January, did nothing to help with our labor shortage or to improve the supply chain. It, instead, accelerated inflation around the country. We have been slow to turn that spigot off, and we have exacerbated it since the arrival of a Democrat majority and President Biden in the White House.

The Democrats are awfully busy trying to fill their campaign promises by passing their tax-and-spending spree, and they are too busy to worry about the damage they are causing American families. More spending will only exacerbate our current inflationary circumstances, and the path that the

Democrats have charted involves massive amounts of spending that will lead to higher prices for everyone.

As Americans face higher prices at the gas station and grocery store, we must work at fixing our supply chain issues, returning to being energy independent, helping Americans return to work, and reining in our spending to slow down the rate of inflation. This out-of-control spending is jeopardizing our economy and hurting Americans.

To my colleagues—to my Democrat colleagues, in particular—rather than assuming a mandate by the voters and pushing the tax-and-spend spree legislation with 51 votes, let's work together. Let's work together to get government spending and borrowing in check. If this is done, it will be done for the well-being of all Americans.

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. THUNE. Madam 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.

Mr. THUNE. Madam President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

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

BIDEN ADMINISTRATION

Mr. THUNE. Madam President, work continues on Democrats' socialist spending spree, and the Senate seems to be on track to vote on their bill in the near future. Well, maybe. It depends on who you ask at any given time around here these days.

Just to highlight the high level of uncertainty surrounding this process, President Biden was on Capitol Hill just this morning—his second visit this month—to twist the arms of still-undecided Democrats.

As they continue to see what sticks to the wall, it is good to know that priorities like government jobs for climate activists, tax credits for environmental justice programs at colleges and universities, and a $200 million park in Speaker PELOSI's district may soon come up for a vote in the Senate. It is just too bad that Democrats have been so focused on expanding government that they haven't actually taken time to do some of the essential business of government.

Fiscal year 2021 ended a month ago. We are into fiscal year 2022. Yet, so far, the Senate has not taken up a single appropriations bill for the 2022 fiscal year.

On the other hand, perhaps it is not surprising, since the 2022 appropriations bills recently introduced by the committee chair are rabidly partisan productions packed with poison pills, that one can only assume are designed to make the bills fail: the taxpayer funding of abortion, a measure that would allow Democrats to use the IRS for partisan purposes, policies that would allow certain criminal illegal aliens to be released into the United States.

Well, we may be better off without these bills.

One bill—of which there is no question we should have taken up months ago, however—is the National Defense Authorization Act. The NDAA is one of the most important bills we consider each year. It authorizes funding for national defense priorities, like critical upgrades to our defense capabilities, as well as funding for our military men and women—from pay increases to protective equipment, to investments in Impact Aid.

It is not a bill we can afford to ignore, but under Senate Democrats, the bill has taken a back seat to Democrats' pet priority, and that is this massive, partisan tax-and-spending legislation. So, while Democrats focus on expanding the size of government, critical military priorities are going unauthorized and unfunded.

Without the National Defense Authorization Act, and then the Defense appropriations bill that falls from it, the military can't sign off on contracts for critical new equipment. Shipbuilding projects, military infrastructure projects, the development of new combat systems—they are all having to wait while Democrats negotiate over their socialist spending spree.

In my home State of South Dakota, Ellsworth Air Force Base is currently preparing to be the first home of the B–21 bomber, where we will host both the Formal Training Unit and first operational squadron.

The B–21 bomber will eventually replace the Air Force's aging B–1 fleet and ensure that we have a long-range strike asset and leg of the nuclear triad capable of meeting the threats of the 21st century, wherever in the world they are found.

This year's NDAA authorizes critical funding for developing the B–21 and starting to transform Ellsworth to prepare for the mission, plus a requirement to maintain the remaining B–1 fleet until the bombers can be replaced by the B–21.

This is just one of the many critical national security investments we cannot afford to delay, but I guess our military men and women will just have to understand that Democrats' socialist spending spree takes priority.

It is not just our military men and women or appropriations bills that have had to take a back seat to the Democrats' burning desire to expand the size of government and its reach into Americans' lives. With their single-minded focus on their tax-and-spending spree and, of course, on federalizing election law to give themselves a permanent advantage in future elections, real crises facing our Nation seem to barely register on Democrats' radar.

We are in the midst of a serious, increasingly long-term inflation problem—a problem Democrats helped to trigger by dumping a lot of unnecessary government money into the economy earlier this year; yet Democrats are not only ignoring this crisis, they are preparing to make things worse by dumping even more government money into our economy.

SOUTHERN BORDER

Mr. President, then there is the crisis at the southern border. U.S. Customs and Border Protection encountered 192,000 individuals attempting to cross our southern border in September, a 233-percent increase from the previous September—233 percent. Customs and Border Protection apprehended more than 1.7 million individuals attempting to cross our southern border in fiscal year 2021—the highest number ever.

We have a security, enforcement, and humanitarian crisis at our southern border, and there is no sign that things are getting any better. Yet you could be forgiven for wondering if Democrats have even noticed.

I am pretty sure the President and his administration spent more time earlier this year fighting against the use of the word ''crisis'' to describe the situation at the border than they did actually thinking about how they might deal with the influx. The President's main response to the situation seems to be ignoring it in hopes that it will go away. He is happy to travel all over the place, whether to a campaign rally in Virginia or a climate change summit overseas, but he can't seem to find a minute to visit the southern border.

The border crisis is not the only crisis the President is ignoring. The President's disastrous Afghanistan withdrawal was a real low point for this country. Thirteen of our military men and women died in the terrorist attack. We abandoned thousands of individuals who had worked with us in Afghanistan and whom we had promised to protect, not to mention hundreds of Americans still working to find a way home. The President, who was supposed to restore our standing on the world stage, left our allies wondering if our word can be relied upon.

Most of all, the disastrous withdrawal has left our country in a much more precarious national security position. Afghanistan is ripe to once again become a terrorist haven. Just this week, a Pentagon official testified that ISIS-K, the ISIS Afghanistan affiliate, could be ready to launch terrorist attacks on our homeland in as little as 6 months—6 months. Al-Qaida, which looks set to once again find a safe haven in Afghanistan, could be ready to launch attacks in a year.

Yet, once again, this barely seems to register on the Biden administration's radar. We still have no agreements with neighboring countries to establish or make use of bases to launch counterterrorism operations in Afghanistan. The administration is apparently

working on the situation. Well, quite frankly, this is something the administration should have figured out before—before—withdrawing our troops from Afghanistan and destroying our ability to conduct counterterrorism operations within the country. Unfortunately, the President was more focused on meeting his predetermined, arbitrary deadline than on dealing with the actual situation on the ground, with predictably catastrophic consequences.

A lot of priorities have had to take a back seat to Democrats' tax-and-spending spree. I only wish the bill were worth it. Unfortunately, Democrats' massive spending bill is likely to worsen our inflation crisis, weaken our economy, and increase government intrusion into Americans' lives. Meanwhile, I guess our border crisis and national security priorities will have to continue to wait until Democrats find the time to address them. I am not holding my breath.

I yield the floor.

VOTE ON WILLIAMS NOMINATION

The PRESIDING OFFICER (Mr. BOOKER). All time has expired.

The question is, Will the Senate advise and consent to the Williams nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 442 Ex.]

YEAS—52

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

NAYS—46

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

NOT VOTING—2

Feinstein	Rounds

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Olsen nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Matthew G. Olsen, of Maryland, to be an Assistant Attorney General.

VOTE ON OLSEN NOMINATION

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 443 Ex.]

YEAS—53

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

NAYS—45

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

NOT VOTING—2

Feinstein	Rounds

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the Senate will resume consideration of the Schroeder nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General.

VOTE ON SCHROEDER NOMINATION

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. KENNEDY) and the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 444 Ex.]

YEAS—56

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

NAYS—41

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

NOT VOTING—3

Feinstein	Kennedy	Rounds

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KING). Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Hampton Y. Dellinger, of North Carolina, to be an Assistant Attorney General.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 2851

Mr. LEE. Mr. President, earlier today, President Biden announced his new, revised, supposedly curtailed, social spending plan for America. It seems that the depressing economic numbers, the soaring costs of goods, mounting data that government spending is to blame, or perhaps some more moderate voices within the Democratic conference forced him to walk this latest monstrosity back.

Democrats, who won control with the slimmest of majorities, feel that they have a mandate to change more about American society and spend more money than any group of elected officials in American history.

The White House Chief of Staff tweeted today, bragging that this deal is still twice as big as the New Deal in real dollars.

Be it at $3.5 trillion or a little less, we have lost almost all sense of what money means, at least when it comes to money being spent by Washington—by public officials who congratulate themselves, each other, and, in return, are congratulated by many in the media for spending other people's money or spending money we don't have, money that ends up, effectively, being printed.

Our Founding Fathers entrusted Congress with the power of the purse because they expected Congress, which is the branch of government most accountable to the people at the most regular intervals, to be most likely to jealously guard the funds of those who sent us here.

Understanding that as every Member of the House is required to stand for election every 2 years, and one-third of the Members of this body are required to stand for election every 2 years, that ought to have an effect. It ought to have precisely the effect that we remember: that it is not our money; it is the people's money, and that when we run out of it, we can't just pretend that we have more. When you do that, it causes problems—especially for the poor and the middle class.

The Framers assumed that Congress would be the most responsible branch in managing our Nation's finances—again, because we are the branch most accountable to the people. But in this respect we failed. We failed in every sense. We failed dismally, miserably.

Americans work for months out of every single year just to pay their Federal taxes. Yet our Nation is still barreling toward $30 trillion of national debt. We are now reaching devastating debt-to-GDP ratios that we have never contemplated during peacetime in America. And Americans are feeling the pain—real Americans, everyday Americans.

Inflation is at its highest rate in decades. Everything from gas to groceries, from housing to healthcare—it is all more expensive and getting more expensive every single day. We know from sad experience that this isn't going to go away anytime soon. Prices, once they go up, tend to stick.

Meanwhile, President Biden, apparently, is not satisfied with only making things more expensive, but he is also making it harder and in some cases impossible for many Americans to work. His still-unpublished vaccine mandate is causing millions of Americans to be at risk of losing their employment or, alternatively, acquiescing to Federal medical extortion. These are everyday Americans, all too often struggling just to get by. They are not bad people. They are not people whom we should shun. No. These are mothers and fathers. Some are first responders, and others are military heroes. They are our neighbors, friends, and fellow citizens. They deserve the respect and autonomy to make this decision for themselves.

And the Constitution, when properly followed, protects Americans from precisely this type of Federal intrusion, especially this type of Federal intrusion wielded by one man, one person, in one office.

I have heard now from over 300 Utahans just in the last few weeks who are at risk of losing their livelihoods due to the President's mandate. These are just the ones I have heard from. For every one I have heard from, there are many, many others who are being affected. Their stories are moving, and they are as moving as they are tragic. And we must do something to help.

Allow me to be very clear. While I am very much against the mandate, I am for the vaccine. I have been vaccinated. My entire family has been vaccinated. I have encouraged other people to get vaccinated. These vaccines are helping to protect many, many millions of Americans against the harmful effects of COVID–19.

That does not, however, excuse the heavy-handed, nanny state approach of forcing this decision on Americans, of threatening Americans, coercing them, extorting them into doing the will of the President of the United States. This is not only an action not backed up by law or consistent with the constitutional separation of powers, but it is immoral. And it is mean to tell a mom or a dad you are not going to be able to put food on the table for your children if you don't get a medical procedure that we want you to get but that you don't want to get, for whatever reason: a religious reason, a particular medical condition that you have been warned about from your doctor, or whatever else it may be. People shouldn't have to choose between the ability to make a living and the coerced receipt of an unwanted medical procedure.

This is why I have come to the Senate floor 11 times now to fight against the mandate and why I am going to keep coming. Today, I am offering what should be an incredibly uncontroversial bill. My Transparency in COVID–19 Expenditures Act, which is cosponsored by Senators BRAUN, LUMMIS, SULLIVAN, and TUBERVILLE, would simply require an audit of COVID–19 relief funding. It would allow Congress to determine what spending in this pandemic worked and what spending did not. It would help us return a little bit of financial oversight and sanity and responsibility and accountability to Congress and to our government.

This information would also allow taxpayers to see how their dollars are being spent and whether they are being spent wisely. It is that simple. And I encourage my colleagues to support the bill.

I would like now to yield time to my friend and distinguished colleague, the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Ms. LUMMIS. Mr. President, I thank the gentleman from Utah.

I wish to address the subject of the President's overreaching vaccine mandates. First, we all recognize the devastation caused by the COVID–19 pandemic spread from Wuhan, China, throughout the world. This virus has taken too many lives: more than 4.7 million around the globe and over 686,000 here in the United States. Each death is a tragedy. My heart goes out to the families who have lost loved ones and suffered from this terrible disease.

Many of those families in Wyoming have reached out to me. I have heard from thousands of constituents concerned about the vaccine, pro and con, but mostly about confusing guidance and particularly about masking—most notably in our schools.

Our response to this pandemic should have been unifying, but, instead, it has sown discord and distrust across our country, and that discord is exacerbated by the Federal Government's extreme overreach.

I want to be clear. I support individuals getting the COVID vaccine. I am vaccinated. I got vaccinated to protect myself because I have no natural immunity. I haven't had COVID. I have no underlying health concerns. I was not advised by a physician not to get it. It made sense for me making that decision for myself.

Scientists have been researching and working for decades to make the emergency treatments that we have all had access to in 2021 available to us. However, I do not support the government mandating—mandating—matters that come between a patient and their conscience, a patient and their healthcare provider, a patient and their own care decisions.

And the recent mandates from the Biden administration do just that. I believe they are far-reaching and burdensome, as do my constituents, including those who have been vaccinated. They will not achieve the desired result. They will not convince millions of Americans on the fence about the vaccine to suddenly get it. They cause people to dig in. They further politicize

our healthcare system. They compound our unemployment problems.

Don't take my word for it. Look at the Federal Government itself. Even unions are opposed to a vaccine mandate, with the American Postal Workers Union, the Federal Law Enforcement Officers Association, and the American Federation of Teachers coming out in opposition not to the vaccine but to the mandate.

The pandemic does not make the Constitution irrelevant or put our rights as private citizens up for discussion. We are a nation of liberties, not mandates. We respect individuals.

That is why I am cosponsoring several different bills that would protect our citizens from this overreach. One bill, S. 2849, clarifies that Federal Agencies do not have the power to mandate COVID–19 vaccines. While this should be self-evident, sadly, many in Washington, DC, have forgotten about America's founding principles.

Another bill, S. 2843, blocks Federal Agencies from fining anyone who violates the COVID–19 mandates.

Further, the bill that Senator LEE is offering today, S. 2851, audits COVID funding so the American people know where their tax dollars went over the past year and a half, so we can evaluate what has worked and what has not, as Senator LEE has said.

The Biden administration should work to bring us together, not drive us further apart through politicized Executive actions. No matter what President Biden decides to do, an individual's right to be in charge of their own healthcare is sacrosanct, and I believe Senator LEE's bills are a step in the right direction.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, as if in legislative session, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of S. 2851 and that the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Michigan.

Mr. PETERS. Mr. President, I reserve the right to object. I certainly welcome the Senator from Utah's interest in oversight of coronavirus emergency relief funds. There is no question Americans deserve to know where their hard-earned tax dollars are going and how these critical relief funds are being used to help communities all across our country in the wake of this public health crisis, especially for those who need it the most.

I am also thankful that my colleague agreed with the importance of conducting thorough oversight of these programs and supported the creation of the Pandemic Response Accountability Committee when we passed the CARES Act. These oversight requirements, based on the successful oversight model of the American Recovery and Reinvestment Act, ensure that we have strong oversight of all coronavirus relief dollars through regular, detailed reports and recommendations from the PRAC, the GAO, and the inspector general.

Following guidance from the Office of Management and Budget, all COVID–19 relief funding from the legislation that the Senator has identified is already being tracked on USASpending.gov. Anyone—anyone—can go to the website right now and see the figures.

As of August 31, Congress has provided $4.7 trillion in relief spending. The administration has committed $3.9 trillion of those funds to helping communities, and $3.4 trillion in assistance has already reached those who need help through this crisis.

I would also urge the Senator to consult the more than 1,300 oversight reports that the PRAC has already completed related to the pandemic response, in addition to the more than 100 reports that the GAO has also issued on this topic, rather than creating additional and redundant work for the GAO at taxpayer expense.

The Senator's proposal is duplicative and unnecessary, and for that reason I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the insight from my friend, colleague, and distinguished Senator from Michigan. I appreciate his willingness to look out for making sure that there isn't duplication in government.

I also think it is important that at a time when we are spending an unprecedented amount of money, that we are on the side of redoubling efforts to audit, to oversee.

There has never been a time in American history when we have brought in more money than we have brought in in the year 2020. We brought in over $3 trillion. But there has never been a time when we have spent nearly as much money in total dollars or as far as a number of dollars relative to what we brought in.

I mean, we spent $6.6 trillion last year. This is an enormous amount of money. We are spending a comparable amount again this year—again, trillions of dollars more than we are bringing in. We are doing it ostensibly because of the COVID pandemic. And for that reason, it is good that we make sure that we know where we are spending that money, where it is going. If it can make our efforts more effective and more efficient, if this is about protecting and sustaining life, then why wouldn't we want to make sure that it is being done in the most effective, efficient way possible?

We work for the people. They deserve to know where the money is being spent.

The PRESIDING OFFICER. The Senator from Kansas.

GOVERNMENT SPENDING

Mr. MARSHALL. Mr. President, I come to the floor today in support of our men and women in uniform who put their lives on the line each day to defend our freedoms and our American way of life.

Unfortunately, thousands of our heroes are about to lose those very freedoms that they have fought so hard to defend, as Joe Biden's vaccine mandate is threatening them with a dishonorable discharge should they choose not to get the COVID vaccine.

Now, let me be clear, as a physician and a veteran, I am confident the vaccine has saved countless lives, and I encourage every veteran, every American to consider and to discuss with their physician getting that vaccine. I believe vaccinating our servicemembers, though, against COVID–19 is such a very, very important effort. But deep down inside, I am still this real doctor from Great Bend, KS, and I believe in the sanctity of the physician-patient relationship and that every one of our situations is unique.

A soldier's clinical history is unique. There are pros and cons; there are risks and benefits of taking this vaccine. And each of our soldiers all are using common sense—the common sense that God has given them, and I respect their decisions. This administration should too.

Right now, thousands of our servicemembers are not vaccinated. When it comes to our guardsmen and -women in Kansas, only 58 percent are fully or partially vaccinated—a number I am confident would hold true across the remainder of the country.

Unfortunately, the policy out of the White House says that one size has to fit all; that there is no exception, even though we know that natural immunity to COVID is the same as, if not more powerful than, the vaccine.

We have never asked people—especially military folks—to get a vaccine for a virus they are already immune to or a virus that doesn't affect them. It just doesn't make sense.

Because of Joe Biden's vaccine mandate, thousands of American heroes are going to be separated from the service, and they are going to, perhaps, be given a dishonorable discharge.

I want to make sure this body and the American people understand exactly what the significance of a dishonorable discharge is. Soldiers will lose access to medical benefits from the VA. They will lose access to home loans from the VA. They will lose access to the GI bill for further education. They will potentially lose their right to vote in some States. They will lose their Second Amendment rights and access to ammunition. They will lose military funeral honors. They will lose the ability to reenlist in another branch of military. And they will have an extremely difficult time finding employment.

Getting a dishonorable discharge may be the worst checkmark you can get in your life—truly, a scarlet letter. These sort of repercussions sound like they should be reserved for felons. But, no, this is what Joe Biden wants to hand down to our servicemembers. This is insulting, and we must put a stop to it.

For these reasons, I introduced legislation—the COVID–19 Vaccine Dishonorable Discharge Prevention Act—to prohibit the Department of Defense from dishonorably discharging American heroes who choose to not receive a COVID–19 vaccine.

There is no question about it: American heroes should not be treated as felons because of their personal medical choices.

This is one of a number of highly important issues for our national security that Leader SCHUMER and our colleagues across the aisle have to put on hold while they go back and forth on how to spend taxpayers' money on their radical agenda instead of finalizing the NDAA.

The annual defense bill is the only authorizing legislation that Congress passes every year—60 years in a row, as a matter of fact—but this now is the fourth latest in history that it has been initially brought up for consideration on the Senate floor.

Considering the foreign policy disasters this White House has created, one would think delivering a paycheck to our servicemembers and funding to increase our military's lethality would be top of mind.

Our troops deserve better, and I am calling on Leader SCHUMER to bring the NDAA to the floor. Our American heroes deserve better than this, and we need to get to my amendment as soon as possible.

I want to thank Senators CRUZ, LANKFORD, TUBERVILLE, CRAMER, JOHNSON, Senators RICK SCOTT, KENNEDY, and Senator WICKER for joining me in this important legislation.

I look forward to continuing to work with them once we submit it as an amendment to the NDAA.

I yield back.

The PRESIDING OFFICER. The Senator from North Carolina.

GOVERNMENT SPENDING

Mr. TILLIS. Mr. President, American families are hurting, and there is no relief in sight. We are facing skyrocketing inflation, and families are feeling it every time they go to the grocery store.

We are facing a supply chain crisis that threatens to deny families the food and goods that they need. We are facing a surging energy crisis that is literally burning holes in the wallets of hard-working Americans.

Just this week, I drove up from Charlotte and I was amazed at how much more it took me to refuel my truck about halfway up from Charlotte to DC.

This has gotten so bad that some families are really beginning to rethink their travel plans as we approach the holidays. We are facing a labor shortage crisis, with small businesses and farms across the country struggling to fill jobs. Even as they raise the potential salaries, the people are simply not coming.

President Biden and his allies in Congress have chosen some interesting ways to respond to these crises. In some cases, they have just ignored them. They have been making excuses for others, and they have been making a case that everything will be fine if we just have more government, more spending, and more taxes.

That is why, for months, President Biden and congressional Democrats have put all their time and energy into crafting a completely partisan $3.5 trillion tax-and-spending spree. They are spending on leftwing priorities that will result in more debt, more inflation, more dependency government, and more government intrusion into the lives of all Americans.

Equally concerning is how the Democrats want to pay for some of their out-of-control spending. They plan to take $400 billion from taxpayers by monitoring and auditing their bank accounts.

Democrats want to turn your bank or your credit union—that small bank around the corner in some rural community across America—into a branch of the IRS, making them monitor and report your financial activity and directly report to it the IRS.

To make matters worse, the Democrats want to hire 80,000 new IRS agents so they can go through your personal financial information—what you spend your money on and what income you take in. And using that information, the IRS will then try to squeeze out any additional money that they can from you.

The Democrats originally proposed making the threshold of the IRS reporting at a $600 transaction. Americans who heard about the scheme were outraged.

Most Americans aren't too fond of the IRS. I dare say, if you were to do a poll of the 10 most favorite government agencies, the IRS wouldn't make the list. And they certainly don't trust the IRS with having more power and more of your personal financial information.

My office alone has received over 15,000 emails opposing this overreach. I imagine many of my Democratic colleagues have heard from their constituents as well, so it is not surprising they went back to the drawing board. Since the $600 transaction wasn't selling, they came up with a new proposal, and it was a total of $10,000 in transactions that would trigger an IRS reporting requirement.

But you can't be fooled by this sleight of hand. It will subject nearly every American with a job to the same IRS scheme. Consider that the average American makes a little bit more than $60,000 in annual expenditures, yet Democrats have the audacity to claim that this plan is really just targeted to the wealthy.

I don't know many hairdressers and plumbers and painters or Uber drivers who are billionaires, but I do know that they make over $10,000 a year and they will be subject to the same scheme because of the way they make their income.

Now, these hard-working Americans, who have done nothing wrong, could have their personal information sent directly to the IRS.

And let's be clear, this additional information won't even provide the IRS with direct evidence of tax noncompliance. Instead, it would give the IRS—and keep in mind, 80,000 more IRS employees; roughly twice, doubling the number of people working in the IRS—to go on a taxpayer-funded fishing investigation designed to rummage through individual Americans' finances in the hope of finding noncompliance.

We don't let police enter someone's house without a warrant in the hopes they can find something illegal, and we certainly should not provide this kind of power to the IRS.

And what will happen when a hard-working hairdresser or plumber or carpenter, who is already struggling to make ends meet, gets a letter from the IRS alleging that they owe more taxes?

They don't have an army of tax lawyers and accountants like billionaires do. They will have to try and take on the IRS themselves, and that is a losing proposition.

The IRS reporting plan is not about catching tax cheats and making sure billionaires are paying their taxes. It is about shaking down middle-class Americans to pay for the Democrats' tax-and-spending spree, plain and simple, burning them with more bureaucracy and giving them yet another thing they have to worry about, in addition to rising inflation, energy prices, and supply chain shortages.

I was talking with one of my staff this week about my own personal situation and what I think happens every day in this country. You have somebody who is struggling to pay their bills. I had a family member many years ago who came to me and said they needed—if I would give them a loan so that they could make ends meet. They worked in construction and they had a project coming due, but they had a cash-flow problem. So I made them a loan, like so many people do for their friends and family members. Well, depending upon the size of that gesture, it could suddenly be a reportable transaction to the IRS.

What is an IRS compliance agent going to do?

They are going to call you up and say: Well, you didn't report that as income.

And then the person is going to say: Well, it was a loan.

And then the IRS agent is going to say: Well, where was the document?

And so: It was with a brother or an uncle or a cousin. We shook hands, and I promised to pay him back.

Those are the kinds of things that are going to happen if this IRS tax transaction reporting goes into place. That is why I recently joined with Senator TIM SCOTT and dozens of my Republican colleagues to introduce legislation that will prevent the Biden administration and the IRS from implementing their surveillance plan. It is wrong. It is an overreach, and it is not going to work.

But the easiest solution is for my colleagues on the other side of the aisle to simply drop this misguided IRS reporting scheme.

Tax-and-spend policies have already made life harder for middle-class Americans. Americans are struggling from the impact of COVID, from the impact of inflation, from energy shortages, and so many uncertainties that we have experienced over the past couple of years. The last thing they need is to have the IRS, with an army of tens of thousands IRS agents, prying into their bank accounts and causing more confusion, more frustration, and more heartache at the worst possible time.

The PRESIDING OFFICER. The Senator from Washington.

AFFORDABLE HOUSING

Ms. CANTWELL. Mr. President, I come to the floor this afternoon to talk about the affordable housing crisis in the USA.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD. It is from 44 different mayors representing 20 different States and the District of Columbia, talking about those housing priorities that we need to see in legislation that we will be voting on, including, No. 1, strengthening and expanding the low-income housing tax credit.

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

October 23, 2021.

Hon. JOSEPH R. BIDEN, JR.,
President of the United States of America, Washington, DC.
Hon. CHARLES SCHUMER,
Majority Leader, U.S. Senate, Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MR. PRESIDENT, LEADER SCHUMER AND SPEAKER PELOSI: As 44 mayors representing communities across 20 states and the District of Columbia, we are writing to urge you to include our top housing priorities in any infrastructure investment. During this time of uncertainty and financial instability, the need to ensure all Americans can access safe, affordable housing is greater than ever. Housing investments are critical to the recovery of our cities and a top priority for our residents. We respectfully request that you prioritize them in the Build Back Better package, specifically:

1. Strengthen and Expand the Low-Income Housing Tax Credit (Housing Credit). The Housing Credit is our nation's primary tool for creating and preserving affordable housing and a critical building block to achieve multiple goals from the Build Back Better agenda—stabilizing families, climate resiliency, better physical and mental health outcomes, child development, and racial justice and economic opportunity. Further, Congress must act to increase Housing Credit authority this year or we will see a cut to production with the expiration of the temporary volume cap increase implemented in 2018, which will happen at the end of this year. States are also increasingly becoming bond-cap constrained and lowering the 50 percent bond-financing test would result in immediate production for those communities. In all, the production provisions proposed by the House would create an additional 1.4 million homes for 3.2 million people and generate 2 million jobs.

2. Include Robust Funding for the HOME Investment Partnerships (HOME) and Community Development Block Grant (CDBG) Programs. HOME and CDBG are proven tools in helping states and communities address their most pressing housing challenges, providing states and localities with the necessary flexibility and resources. Currently, Build Back Better includes $34.77 billion for HOME—which estimates predict could help state and local governments develop nearly 107,000 new affordable housing units, while also providing tenant-based rental assistance to over 300,000 low-income families—and $8.5 billion for CDBG. HOME and CDBG are smart investments that leverage billions more in public and private dollars and jumpstart the economy. In fact, HOME leverages more than $4.50 in public and private funds for every dollar of HOME funding and has supported roughly 1.9 million jobs and generated $123.6 billion in local income, according to the HOME Coalition's most recent analysis. Likewise, every dollar of CDBG leverages $4.09 in public and private sources and has benefited 51.5 million persons through infrastructure improvements and another 1.6 million households through housing investments. Investment in these critical programs would mean better infrastructure, more jobs, increased access to key services, and additional units of affordable housing.

3. Provide Housing Stability for Families by Investing in Housing Choice Vouchers (HCV) and Project-Based Rental Assistance (PBRA). We strongly support the $90 billion housing investment in HCVs and PBRA passed by the House Financial Services Committee in recognition of the critical importance of investing in decent, accessible affordable housing for those with the greatest needs—people experiencing homelessness and people with the lowest incomes. Taken together, transformative investments in HCVs and PBRA would mark the beginning of the elimination of homelessness once and for all. It would also provide a level of housing resilience that would enable renters to weather the next recession, pandemic, or disaster.

Our country cannot address poverty without also addressing our homelessness and housing crisis, and the investments in this bill to support families and build back our infrastructure will be diminished if families cannot afford a place to call home.

With a bold investment in housing, the federal government can effectively end housing instability in our country. The federal government has the opportunity to make that aspiration a reality.

Thank you for your time and leadership.

Sincerely,

Mayor Kathy Sheehan, Albany, NY; Mayor Justin M. Wilson, Alexandria, VA; Mayor Esther Manheimer, Asheville, NC; Mayor Lacey Beaty, Beaverton, OR; Mayor Lynne Robinson, Bellevue, WA; Mayor Seth Fleetwood, Bellingham, WA; Mayor Jesse Arreguin, Berkeley, CA; Mayor Alan Casavant, Biddeford, ME; Mayor Kim Janey, Boston, MA; Mayor Albert B. Kelly, Bridgeton, NJ; Mayor James Brainard, Carmel, IN; Mayor Lori Lightfoot, Chicago, IL;

Mayor Andrew Ginther, Columbus, OH; Mayor Michael B. Hancock, Denver, CO; Mayor Cassie Franklin, Everett, WA; Mayor David Meyer, Fairfax, VA; Mayor Paul Deasy, Flagstaff, AZ; Mayor Kamal Johnson, Hudson, NY; Mayor Svante Myrick, Ithaca, NY; Mayor Penny Sweet, Kirkland, WA; Mayor Leirion Gaylor Baird, Lincoln, NE; Mayor Derek Armstead, Linden, NJ; Mayor Robert Garcia, Long Beach, CA; Mayor Eric Garcetti, Los Angeles, CA;

Mayor Greg Fischer, Louisville, KY; Mayor Satya Rhodes-Conway, Madison, WI; Mayor Mark Gamba, Milwaukie, OR; Mayor Jacob Frey, Minneapolis, MN; Mayor Libby Schaaf, Oakland, CA; Mayor Adrian O. Mapp, Plainfield, NJ; Mayor Garrett Gatewood, Rancho Cordova, CA; Mayor Hilary Schieve, Reno, NV; Mayor Darrell Steinberg, Sacramento, CA; Mayor Todd Gloria, San Diego, CA; Mayor London N. Breed, San Francisco, CA; Mayor Sam Liccardo, San Jose, CA; Mayor Pauline Russo Cutter, San Leandro, CA;

Mayor Jenny A. Durkan, Seattle, WA; Mayor Rachelle Arizmendi, Sierra Madre, CA; Mayor Ben Walsh, Syracuse, NY; Mayor Victoria Woodards, Tacoma, WA; Mayor Muriel Bowser, Washington, D.C.; Mayor Michael T. Foley, Westbrook, ME; Mayor Kristine Lott, Winooski, VT.

Ms. CANTWELL. Mr. President, I come to the floor because many of my colleagues—29 have joined a bill that myself and Senator YOUNG sponsored, and, I think, 132 Members in the House of Representatives joined, all saying we need to incent more affordable housing.

Why do we need to incent more affordable housing?

If you don't incent it with the tax credit, people won't build it, particularly in a place like Seattle, where you can build other things and get a whole lot more money.

We need a workforce and we need the workforce to be in Seattle. We don't need them to be four counties away and drive in every day and clog our roads with added traffic that didn't need to be there. We need to build people close to their homes and need the flexibility of the affordable housing tax credit, which has been, in my mind, very helpful in being very specific in every community.

You can build affordable housing just for returning veterans. You can build affordable housing for workforce needs. You can build affordable housing just to house previously homeless people. You can build affordable housing to take students who are still going to school and don't have a place to live, making them have affordable opportunities.

The affordable housing tax credit is the primary tool with which we build housing. Let me say, 90 percent of the affordable housing that gets built in the USA gets built with the tax credit. That is right. Ninety percent of the affordable housing that gets built in the United States with the tax credit is built with—90 percent of affordable housing gets built with the tax credit.

That means even if we have other programs in the legislation that we have been talking about between the House and the Senate—like the home grant program or vouchers or things of that nature—if you don't use this aspect of the program, you are not going

to be able to build that housing, so it has been incredibly popular.

That is why we have to increase the amount of capital we are going to put towards the tax incentive. The reason why we have to do that is that the United States has a supply shortage.

You can ask: Why did we get to this supply shortage?

If you ask me, it was really accentuated in the downturn of 2008, when so many more individuals fell out of the job market, creating more demand for affordable housing at that price point. We also, at that point, had a lot of returning veterans, and we had really some very big changes in the diversification of our economy. We had a lot of mental health that had been deinstitutionalized and pushed in a different direction. And we had changes in policy as we saw the challenges of an aging population, really, living a lot longer than people anticipated and they are also needing housing.

We had all these issues combined to this dramatic effect of 6.8 million affordable housing shortage in the United States of America. That is the amount of units that we actually have to build.

I wish I could say these problems go away if you just don't—if you say: Well, if they don't build the housing, it will just take care of itself.

No, it doesn't take care of itself. If these people end up being homeless, it costs 30 percent more to deal with them in our hospitals and in jails. In various places, the people who are truly homeless and living on the streets are extra costs.

We actually had hospitals support building affordable housing just so people wouldn't be in their emergency room every day. That is how much it was worth to hospitals to have affordable housing.

So the crisis, as we know in America, is that there are now 10.5 million Americans who pay more than 50 percent of their income in rent. That means they are rent-burdened. This number has just continued to go up in the charts for years in growth and, basically, continued to exacerbate the problem. Why? Because people will tell you, you can't spend 50 percent of your income in rent.

These dynamics are what is plaguing us in the United States; and it is a problem that, until we increase the affordable housing tax credit, you are not going to get the relief that you think you can get out of this situation.

Our legislation—myself and Senator YOUNG's legislation—would have increased the tax credit by 50 percent over a 10-year period of time. That would have helped us build a million more units of affordable housing and try to address this problem in the near term.

I hope our colleagues will—as we work through both the proposals that have been part of our infrastructure bill and the reconciliation act—will look and see that we need to include the low-income housing tax credit as part of that proposal. If we don't have the affordable housing tax credit as part of that proposal, we are not going to have the robust solutions that we need.

While I understand there are very geographic differences across the United States—the East Coast may have some particular aspects that will be very benefited, and the West Coast has other aspects that would benefit—we all can benefit from the low-income housing tax program. That is what is so unique about it.

Every State has used it with great flexibility. Every State has used it to solve their problems, and the incentives have helped us stimulate the economy. It is literally worth billions of dollars of economic activity, and that is why we also should be making this investment.

Many times when our country has faced a downturn in the sixties or seventies or eighties, you would hear a shout-out for housing. People would say: Let's build housing.

Well, you haven't heard that shout-out in the last decade or so. You literally haven't for a bunch of different reasons. No one has been trumpeting: We need more housing.

I tell you, Mr. President, we need more affordable housing for those individuals. And I have met so many in my State whose lives have been changed—literally changed.

A woman basically got out of an abusive relationship and moved in with her father in Walla Walla, but knew it wasn't sustainable. She lived in Bellingham. Basically, the affordable housing program in Walla Walla got her and her son into a home. She started school. She got a job, changed her life.

I have seen it recently in Spokane. Take a couple who basically had become homeless. They separated. They had children that couldn't all live together. They brought them back together under one roof. And in this particular housing project, the promise was made by the partners that everybody in that particular housing would get access not only to help them get a high school education, but a college education as well.

That is what you can do with these projects. You can tailor-make them with community partners to address the needs of your specific community.

So this tax credit is bipartisan. It worked successfully. I would say it is one of the most successful programs that we had in the United States for getting affordable housing. Let's not leave it off the table. Let's put it in this legislation and make sure it gets to the goal line of the President's desk and is signed into law.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Rhode Island.

UNANIMOUS CONSENT AGREEMENT

Mr. REED. Mr. President, I ask unanimous consent that the scheduled vote be immediately initiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON DELLINGER NOMINATION

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have noted ''nay.''

The result was announced—yeas 53, nays 37, as follows:

[Rollcall Vote No. 445 Ex.]

YEAS—53

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

NAYS—37

Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Lummis	Toomey
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Paul	
Fischer	Portman	

NOT VOTING—10

Barrasso	Johnson	Scott (FL)
Burr	Kennedy	Young
Cramer	Moran	
Feinstein	Rounds	

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. The majority leader.

SENATOR SUSAN COLLINS' 8,000TH VOTE

Mr. SCHUMER. Madam President, I rise today to recognize a great milestone in this Chamber. Our colleague SUSAN COLLINS will in a few moments cast her 8,000th vote.

I join in extending a warm congratulations to Senator COLLINS on this terrific achievement and thank her for her many years of public service to her State and country.

And, in deference to this nice occasion, I would ask we all stay in the Chamber and vote quickly so we can leave. I know that is a passion for Senator COLLINS.

Seriously, we should all try to stay in the Chamber and get this done fast.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Madam President, January 22, 1997, Senator COLLINS cast her first rollcall vote for Madeleine Albright to be Secretary of State. From that moment on, she has not missed one single, solitary vote; zero sick days, zero scheduling conflicts. Whether we were voting on war or peace, historic legislation, or the most routine and uncontroversial bills and nominations, the Senator has made sure that Maine got its say every single time.

So here is some perspective. The longest consecutive games streak in Major League Baseball famously belonged to Cal Ripken, Jr. Well, our colleague from Caribou has lapped him three times and counting. And, by the way, the Iron Horse didn't have to plan around weekly air travel in and out of New England, all winter, every winter.

Anybody who knows Senator COLLINS knows this moment is not really about a round number; it is about the approach which the number happens to reflect. Our colleague is diligent. She is devoted. Her level of preparation is unparalleled. She holds herself to the highest standards, and she delivers.

It is in her blood. Both of our colleague's parents served separate terms as mayor of Caribou. But the Senator also draws inspiration from outside the gene pool. She rightly idolizes her predecessor from Maine, the legendary Margaret Chase Smith, but even Senator Smith's own impressive voting streak topped out just shy of 3,000.

I am just sorry that today's milestone moment couldn't present our colleague with a challenge worthy of her skills. Lucky number 8,000 didn't even require a sprained ankle or a hasty exit from a departing airplane.

So congratulations to our colleague on this moment and all that it represents.

Ms. COLLINS. Thank you. Thank you very much. Thank you.

(Applause, Senators rising.)

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. THUNE. Madam President, in just a few minutes, we are going to take another vote here in the U.S. Senate. It is just an ordinary vote for most of us, unless you are SUSAN COLLINS because this next vote we are going to take in the Senate will be SUSAN COLLINS' 8,000th consecutive vote. That is right. The leader described it, she is the Cal Ripken of the U.S. Senate. He played 2,632 consecutive games, and SUSAN COLLINS has been showing up every day for work and bringing her A game, literally, since January of 1997.

It is an extraordinary number. But what it represents is what really matters, and that is SUSAN's work ethic, her tenacity, and her unshakable commitment to the people of Maine. If there is one thing that the people of Maine can depend on, it is that SUSAN COLLINS will be there to represent them, not just on the big days or for the big votes but every day on every single vote.

I am also proud to stand up today and to recognize SUSAN.

SUSAN, congratulations on this incredible milestone. You truly are the workhorse of the U.S. Senate. Here is to the next 8,000.

(Applause.)

The ACTING PRESIDENT pro tempore. The majority whip.

Mr. DURBIN. Madam President, I would just say to Senator COLLINS: You are my colleague and my friend. If they write the history of this place, they might make a footnote that we had a book club—a little one—between us. We exchanged a lot of books over the years. I thank you for your friendship and kindness, all the way through, and congratulations on this milestone.

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Elizabeth Prelogar, of Idaho, to be Solicitor General of the United States.

VOTE ON PRELOGAR NOMINATION

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Prelogar nomination?

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

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

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have noted ''nay.''

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote.

The result was announced—yeas 53, nays 36, as follows:

[Rollcall Vote No. 446 Ex.]

YEAS—53

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

NAYS—36

Blackburn	Grassley	Paul
Blunt	Hagerty	Portman
Boozman	Hassan	Romney
Braun	Hawley	Rubio
Capito	Hoeven	Sasse
Cassidy	Hyde-Smith	Scott (SC)
Cornyn	Inhofe	Shelby
Cotton	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Lummis	Toomey
Ernst	Marshall	Tuberville
Fischer	McConnell	Wicker

NOT VOTING—11

Barrasso	Johnson	Sanders
Burr	Kennedy	Scott (FL)
Cramer	Moran	Young
Feinstein	Rounds	

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that the remaining votes be 10 minutes in length.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 471, Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit.

Charles E. Schumer, Richard J. Durbin, Mazie K. Hirono, Jeff Merkley, Tammy Duckworth, Sheldon Whitehouse, Brian Schatz, Patrick J. Leahy, Alex Padilla, Jack Reed, Chris Van Hollen, Christopher Murphy, Jacky Rosen, Edward J. Markey, Martin Heinrich, Christopher A. Coons.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Beth Robinson, of Vermont, to be

United States Circuit Judge for the Second Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN: I announce that the Senator from California (Mrs. FEINSTEIN), and the Senator from Vermont (Mr. SANDERS), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Nebraska (Mr. FISCHER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kansas (Mr. MORAN), the Senator from Utah (Mr. ROMNEY), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have voted ''nay.''

(Ms. CORTEZ MASTO assumed the Chair.)

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

The yeas and nays resulted—yeas 51, nays 36, as follows:

[Rollcall Vote No. 447 Ex.]

YEAS—51

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

NAYS—36

Blackburn	Grassley	Portman
Blunt	Hagerty	Risch
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Paul	Wicker

NOT VOTING—13

Barrasso	Johnson	Sanders
Burr	Kennedy	Scott (FL)
Cramer	Moran	Young
Feinstein	Romney	
Fischer	Rounds	

The PRESIDING OFFICER. The yeas are 51, the nays are 36.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 363, Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

Charles E. Schumer, Ben Ray Luján, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael Warnock, Alex Padilla.

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

The question is, Is it the sense of the Senate that debate on the nomination of Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from Nebraska (Mrs. FISCHER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kansas (Mr. MORAN), the Senator from Utah (Mr. ROMNEY), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), the Senator from South Carolina (Mr. SCOTT), the Senator from Alabama (Mr. TUBERVILLE), and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have noted ''nay.''

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

The yeas and nays resulted—yeas 51, nays 31, as follows:

[Rollcall Vote No. 448 Ex.]

YEAS—51

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

NAYS—31

Blackburn	Hagerty	Risch
Blunt	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Shelby
Capito	Lankford	Sullivan
Cassidy	Lee	Thune
Cornyn	Lummis	Tillis
Cotton	Marshall	Toomey
Crapo	McConnell	Wicker
Cruz	Paul	
Ernst	Portman	

NOT VOTING—18

Barrasso	Graham	Rounds
Burr	Inhofe	Sanders
Cramer	Johnson	Scott (FL)
Daines	Kennedy	Scott (SC)
Feinstein	Moran	Tuberville
Fischer	Romney	Young

The PRESIDING OFFICER. On this vote, the yeas are 51, and the nays are 31.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. SCHUMER. Mr. President, so we had a good and productive week in the Senate this week. We confirmed seven judges and a good number of executive appointments and Ambassadors, and we made good progress on President Biden's Build Back Better agenda. So it has been a good week here.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 168.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury.

Thereupon, the Senate proceeded to consider the nomination.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 168, Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury.

Charles E. Schumer, Robert Menendez, Patrick J. Leahy, Patty Murray, Maria Cantwell, Sheldon Whitehouse, Brian Schatz, Debbie Stabenow, Catherine Cortez Masto, Christopher A. Coons, Ron Wyden, Margaret Wood Hassan, Edward J. Markey, Benjamin L. Cardin, Richard J. Durbin, Tina Smith, Elizabeth Warren, Angus S. King, Jr.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 170.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury.

Thereupon, the Senate proceeded to consider the nomination.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 170, Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury.

Charles E. Schumer, Robert Menendez, Patrick J. Leahy, Patty Murray, Maria Cantwell, Sheldon Whitehouse, Brian Schatz, Debbie Stabenow, Catherine Cortez Masto, Christopher A. Coons, Ron Wyden, Margaret Wood Hassan, Edward J. Markey, Benjamin L. Cardin, Richard J. Durbin, Tina Smith, Elizabeth Warren, Angus S. King, Jr.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 337.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Isobel Coleman, of New York, to be a Deputy Administrator of the United States Agency for International Development.

Thereupon, the Senate proceeded to consider the nomination.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 337, Isobel Coleman, of New York, to be a Deputy Administrator of the United States Agency for International Development.

Charles E. Schumer, Robert Menendez, Patrick J. Leahy, Patty Murray, Maria Cantwell, Sheldon Whitehouse, Brian Schatz, Debbie Stabenow, Catherine Cortez Masto, Christopher A. Coons, Ron Wyden, Margaret Wood Hassan, Edward J. Markey, Benjamin L. Cardin, Richard J. Durbin, Tina Smith, Elizabeth Warren, Angus S. King, Jr.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 360.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency.

Thereupon, the Senate proceeded to consider the nomination.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 360, Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency.

Charles E. Schumer, Jacky Rosen, Thomas R. Carper, Tina Smith, Mazie K. Hirono, Tammy Baldwin, Richard Blumenthal, Tammy Duckworth, Gary C. Peters, Elizabeth Warren, Richard J. Durbin, Jeanne Shaheen, Angus S. King, Jr., Christopher A. Coons, Kirsten E. Gillibrand, Ben Ray Luján, Brian Schatz

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 191.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Rajesh D. Nayak, of Maryland, to be an Assistant Secretary of Labor.

Thereupon, the Senate proceeded to consider the nomination.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 191, Rajesh

D. Nayak, of Maryland, to be an Assistant Secretary of Labor.

Charles E. Schumer, Jacky Rosen, Thomas R. Carper, Tina Smith, Mazie K. Hirono, Tammy Baldwin, Richard Blumenthal, Tammy Duckworth, Gary C. Peters, Elizabeth Warren, Richard J. Durbin, Jeanne Shaheen, Christopher A. Coons, Angus S. King, Jr., Kirsten E. Gillibrand, Ben Ray Luján, Brian Schatz.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, October 28, be waived, and that the cloture motions ripen on Tuesday, November 2.

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

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations, en bloc: Calendar Nos. 369, 412, and 470; that the Senate vote on the nominations, en bloc, without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the nominations of Matthew M. Graves, of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years; Rahul Gupta, of West Virginia, to be Director of National Drug Control Policy; and Guy T. Kiyokawa, of Hawaii, to be an Assistant Secretary of Veterans Affairs (Enterprise Integration).

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations: Calendar Nos. 467, 478, and 479, and all nominations on the Secretary's Desk in the Air Force, Army, Coast Guard, Foreign Service, Marine Corps, and Space Force be confirmed, en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed were as follows:

IN THE COAST GUARD

The following named officer for appointment to serve as the Director of the Coast Guard Reserve in the grade indicated under title 14, U.S.C., section 309(b):

To be rear admiral (upper half)

Rear Adm. James M. Kelly

IN THE AIR FORCE

The following named officer for appointment as Chief of Chaplains, United States Air Force, and appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 9039:

To be major general

Brig. Gen. Randall E. Kitchens

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. William S. Lynn

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1188 AIR FORCE nomination of Gloria A. Eze, which was received by the Senate and appeared in the Congressional Record of September 27, 2021.

PN1189 AIR FORCE nomination of Travis J. Burns, which was received by the Senate and appeared in the Congressional Record of September 27, 2021.

PN1235 AIR FORCE nomination of Christian M. Bergtholdt, which was received by the Senate and appeared in the Congressional Record of October 5, 2021.

PN1263 AIR FORCE nomination of Tracy M. Shamburger, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1264 AIR FORCE nomination of Libertad Melendez, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

IN THE ARMY

PN1236 ARMY nominations (4) beginning DERRICK H. DUNLAP, and ending ROSILYN C. WOODARD, which nominations were received by the Senate and appeared in the Congressional Record of October 5, 2021.

PN1237 ARMY nomination of Michelle S. McCarroll, which was received by the Senate and appeared in the Congressional Record of October 5, 2021.

PN1238 ARMY nomination of Marcus S. Snow, which was received by the Senate and appeared in the Congressional Record of October 5, 2021.

PN1239 ARMY nomination of Augustine A. Dimoh, which was received by the Senate and appeared in the Congressional Record of October 5, 2021.

PN1265 ARMY nomination of Julia O. Coxen, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1269 ARMY nomination of Benjamin J. Neterer, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1270 ARMY nomination of Joseph G. Nunez, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1271 ARMY nomination of Kert L. St. John, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1272 ARMY nomination of Mark J. Ziegler, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1273 ARMY nominations (18) beginning SCOTT J. ANDERSON, and ending JASON J. THORNTON, which nominations were received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1274 ARMY nominations (30) beginning PAUL J.E. AUCHINCLOSS, and ending D015356, which nominations were received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1275 ARMY nominations (127) beginning NADINE M. ALONZO, and ending D015627, which nominations were received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1276 ARMY nominations (72) beginning MARK ACOPAN, and ending TIMOTHY R. YOURK, which nominations were received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1277 ARMY nomination of Mahealani N. McFarland, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1293 ARMY nomination of D014273, which was received by the Senate and appeared in the Congressional Record of October 21, 2021.

IN THE COAST GUARD

PN1144 COAST GUARD nominations (69) beginning JASON C. ALEKSAK, and ending CHRISTOPHER L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2021.

IN THE FOREIGN SERVICE

PN904 FOREIGN SERVICE nominations (224) beginning Ninoshka Abreu Guerra, and ending Stefanie Nicole Yacubovich, which nominations were received by the Senate and appeared in the Congressional Record of July 19, 2021.

PN905 FOREIGN SERVICE nominations (17) beginning Rosemary Gallant, and ending Eric Wolff, which nominations were received by the Senate and appeared in the Congressional Record of July 19, 2021.

PN1015 FOREIGN SERVICE nominations (42) beginning Elizabeth R. Baiocchi, and ending William K. Makaneole, which nominations were received by the Senate and appeared in the Congressional Record of August 9, 2021.

IN THE MARINE CORPS

PN1190 MARINE CORPS nomination of Joseph J. Endreola, which was received by the Senate and appeared in the Congressional Record of September 27, 2021.

PN1240 MARINE CORPS nomination of John C. Morgan, which was received by the Senate and appeared in the Congressional Record of October 5, 2021.

IN THE SPACE FORCE

PN1191 SPACE FORCE nomination of Brian P. Moore, which was received by the Senate and appeared in the Congressional Record of September 27, 2021.

PN1230 SPACE FORCE nominations (2) beginning CHRISTINA N. GILLETTE, and ending D S. ROGERS, which nominations were received by the Senate and appeared in the Congressional Record of October 4, 2021.

PN1231 SPACE FORCE nominations (21) beginning JAMES W. CROSSLEY, and ending BRENDON P. SMERESKY, which nominations were received by the Senate and appeared in the Congressional Record of October 4, 2021.

PN1281 SPACE FORCE nomination of Haldane C. Gillette, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VA TRANSPARENCY & TRUST ACT OF 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 2911 and that the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 2911) to direct the Secretary of Veterans Affairs to submit to Congress a plan for obligating and expending Coronavirus pandemic funding made available to the Department of Veterans Affairs, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2911) was ordered to a third reading, was read the third time, and passed.

ROBERT S. POYDASHEFF VA CLINIC

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 3475, and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 3475) to name the Department of Veterans Affairs community-based outpatient clinic in Columbus, Georgia, as the ''Robert S. Poydasheff VA Clinic''.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3475) was ordered to a third reading, was read the third time, and passed.

LIEUTENANT COLONEL JOHN W. MOSLEY VA CLINIC

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4172, and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 4172) to name the Department of Veterans Affairs community-based outpatient clinic in Aurora, Colorado, as the ''Lieutenant Colonel John W. Mosley VA Clinic''.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4172) was ordered to a third reading, was read the third time, and passed.

SECURE EQUIPMENT ACT OF 2021

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3919, which was received from the House and is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 3919) to ensure that the Federal Communications Commission prohibits authorization of radio frequency devices that pose a national security risk.

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

Mr. SCHUMER. Mr. President, I ask unanimous consent the bill be considered read three times and passed, and the motion to be reconsider be considered made and laid upon the table with no intervening action or debate.

The bill (H.R. 3919) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO JIM SCHMIDT

Mr. SULLIVAN. Mr. President, it is Thursday afternoon, and it is one of my favorite times in the Senate because it is the time I have the opportunity to come down on the Senate floor to talk about an Alaskan who is making a difference in their community or the State or maybe the country, you know, sometimes maybe the world. And I think we have one today. This is an individual we call our Alaskan of the Week.

I really enjoy doing this. It is just really a good opportunity to recognize people who often don't get a lot of recognition.

You know, Alaska is known throughout the world for many things: our physical beauty, the size of our State, giant mountains, great fishing, great place to take a vacation. By the way, if you are watching at home, come on up to Alaska. We would love to have you—summer, winter, it doesn't matter.

All of these things, of course, about the State are true, but there are so many other great things about our State. The No. 1 thing is our people: strong, resilient, kind, tough American citizens—great people.

Nowhere is this spirit of the people of Alaska and their patriotism more apparent than in our veterans across the State.

In Alaska, we have the highest number of veterans per capita of any State in America, veterans and their families everywhere. Everyday heroes, I like to call them.

It is amazing. In every city, village, community—it doesn't matter how big, how small—you will find proud American veterans, many of them working tirelessly together to make sure they help other veterans get the support that they have earned, the care that they have earned, and to support their families.

Today, as our Veterans Day approaches, I want to highlight one of these heroes, one of these Alaska veterans whose service is so inspiring that for those who are watching, I think you are going to have a hard time actually believing it is true. This person, our Alaskan of the Week, is 94-year-old Jim Schmidt—husband, grandfather, great-grandfather, combat veteran, Alaskan, American hero.

Let me tell you about this incredible, remarkable story, for which somebody should buy the movie rights right now.

While you are watching, you better go buy the movie rights of Mr. Schmidt.

Jim was 14 years old in 1942. Of course, the United States had already entered and was fighting in World War II. It wasn't going well in 1942, by the way. He was living with his parents in the San Francisco Bay area. Jim slipped out one day to see a movie. It was called the ''Parachute Battalion.'' That was the name of the movie, starring the beautiful Nancy Kelly. It was then, watching this movie, right then and there, he said: I am going to enlist. I am going to enlist in the Airborne.

Now, he was a big guy, a big young man—actually, he was a young kid—200 pounds, 6 feet tall. A big kid, as I mentioned, but just think, he was 14 years old. He went to the recruiter and said he was 18. He looked it.

The Army didn't ask for IDs back then, so off he went, assigned to the 504th Infantry Regiment of the world-famous 82nd Airborne at the tender age of 14.

His father was also in the Army, stationed at Fort Campbell, KY. And when there was a little confusion about where Jim was, when he didn't come home for days and weeks, his mother assumed he had gone to stay with his dad. His dad assumed he was still with his mother. Wires got crossed, and later his mom got a letter from Corporal Schmidt, CPL Jim Schmidt, who was now 15. He wrote:

From somewhere in North Africa.

Actually, it was near Tunis, which had just fallen to the British and General Patton, the American general, in

the battle against the Germans in North Africa.

He wrote his mom:

How are you [mom] and the girls?

He was referring to his sisters. He talked about the hot weather. He sent her $30.

Fast forward a few months later. It is now July 9, 1943. Jim is jumping out of an airplane onto the island of Sicily, a combat jump. In Sicily, it was the largest airborne offensive in U.S. history—a military airborne operation providing support for what was called Operation Husky, more than 170,000 Allied troops that would descend onto the island, drive the Axis powers—mostly the Germans—from the island and open up the Mediterranean front of the European theater. Combat operations, airborne operations, and Jim is 15.

Now, mistakes were made in this very big operation. Communications were sporadic. Friendly fire happened, no doubt killing American servicemembers—ferocious combat.

Some of these brave paratroopers—many were killed, many missed the landing spot—were scattered all over the island.

When Corporal Schmidt, 15 years old, landed, he came under attack by the Germans. He lost one of his best friends and mentors, fighting together in a foxhole, hand-to-hand fighting. He engaged in combat, killing the enemy. He remembers one young German, a messenger about his age. He actually found the boy's wallet because he wanted to get in touch with his family after the war to tell them how brave the young German soldier was—tough stuff.

During the battle, he was wounded, but he continued to fight. But because he was wounded, a telegraph was sent home by the Army to his mom. And at that point, he and his battalion, which was part of the 504th Infantry Regiment, Airborne Regiment in Salerno, Italy, were fighting to hold off a major German counterattack.

You can imagine Jim's mother was beside herself. Her 15-year-old son was wounded in combat in Italy. So guess what she did. You can tell what kind of stock Jim comes from. His mom wrote the President of the United States directly, President Roosevelt.

She said to the President she was glad to have her husband serve in the Army, but it was a bit much that her 15-year-old son was fighting in Europe and ''lying wounded and unattended in a Sicily field.''

That is Jim's mom to President Roosevelt.

Remarkably, she received a response. The letter has since been lost, but those who saw it said that President Roosevelt himself wrote Jim's mom and said: I am sorry the military didn't know that Jim was only 15—14 when he joined—and that he would make sure he was located as soon as possible and sent back to the United States. Sounds a little bit like ''Saving Private Ryan,'' the movie.

So that happened. Shortly before he turned 16, Corporal Schmidt was put on a ship, pretty much at the direction of the President of the United States, and sent back to the United States.

Jim later recalled that when his mom saw him, of course, she was happy, but she ''chewed me out. What would any other mother say to their son'' for enlisting at the age of 14 and not telling the mom?

A local newspaper heard about Jim and wrote a story. Here is what it said:

Fifteen year old [then] Pfc James O. Schmidt . . . left his desk in the Eighth Grade at Ross Grammar School . . . to enter the Army, [he] has retired from active duty [at the age of 15] after seeing action with the [Airborne unit and] Paratroopers in [North] Africa and being wounded in the Battle of Sicily.

He was 15.

The newspaper wrote about how Jim had received an invitation to his own grammar school graduation when he was in Sicily.

He wrote back to his grammar school and said:

It will be impossible [for me to attend eighth grade graduation] as I am rather busy with the job of hunting Germans and Italians.

This alone makes a great story. Grade school graduation was missed because he was fighting in Europe and North Africa and Italy. But there is more to this story.

Shortly after being home, you guessed it, Jim walked into a Navy recruiting office. Again, nobody in the Navy asked how old he was.

The recruiter said:

Congratulations. You're now in the U.S. Navy.

So off to boot camp he went at the age of 16, already a veteran, a serious combat veteran—16 years old, unstoppable, American patriot, wanting to fight for his country in World War II.

Six months later, Jim is on a Navy destroyer deployed. But his age finally caught up with him. The Navy found out, figured out he was 16, and sent him back home. Here is an Airborne combat veteran of World War II, he is 16, and he has already been kicked out of the Army and the Navy because he is too young.

Obviously, this young man was hellbent on serving his country so he found another organization where age didn't matter. He joined the Merchant Marines, where he remained for the remainder of World War II, serving on an ammo resupply ship in the Atlantic, participating in the war until the war was won and wound down.

So the war is over. He is a little older. What do you think he does? Eight months after he turned 18, he reenlisted in the U.S. Army.

Now, the Army was gracious and recognized: Hey, we got a combat vet. Yeah, he was only 14. So they brought him in as a sergeant, a D5. And guess what. By luck, he was assigned to occupation duty in Germany with the 508th Infantry Airborne Regiment that he had fought with in North Africa and Sicily.

So he did that duty; then he went to Japan for occupation duty. And then what happened in 1950? The Korean war breaks out. So he is sent to Korea.

As if his service in World War II wasn't enough, this remarkable story of James Schmidt continues.

He went alongside the U.S. Marines to fight in one of the most brutal, ferocious battles of the 20th century—the Battle of the Chosin Reservoir. It was 30 below zero, 120 communists, People's Liberation Chinese soldiers, surrounding 20,000 marines and the Army, soldiers and marines.

It was incredible, horrible odds. And yet the Marines and the Army persevered, despite brutal combat situations, relentless Chinese communist troops attacking, attacking, attacking.

He was wounded, broke his shoulder again, led his men in many counterattacks, and got the rest of his men out of the Chosin Reservoir.

So, Mr. President, you are seeing that this is remarkable, but we are not done.

He survived Chosin Reservoir. He survived the rest of the Korean war. He survived World War II.

Fast-forward another decade, another American conflict in Southeast Asia, and now Jim Schmidt is a master sergeant, Special Forces, in Laos, charged with raising local forces to fight the communist Lao guerillas.

Now he has been in combat in three wars, presented his third award, a Combat Infantry Badge, for his actions in Laos. And, then, it was on to Vietnam, where Jim was the sergeant major in charge of the 7th Special Forces A-Teams and then the 5th Special Forces Group, one of the most famous units of all of the Vietnam war—5th Special Forces, an airborne unit—until he returned to Fort Bragg in 1965.

So here is what he has done so far for his country: two Silver Stars for heroism, three Bronze Stars for heroism, two Purple Hearts.

He wanted back in the action, but the Army said: Nope. You are going to go into recruiting.

According to one of his daughters, he was never much of a handshaker and did not like the idea of riding a desk. So, despite the heroism, despite the service, he opted to retire from the military, and then he joined Air America, which was doing covert operations in Vietnam, until 1967, when he finally decided to settle down with his wife Peggy and focus on another critically important task for our country: raising three strong, wonderful, beautiful daughters.

Mr. President, that is something I can certainly relate to.

Now, I want to say that this is an amazing story. Unfortunately, Jim was not always treated like the hero he was. During his Vietnam service, his father died—the World War II veteran I mentioned earlier—and so he rushed home through the San Francisco airport to attend his father's funeral. And, unfortunately, he was in uniform

and, unfortunately, was jeered and booed by many in the airport.

Can you imagine that, America? Think about that. What a shameful period for our Nation that so many failed to honor obvious American heroes like Jim. But, fortunately, that didn't last long for our country. But we should never forget that.

But I am digressing because he wasn't just an American hero in uniform but, according to his daughters, a great father. He was engaged in their activities—his three daughters—taught them to be determined, independent, hard-working young women where the sky was the limit. He didn't let them sleep in. That was the military dad, I am sure.

He and his wife Peggy, a registered nurse, came to Alaska in 1993 to be close to one of their daughters, who is now a renowned chef—actually, one of the best chefs in all of Alaska, and a lodge owner in Alaska, Kirsten Dixon. His other daughter Katherine is now a successful real estate broker, and his other daughter Jami lives in the DC area, who is also working in the intelligence field, kind of like her old man did. What a great legacy for Jim and Peggy and the whole family.

So Jim loves Alaska, the freedom in Alaska, the frontier spirit, the fact that he is in a State with more veterans per capita than any State. And he is certainly one of the great ones that we have in our State.

At 94 years old, he is surrounded by his children, his grandchildren, his great-grandchildren. According to his family, like most heroes in our country, he doesn't talk much about the war—still really doesn't—and his full story was only fully revealed when one of his grandchildren, Henry, began to get interested and did a podcast about his grandfather and shared it on social media—his amazing grandfather. Since then, the letters have flooded in, people wanting to know about this incredible American hero who missed his grade school graduation because he was doing airborne operations in Sicily.

Just the other night he was on a Zoom with a 15-year-old because he always has time for veterans, and he gives advice to young people who are interested in serving in the military and hearing his story and getting advice. Jim says that he doesn't believe the military is for everybody, but if you have the calling, then you should follow the calling, even if you are young—but, I would caution, not 14. But Jim should know.

Mr. President, this is a remarkable American story, one for the history books, and it is one of the reasons, many reasons, that so many people in my State have served and sacrificed for their country—everyday heroes we call them—in Alaska. There are heroes all around us, and certainly Jim is one of the most important, one of the most prominent, one of the most humble. We are proud to have him in our State.

We thank him and his wife Peggy and his wonderful three daughters and their whole family for sharing Jim with us, and we want to thank Jim for his incredible tenacity, patriotism, remarkable service, and example.

And, Jim, we want to thank you once again for being our Alaskan of the Week. Happy Veterans Day to you and all the veterans back home in Alaska.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, well, first, I just got to hear the story of Jim Schmidt of Alaska—what an amazing American hero. I thank the Senator from Alaska, Senator SULLIVAN, for sharing that with all of us.

INFRASTRUCTURE BILL

Mr. PORTMAN. Mr. President, I am here on the floor tonight to talk about the growing epidemic of drug addiction and the issue that is occurring in my home State of Ohio and, really, all the States represented here in this Chamber and how we need to redouble our efforts.

It is a heartbreaking story because we were making so much progress prior to the COVID–19 pandemic, but, now, underneath the pandemic, we have this epidemic that is growing.

But before I get into that, I must talk first about what is going on this evening in the U.S. House of Representatives. Almost 3 months ago, at the beginning of August, we passed in this Chamber bipartisan legislation to finally address our infrastructure shortfalls in this country. Presidents of both parties had been proposing it for many years. Congress had talked about it a lot, but we had never been able to figure out a way forward.

So a group of 10 Republicans and 10 Democrats got together and said: We are going to grow this from the middle out and figure out how to address our infrastructure challenges and do so in a bipartisan way.

We did that. The President of the United States, President Biden, supported our effort, and we were able to get that legislation across the floor here in the U.S. Senate—not without some challenges and some changes and modifications. But we were able to do it because it was great for America, great for every State represented here, because it was repairing roads and bridges but also our ports, our waterways, our water infrastructure, our infrastructure that is considered digital, which would be high-speed internet, to make sure it is available to all of our citizens.

So there are a lot of things that people had talked about for a long time and said they were for, but finally we were able to actually put it into writing and get it done. And it passed this Chamber with a big vote: 69 votes. Rarely does something so significant pass this Chamber with that kind of bipartisan support.

Unfortunately, it has languished in the House of Representatives for almost 3 months, since early August. And the reason it has languished over there isn't because it doesn't have the votes. It is really more because people would like to use it as a hostage for something they want even more, and that is just wrong.

So, tonight, I urge my House colleagues, Democrat and Republican alike, to put aside the partisanship and focus on the substance of the bill and pass it. It has been held political hostage to something that House Democrats, particularly progressives in the House, want even more. It is not that they are opposed to infrastructure. They know this is needed. They know it is good for their constituents and it is good for our country. It is because they want even more to pass a massive, new spending bill called sometimes the Build Back Better bill, sometimes the reconciliation bill, sometimes the $3.5 trillion tax-and-spend bill. That is totally separate from infrastructure, but that is really what they want to pass.

So they know that a lot of moderate Democrats support the infrastructure bill. They need those moderate Democrats to support the massive tax-and-spend bill. So, in effect, they have held it hostage. They have not allowed the infrastructure bill to move unless they get commitments on the bill they really want, which is the tax-and-spend bill. I think that is just wrong.

So I urge the Speaker of the House and my colleagues in the House to go ahead and vote on that legislation this evening. I know there has been back-and-forth all day about what will happen. All I can say is it is the right thing to do for our country.

When you think about it, the infrastructure bill is exactly what we need right now. Not only do we have a long-term challenge that everybody knows about and that we have been talking about for literally decades, but for the problems we face right now in our economy, it is very effective.

Inflation: Everybody is concerned about it, and they should be. The cost of gasoline at the pump is up about 42 percent this year compared to last year. It is really tough on middle-class families because, although paychecks may have gone up a little bit, inflation has gone up higher. So it is essentially a tax on so many of our working families in this country. But everything is up: food, clothing, furniture, everything.

So inflation is driven, in part, by the stimulus spending. You remember that, back in March, there was a big bill, $1.9 trillion. And many of us said, including some Democrats and including, famously, Larry Summers, who is the former Democratic Secretary of the Treasury for President Obama and in the Clinton administration: If you do this massive amount of spending, an unprecedented amount of stimulus spending, you will drive up inflation because you are putting many more dollars into people's pockets, into the economy, at a time when the economy

is already beginning to improve, and it will be chasing fewer and fewer goods, and that will raise inflation.

And that is exactly what has happened, which is bad for everybody, particularly, again, lower and middle-income families who are seeing this hidden tax, really, on everything they buy and, again, taking away the power of their slight increase in wages that we have seen. In fact, when you look at the data, it looks like wages have actually gone down in the past year. They have gone down because, after inflation, wages are worth less.

So that is where we are right now. And the infrastructure bill is actually counterinflationary. Why do I say that? Because it doesn't invest in the way that the tax-and-spend bill invests. It is not about stimulus. It is about longer term investments in hard capital assets.

So the economists look at that—including conservative economists at the American Enterprise Institute, including Doug Holtz-Eakin, who is a former CBO Director here and a more conservative economist—and they say: Now, this actually will be counterinflationary because you are investing long term in these capital assets, creating jobs, making our economy more efficient, making it more productive; and, therefore, in this instance now where we have this high inflation, it is a good thing to do.

No. 2, we have had a lot of natural disasters in this country, particularly in the last year. About one out of every three Americans, apparently, lives in an area that has been subject to one of these natural disasters. It is the hurricanes. It is the floods. It is the wildfires. It is something that is affecting our country in a major way right now, and we hear about it virtually every week.

This legislation, the infrastructure bill, actually has provisions for resiliency to mitigate the damage from these natural disasters. So it is a well-timed bill in that sense as well.

There is an historic commitment to ensuring that we are not just talking about climate change and natural disasters but actually putting in place things that will protect communities from these natural disasters—whether it is forest fires, whether it is hurricanes, whether it is tornadoes, or other natural disasters. That is in this legislation, the infrastructure bill.

And, finally, what is one of the biggest issues we face right now in terms of our economy? The supply chain crisis. Go to a store in your community, as many of you have, and you will see that the shelves are a lot more bare than they used to be. And there is not much on the shelves because we have this supply chain problem, kind of a bottleneck.

Well, this legislation helps in that regard because it provides funding for infrastructure, including our ports: our ports of entry, our land ports, but also our seaports that are now in a situation where they are jammed with more and more container ships, and, yet, they can't process them quickly enough.

So what the experts tell me is that the $2 billion in the infrastructure bill will help to improve those facilities, improve their operation, improve the intermodal connections—in other words, the truck connections, the train connections—to our ports and help move along this supply chain issue that we are currently facing.

The legislation helps with regard to freight, rail. It helps with regard to our waterways, which carry a lot of freight in our country.

So it is something that would be helpful in all three of these areas: inflation, natural disasters, and also our supply chain issues.

At the same time, again, it is just needed because our infrastructure has fallen behind, particularly fallen behind other countries. And, therefore, making our economy more efficient and more productive is a good thing. Again, that is why it got 69 votes here in the U.S. Senate and why we need to pass it.

It is totally different from the tax-and-spend reconciliation bill, which, again, is massive new spending, massive tax increases, which will add to inflation; and at a time when we have such high debts and deficits, it will add to our record level of debt and deficit. Its large tax increases will hurt our economy at a time when we cannot afford it.

We just got the numbers in from the economic growth in the last quarter. They just came in today: 0.5-percent growth. Very disappointing. Well below expectations.

So we know economic growth is slowing. We know inflation is rising. We know that this is not the time for us to put forward this kind of legislation because it will aggravate the inflationary pressures, but it also causes us, at a time of debt and deficits, to see big increases in spending.

And, finally, again, at a time when our economy is, unfortunately, not performing the way we would like to see it—it is slowing down; it has been the worst economic quarter we have seen since 2000—we need to make sure we were not adding new taxes to our economy at this time. So the timing is bad.

By the way, the infrastructure bill has no new tax increases. The infrastructure bill is not about immediate spending. It is about long-term spending over 5, 10, 15 years for capital assets—again, counterinflationary.

So they are very different proposals, aren't they?

I call on my colleagues in the House tonight to pass this legislation, get the infrastructure bill done. Don't hold it hostage with something else. That is not how we operate. Do the right thing for your constituents and for our country.

The other focus that I had tonight was on our opioid and, more broadly, drug addiction crisis we face in this country and, unfortunately, at a time with the pandemic, causing huge healthcare problems that has distracted a lot of our attention, understandably. But underneath that pandemic there has been this epidemic that has been growing, and that is, again, this addiction issue.

Back in 2018, we saw a reduction in addiction and, specifically, in the way it is typically measured, which is the number of overdose deaths that occur in our States. It was great news: a 22-percent decrease in overdose deaths in my home State of Ohio, after decades of increases every single year—22 percent in 1 year.

2019 was also a good year, where we saw significant success in getting people into treatment, getting people into recovery, reducing the use of drugs through prevention—all the things that we have been wanting to do.

So much of that came from work that was done in this Chamber because we did enact new legislation and provided billions of more dollars for prevention, for treatment, for recovery. And we had a lot of great activity going on at the State level, at our local levels as well, building on that.

We had more Narcan being provided to our communities, which is this miracle drug that reverses the effects of an overdose. We had very good success in getting more people not just into treatment but into longer-term recovery, where there is a greater chance of them succeeding and not relapsing.

We did that through some legislation called the Comprehensive Addiction and Recovery Act, bipartisan legislation passed here in this Chamber. Senator WHITEHOUSE joined with me on that as a coauthor. And then we also passed additional legislation to get more money directly to the States. And we found that we were, again, making progress, and then the pandemic hit.

Unfortunately, we now know from the latest data from the Centers for Disease Control—the CDC—that under the cover of this pandemic, the drug epidemic has not only not gone away, it has actually gotten much worse.

Overdose deaths rose by nearly 30 percent between March 2020 and March 2021—the latest year for which we have data; 30-percent increase in overdose deaths.

This is very discouraging and heartbreaking really because that means much more devastation for our communities, families being broken apart, people not being able to achieve their God-given ability in life. Thousands more being lost—96,779 more individuals—moms and dads, sons and daughters, friends and loved ones—lost their lives to overdose deaths during that yearlong period, the most recent year that we have data for. It is the worst year we have had in the history of our country in terms of overdose deaths.

Again, we have been rightfully focused on COVID–19. But, particularly,

as the COVID pandemic is beginning to get better, the Delta variant finally beginning to affect our communities less, we have got to refocus ourselves on this addiction issue. If we don't do it, we are going to continue to see this tragic epidemic take away more lives.

In 47 States and the District of Columbia, the overdose rate went up during this last year, including a 26-percent increase in my home State of Ohio. In some States, by the way, the increase was as high as 85 percent. And I know the Members of the Senate who represent those States are well aware of that and would join me in saying we have to figure out a way; we have got to figure out a way.

So what is the way forward?

Well, part of it is to getting back to what we know works. The Comprehensive Addiction and Recovery Act and the bill called the 21st Century Cures Act—both signed into law in 2016—again, provided billions of new dollars for prevention, for treatment, for longer-term recovery, for Narcan to help our first responders. And that worked, and we made progress. So let's get back to that and redouble our efforts there.

But we need to do more. And we have new legislation we have introduced we think will do that. It is called the Comprehensive Addiction and Recovery Act 2.0—I am sorry, 3.0. We have already done the first bill and 2.0. Now, we are at 3.0. And it provides additional help but also has some new provisions in addition to funding those that we know work, and that is extremely important as well.

By the way, in these overdose deaths, we know that, increasingly, it is synthetic opioids that is causing the deadly outcome. Fentanyl, in particular, which is a synthetic form of heroin or other opioids that, for a long time, was being produced in China and then sent to our shores, and this poison was coming into our communities by our own U.S. Postal Service.

So several years ago, we wrote legislation to deal with that called the STOP Act, and it actually has been quite effective to keep these drugs from coming in through the United States mail system. At that time, our mail system didn't provide the kind of screening that the private carriers did, like FedEx or UPS or DHL, and so people who were traffickers chose to use our own Postal Service. Maddening. And they were doing it successfully.

But it is kind of like whack-a-mole. Once we dealt with the STOP Act and dealt with the fentanyl coming in from China directly through the mail system, it started to show up where?

Through our southern border.

So, today, what the experts will tell you is this deadly fentanyl is coming in primarily through the U.S.-Mexico border; it is cheaper than ever, very inexpensive. Sometimes it is produced in Mexico using precursors that come from China. It is being pressed into pills, often, so people don't know it is fentanyl. The pill may be Xanax. The pill may be Percocet. People think they are getting pain relief or anxiety relief when, in fact, they are getting fentanyl; and the tragic result of that is, again, more and more overdose deaths.

We had a roundtable discussion recently where we talked about the issue of the border and what was happening and the fact that so many people now are coming across the border, but also so much contraband, including these drugs. And we had a witness whose name was Virginia Krieger. This was last week: Virginia told us her very tragic story about her daughter, who thought she was taking a Percocet for pain because that is what the pill said. And she died of an overdose. And it was determined after the fact that, in fact, she had died of fentanyl because some evil scientist—perhaps in Mexico—had pressed these pills, made these pills, probably to try to get her addicted to this powerful drug fentanyl, and, in fact, she had ingested it, taken it, and it had caused her to overdose and die.

Virginia—God bless her—has taken the death of her daughter, Tiffany Leigh Robertson, and channeled that grief into something positive. She is going out to the schools now and talking to young people—I see our pages are here tonight—and saying: Every drug, every pill that is not from a pharmacy that you might find on the streets is potentially deadly. It can kill you. So be cautious. Don't ever take a pill if you don't know that it is coming from a pharmacy, that it is what it says it is.

My heart goes out to Virginia, her family, and all those who have lost loved ones to these deadly substances. We need to be sure that we reduce the supply of these drugs, and we also do much more in terms of the demand reduction.

One way we can start to address the supply of fentanyl and other synthetic opioids is to make sure that they are illegal. That might seem obvious to you, but we have had a hard time here in this country dealing with this issue because—think about it—if the synthetic form of an opioid, which can be changed by one of these evil scientists fairly easily—maybe just one molecule changes—and suddenly it is not on the list of controlled substances and not illegal.

So in order to avoid this problem and be sure that people are properly prosecuted for illegal drugs, we are putting together legislation and trying to pass it, that ensures that there is a permanent classification of these drugs as being illegal.

The Drug Enforcement Agency, back in 2018, used its authority to temporarily classify all fentanyl-related drugs—all of them—as schedule I substances, meaning illegal at the highest level, which allows law enforcement to aggressively intercept and destroy those substances. Unfortunately, that was only temporary. So that designation needs to be made permanent.

We have successfully extended the temporary extension a few times here, but it is going to expire again at the end of January. So in just a couple of months, once again, we will have an expiration of that designation.

Until we make these fentanyl-related drugs permanently illegal, law enforcement will not have the certainty they need to go after the criminals moving these deadly substances, and fewer lives will be lost.

The legislation is called the FIGHT Fentanyl Act. It is bipartisan. I introduced it with Senator MANCHIN. Again, it fixes this problem by permanently classifying these drugs that are fentanyl-related as schedule I. It also gives our law enforcement the certainty they need to go after synthetic opioids in all forms and show we are committed to addressing the threat posed by this particularly dangerous class of drugs.

So my hope is my colleagues on both sides of the aisle will work with us to get this done before the end of January. There is no reason we should do it at the last minute. We should provide that certainty and predictability.

At the same time, I continue to believe that the most progress can be made on the demand side. So, yes, we need to do a better job at the southern border. It is outrageous what is happening now. So many drugs are coming across at record levels. The apprehensions of fentanyl are at record levels. In fact, enough fentanyl has been apprehended this year alone to kill every man, woman, and child in America. That is how deadly the drug is.

But, ultimately, we have to deal with the demand for that drug in this country. As long as we have this insatiable demand, it is going to be difficult to stop it through the supply side or even making these drugs illegal.

So that is why I think we need new legislation to build on the Comprehensive Addiction and Recovery Act, to build on what we have done previously, and this CARA 3.0 that we have introduced with Senator WHITEHOUSE can help on that. It does so by addressing three important areas: research and education, treatment and recovery, and criminal justice reform.

First, it will bolster our work to prevent drug abuse before it happens, through funding, through research and education. To me, it is time for a national awareness campaign. It would be money well spent. And I believe we could use the money that we would appropriate here to leverage a lot more private interest in this, to get the private companies—like the pharmaceutical companies—to step forward and to help us in a true national drug awareness campaign.

Second, research and development. We need to have better pain relief drugs in this country. We are still relying on things like Percocet, as I mentioned, and other opioids, prescription forms, that we have been relying on for decades. It is time to actually move

forward with the research and development of alternative pain treatments that don't lead to addiction as opioids do. There has been some progress there, but not nearly enough, and it needs more help.

Third, in terms of treating substance abuse, our bill builds on what works by doubling down on proven evidence-based addiction treatment methods while expanding treatment options for groups particularly vulnerable to addiction, including young people, new and expecting moms, rural communities, communities of color. And it will make permanent the expanded telehealth options for addiction treatment that were temporarily created in response to the social distancing required by COVID–19. This is an exciting opportunity because it turns out, during COVID–19, when we had to rely more on telehealth, there was actually a lot of success in getting people into treatment.

Now, it wasn't as good as having your recovery coach there with you and your, perhaps, other recovering addicts with you to give you the support you need, but for some people who couldn't travel because of the COVID–19 restrictions and, now, perhaps can't travel for other reasons, telehealth is something that was determined to be quite successful in many cases. We should continue that. We have to change laws to do that because it is about whether that would be reimbursed, particularly under Medicaid and Medicare.

CARA 3.0 will also bolster the recovery options for individuals working to put addiction behind them through funding to support recovery support networks. It will enable physicians to provide medication-assisted treatment, like Methadone, to a greater number of patients and change the law to allow those drugs to be prescribed via telehealth for greater use of access.

Part of the telehealth we are looking for is if you have a medication-assisted treatment plan, then you can use telehealth—in other words, over the internet—to be able to get your prescription. There needs to be safeguards in that. We need to be sure the first time a prescription is given, there is a face-to-face contact and make sure that it is not being abused, but this can be quite helpful.

Finally, CARA 3.0 reforms our criminal justice system to ensure that those struggling with addiction, including our veterans, are treated with fairness and compassion by the law, putting them on a path to recovery instead of a downward spiral of substance abuse.

When someone comes out of one of our prisons or jails and comes out as an addict and there is not treatment provided, way too often that person, of course, relapses and begins to use again, gets back into criminal activity, and gets right back in the criminal justice system. That doesn't help anybody. It certainly doesn't help the taxpayer because the cost is $30 to $35,000—probably more at the Federal level—to incarcerate someone.

And when they get out, they are just creating more crimes in the community. It is worth putting some emphasis on treatment while someone is in prison if they are suffering from addiction and, certainly, when they get out, getting them into treatment and recovery programs to get them back on their feet.

By the way, we need these people in our workforce right now. We have always needed them, but we particularly do now. This is a win-win for our economy and certainly for the addict.

CARA and CARA 2.0 have given States and local communities new resources and authorities to make a real difference in our States. CARA 3.0, this new bill, renews and strengthens those programs and, given the recent spike in addiction, provides a significant boost in funding as well.

When added with existing CARA programs authorized through 2023, we would be investing over $1 billion a year to address the epidemic, putting us on a path toward brighter future free from addiction. It is money well spent, in my view. It is necessary. Again, it is going to help to bring our families back together, get people back to work, and ensure that our communities are not being devastated by crime that is committed in relation to these drug issues.

I believe these two bills—the FIGHT Fentanyl Act we talked about and CARA 3.0—will make a difference in addressing this crisis of addiction our country now faces that has been made even worse during the time of the pandemic. A lot of our victims of this addiction crisis are suffering in silence.

I urge my colleagues: Let's act now. Let's bring this to the light. Let's allow mere people to get into treatment, longer-term recovery. Let's be sure we are making fentanyl illegal in all of its forms. Let's, without delay, go to work to once again do what we know works because we turned the tide on addiction.

We began to turn it in 2018, 2019. Let's get back to that. We will save lives and give so many more Americans the ability to achieve their God-given potential.

I yield the floor.

(Mr. KAINE assumed the Chair.)

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Virginia.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KAINE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 499, 500, 502, 503, and all nominations on the Secretary's desk in the Navy; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James W. Bierman, Jr.

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael Langley

IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Marcus H. Thomas

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Douglas A. Paul

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE NAVY

PN1278 NAVY nominations (1118) beginning DYLAN L. AAKER, and ending ALISON M. ZYCHLEWICZ, which nominations were received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1279 NAVY nomination of Harold S. Zald, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1280 NAVY nomination of Paul J. Wisniewski, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—S. 3122

Mr. KAINE. Mr. President, I ask unanimous consent that if the Senate receives a message from the House of Representatives that it has passed a surface transportation authorization extension that is identical to the text of S. 3122 that the bill be considered read a third time and deemed 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.

MORNING BUSINESS

PROTECTING STUDENT ATHLETES FROM CONCUSSIONS ACT OF 2021

Mr. DURBIN. Mr. President, as our students return to in-person instruction, they also will return to school sports. We encourage our students to be active and play schools sports to promote healthy habits, team-building skills, and socialization, which are especially important after a year of remote learning due to the COVID–19 pandemic. Yet every year, more than 140,000 estimated student athletes sustain a concussion, and that is just the reported count. We can be sure that many more go unreported and untreated.

The health benefits of competing in school sports are undermined if students are staying out on the field after an injury, especially concussions. Unfortunately, many student athletes return to play prematurely, and there is growing evidence that untreated concussions can have detrimental, long term effects on their health and academic performance.

That is why last week I reintroduced the Protecting Student Athletes from Concussions Act. My bill would direct states to develop concussion safety plans for public schools that include a concussion safety awareness component. Certain States, like Illinois, already have such procedures in place, but it is high time we make this true for all States. By equipping our schools and communities with evidence-based guidance for responding to concussions, we can keep our students and their futures safe.

The bill also would require States to adopt a ''when in doubt, sit it out'' policy. If there is even the possibility that a student athlete has suffered a concussion, their health and safety ought to be the No. 1 priority. That means, if an athlete is suspected of having sustained a concussion, they should sit out and not be allowed to return to play the same day. They should return to play only once evaluated and cleared by a qualified healthcare professional.

Let's be clear: A concussion is a traumatic brain injury that affects brain function. It is, by no means, something we can simply shake or walk off. Getting your ''bell rung,'' like they used to say in my day, is a serious threat to a young person. The still-developing brains of students make them more susceptible to injury, making concussions all the more dangerous.

A ''when in doubt, sit it out'' policy, endorsed by the American College of Sports Medicine and the American Academy of Neurology, will put the decision to return to the game in the hands of qualified healthcare professionals. It will prevent student athletes from experiencing successive injuries by staying in the game when they are not fit. It will give student athletes time to heal and help ensure that short-term symptoms do not become long-term effects.

As we return to in-person instruction, we must use common-sense and evidence-based approaches to ensure student safety. For school sports, this means we have to put the necessary procedures for preventing, detecting, responding to, and treating concussions in place. This bill would help do that.

It is why my bill is endorsed by the American College of Sports Medicine; American Academy of Neurology; National Football League (NFL); National Basketball Association (NBA); Major League Baseball (MLB); National Hockey League (NHL); National Collegiate Athletic Association (NCAA); American Academy of Sports Physical Therapy; Academy of Neurologic Physical Therapy; American Physical Therapy Association; Easterseals; Illinois High School Association; National Association of School Psychologists; National Association of Secondary School Principals; National Disability Rights Network; National Interscholastic Athletic Administrators Association; National Parent Teacher Association; Pop Warner Little Scholars; U.S. Soccer Federation; USA Cheer; USA Football; Safe Kids World Wide; and Sports & Fitness Industry Association.

I hope my colleagues will join me in this common-sense, evidence-based approach to protecting student athletes. Thank you.

AFGHANISTAN

Mr. GRASSLEY. Mr. President, yesterday, in a hearing in the Senate Foreign Relations Committee, Ranking Member RISCH, called out the State Department for its apparent lack of action in helping those Americans and Afghan allies who are still stuck in Afghanistan.

It has been 2 months since the withdrawal of all American military and diplomatic presence in the country in the wake of the Talban's total takeover of that country.

In the past week or so, the number of Americans reportedly still in the country has grown, not shrunk.

We have gone from around 100 to over 400.

Now, I know Americans are not flocking to Taliban controlled Afghanistan, so why does this number keep going up?

I understand that Americans are not required to register with the State Department so it is understandable that they would not have a reliable, fixed list of Americans at the start of this crisis.

But I find it hard to believe that Americans waited 2 months after being abandoned in Afghanistan by their government to reach out and then, in the space of a week, suddenly found a way to get in touch.

The State Department set up special e-mail addresses and issued guidance on how to report Americans and Afghan allies who need to be evacuated.

My office heard from many Iowans concerned about those they knew in Afghanistan, and my staff followed the directions from the State Department, forwarding the contact information.

For the most part, all I ever heard back was a confirmation that the message was received.

I am starting to wonder if these went into a black hole?

I did not expect that the State Department would devote time and effort to keeping me informed given that presumably it was all hands on deck to contact those in the country and make arrangements for them.

However, 2 months later, I don't see much progress.

Then there are reports that efforts by brave former special forces and other Americans who picked up where their government left off to evacuate Americans and Afghan allies have not received the support they needed from the State Department. Is the State Department just washing their hands of this mess?

I shared with Senator RISCH information I passed on to the State Department about 98 Afghan allies known to Iowans to need help as their lives were in danger after the Taliban takeover.

I am only aware of one that has been evacuated.

I know that many have not even been contacted by the State Department.

I am glad that Ranking Member RISCH entered this information into the RECORD along with information from 24 other Senators, totaling 16,688 cases.

That is just one quarter of the Senate, so I know there are many more cases out there.

It is time to hear what the State Department is doing to get the remaining Americans home and to process the cases of Afghan allies so those who helped us and whose lives are at risk can get to safety.

VOTE EXPLANATION

Mr. SANDERS. Mr. President, I was absent for Senate vote No. 447, the vote on the motion to invoke cloture on Executive Calendar No. 471, Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit. I would like the record to reflect that had I been present, I would have voted yes.

30TH ANNIVERSARY OF OSCE'S OFFICE OF DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS

Mr. CARDIN. Mr. President, I rise to commemorate the 30th anniversary of the creation of the Organization for Security and Cooperation in Europe's—OSCE—Office of Democratic Institutions and Human Rights—ODIHR—one of the world's most preeminent and comprehensive human rights protection bodies.

In 1990–1991, during the signing of the *Charter of Paris for a New Europe* that created ODIHR, a spirit of ''profound change and historic expectations'' prevailed among the United States, nations of Europe, and the Soviet Union.

Revolutionary for their time, heads of state and governments resolved to ''build, consolidate and strengthen democracy as the only system of government of our nations.'' Further, by affirming that government's first responsibility is to ensure the ''protection and promotion of human rights,'' they explicitly linked the full attainment of those rights with ''the foundation of freedom, justice and peace'' and set the standard for relations and security within and among nations.

Now, 30 years later, I am deeply concerned that the fundamental freedoms that ODIHR was founded to safeguard are in peril.

Authoritarianism is on the rise in Europe. Credible reports allege there are more than 750 political prisoners in Belarus, many detained for participating peacefully in protest of the fraudulent elections of August 2020 and the brutal government crackdown that followed. In Hungary, Viktor Orban's administration continues its unprecedented consolidation of Hungary's media, even as opposition figures organize to resist him. In many countries across the OSCE area, we have witnessed an alarming rise in anti-Semitism, racism, religious and other intolerance, and violence against women. These scourges have worsened the conditions imposed by the COVID–19 pandemic that disproportionately affect the most vulnerable in our communities.

With these and other challenges in mind, ODIHR's valuable work to assist nations to live up to their commitments is more relevant and more needed than ever.

ODIHR is empowered by states to ensure respect for human rights, fundamental freedoms and the rule of law, and to promote and strengthen democratic institutions and tolerance. ODIHR actively partners with OSCE's 57 participating states, civil society, and international organizations to support human rights defenders, enhance the independence of judiciaries, and promote human-rights-based policing. It offers legislative reviews and develops tools to support local government officials, including the Words into Action project, which enhances social inclusion within local communities and for which I proudly help secure funding.

The most visible demonstration of ODIHR's collaboration with the United States is perhaps in the field of election observation, where its methodology is rightly seen as the gold standard in international election observation. Since its founding, ODIHR, the Department of State, and the U.S. Congress, through the OSCE Parliamentary Assembly, have deployed thousands of American citizens and legislators to observe the conduct of elections across the OSCE area, including in the United States. Since OSCE states pledged in 1990 to hold free and fair elections, elections observation has been recognized as one of the most transparent and methodical ways to encourage states' commitment to democratic standards and is a hallmark of ODIHR's work.

For nearly 30 years, ODIHR has organized Europe's largest human rights review conference, the Human Dimension Implementation Meeting—HDIM—gathering thousands of representatives of governments, parliaments, and civil society for 2 weeks around the same table to review progress on human rights commitments. Unfortunately, the HDIM did not take place this September. Russia blocked consensus to hold the meeting, thereby denying the OSCE region's nearly 1 billion citizens of a meaningful and sustained opportunity to hold their governments to account.

In September, Russia also prevented ODIHR from deploying a full and independent election observation mission to observe its Duma elections. Likewise, Russia was responsible for the closure of OSCE's border observation mission, which provided valuable insight into the personnel and materiel flowing across Russia's border into the temporarily occupied areas of eastern Ukraine.

ODIHR's work is more important and relevant than at any time since its founding at the end of the Cold War. I would like to take a moment to extend my heartfelt appreciation to ODIHR's 180 staff from 35 countries, upon whose dedication and professionalism we rely as we strive to realize an equitable and just future for all.

ODIHR is not only the human rights arm of the world's largest regional security organization; it is also the independent body endowed to assist us as we pursue this important goal.

The phrase ''Vancouver to Vladivostok'' is routinely invoked to describe the organization's broad geographical reach. However, it is perhaps ODIHR—and OSCE's—revolutionary and comprehensive concept of ''security,'' which includes military security, economic and environmental cooperation, and human rights, that is its defining characteristic and most important contribution to world peace and the reason why we should all be celebrating ODIHR's 30th anniversary this year and take steps to ensure its success for years to come.

GENEVA CONSENSUS DECLARATION

Mr. DAINES. Mr. President, this month marks the first anniversary of the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family. The historic coalition that issued this declaration was formed by a diverse group of countries committed to advancing women's health, protecting life at every stage while affirming that there is no international right to abortion, upholding the importance of the family as foundational to society, and defending the sovereign right of Nations to make their own laws to advance these core values, without external pressure. The Geneva Consensus Declaration was signed on October 22, 2020, by 32 countries from every region of the world, representing more than 1,600,000,000 people, which committed to working together on the core pillars enshrined in the declaration, and five countries have subsequently signed. Although President Biden removed the United States as a signatory to the Geneva Consensus Declaration earlier this year, at least temporarily, the coalition is alive and growing, currently consisting of 36 countries.

I ask unanimous consent to have printed in the RECORD the text of this landmark document and the names of the 36 signatory countries.

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

GENEVA CONSENSUS DECLARATION ON PROMOTING WOMEN'S HEALTH AND STRENGTHENING THE FAMILY

We, ministers and high representatives of Governments,

Having intended to gather on the margins of the 2020 World Health Assembly in Geneva, Switzerland to review progress made and challenges to uphold the right to the highest attainable standards of health for women; to promote women's essential contribution to health, and strength of the family and of a successful and flourishing society; and to express the essential priority of protecting the right to life, committing to coordinated efforts in multilateral fora; despite our inability to meet in Geneva due to the global COVID–19 pandemic, in solidarity, we

1. Reaffirm ''all are equal before the law,'' and ''human rights of women are an inalienable, integral, and indivisible part of all human rights and fundamental freedoms'';

2. Emphasize ''the equal right of men and women to the enjoyment of all civil and political rights,'' as well as economic, social, and cultural rights; and the ''equal rights, opportunities and access to resources and equal sharing of responsibilities for the family by men and women and a harmonious partnership between them are critical to their wellbeing and that of their families''; and that ''women and girls must enjoy equal access to quality education, economic resources, and political participation as well as equal opportunities with men and boys for employment, leadership and decision-making at all levels;''

3. Reaffirm the inherent ''dignity and worth of the human person,'' that ''every human being has the inherent right to life,'' and the commitment ''to enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant'';

4. Emphasize that ''in no case should abortion be promoted as a method of family planning'' and that ''any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process'';

5. Reaffirm that ''the child . . . needs special safeguards and care . . . before as well as after birth'' and ''special measures of protection and assistance should be taken on behalf of all children,'' based on the principle of the best interest of the child; Reaffirm that ''the family is the natural and fundamental group unit of society and is entitled to protection by society and the State''; that ''motherhood and childhood are entitled to

special care and assistance,'' that ''women play a critical role in the family'' and women's ''contribution to the welfare of the family and to the development of society'';

6. Recognize that ''universal health coverage is fundamental for achieving the Sustainable Development Goals related not only to health and well-being,'' with further recognition that ''health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'' that ''the predominant focus of healthcare systems on treating illness rather than maintaining optimal health also prevents a holistic approach''; and that there are ''needs that exist at different stages in an individual's lifespan,'' which together support optimal health across the life course, entailing the provision of the necessary information, skills, and care for achieving the best possible health outcomes and reaching full human potential; and

7. ''Reaffirm the importance of national ownership and the primary role and responsibility of governments at all levels to determine their own path towards achieving universal health coverage, in accordance with national contexts and priorities'', preserving human dignity and all the rights and freedoms set forth in the Universal Declaration of Human Rights.

Furthermore, we, the representatives of our sovereign nations do hereby declare in mutual friendship and respect, our commitment to work together to:

Ensure the full enjoyment of all human rights and equal opportunity for women at all levels of political, economic, and public life;

Improve and secure access to health and development gains for women, including sexual and reproductive health, which must always promote optimal health, the highest attainable standard of health, without including abortion;

Reaffirm that there is no international right to abortion, nor any international obligation on the part of States to finance or facilitate abortion, consistent with the longstanding international consensus that each nation has the sovereign right to implement programs and activities consistent with their laws and policies;

Build our health system capacity and mobilize resources to implement health and development programs that address the needs of women and children in situations of vulnerability and advance universal health coverage;

Advance supportive public health policies for women and girls as well as families, including building our healthcare capacity and mobilizing resources within our own countries, bilaterally, and in multilateral fora;

Support the role of the family as foundational to society and as a source of health, support, and care; and

Engage across the UN system to realize these universal values, recognizing that, individually we are strong, but together we are stronger.

MEMBER STATE SIGNATORIES

1. Kingdom of Bahrain
2. Republic of Belarus
3. Republic of Benin
4. Federative Republic of Brazil (cosponsor)
5. Burkina Faso
6. Republic of Cameroon
7. Republic of the Congo
8. Democratic Republic of the Congo
9. Republic of Djibouti
10. Arab Republic of Egypt (cosponsor)
11. Kingdom of Eswatini
12. Republic of The Gambia
13. Georgia
14. Republic of Guatemala
15. Republic of Haiti
16. Hungary (cosponsor)
17. Republic of Indonesia (cosponsor)
18. Republic of Iraq
19. Republic of Kenya
20. State of Kuwait
21. State of Libya
22. Republic of Nauru
23. Republic of Niger
24. Sultanate of Oman
25. Islamic Republic of Pakistan
26. Republic of Paraguay
27. Republic of Poland
28. Republic of Qatar
29. Russian Federation
30. Kingdom of Saudi Arabia
31. Republic of Senegal
32. Republic of South Sudan
33. Republic of Sudan
34. Republic of Uganda (cosponsor)
35. United Arab Emirates
36. Republic of Zambia

ADDITIONAL STATEMENTS

RECOGNIZING HINTON MILLS

● Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize a family-owned small business and beloved eastern Kentucky staple, Hinton Mills of Flemingsburg, KY, as the Senate Small Business of the Week.

In 1918, Frank L. Hinton and his wife, Ellora, established Hinton Mills in Goddard, KY. The general store, which provided supplies for local farmers, moved down the road to Plummers Landing in 1923. After serving in World War II, their son, Frank O. Hinton, returned to run the family business together with his wife, Maxine. Frank O., who had a passion for raising livestock, added a feed mill in 1956. By 1977, Hinton Mills had added locations in Flemingsburg, Ewing, and May's Lick, primarily serving local dairy operations and tobacco farmers. A fifth location opened in Cynthiana in 2015, enabling Hinton Mills to serve northern and eastern Kentucky.

Today, Hinton Mills continues to thrive as a farm supply store and feed retailer. The family-owned business celebrated its 103rd anniversary in 2021 and is led by the third and fourth generations of Hintons. Family members serve in a number of roles, including Frank O.'s son, Bud Hinton, as president, and Bud's son, Adam Hinton, as vice president. Led by the ethos of ''Faith, Family, Friends, and Farming,'' Hinton Mills has grown along with the surrounding area. Their strong sense of family has built a tight-knit, supportive team, with some families employed there for generations. To celebrate its 100th anniversary, Kentucky Gateway Museum Center hosted an exhibit in 2018 to recognize Hinton Mills and their impact on the agricultural community of eastern Kentucky.

Over the past 100 years, the Hinton family has consistently invested in and served their community. They regularly participate in local and regional events, ranging from agricultural fairs and the annual Fleming County FFA Tractor Parade, to hosting their annual weeklong Seed Day customer appreciation event. Hinton Mills champions Kentucky's agriculture industry, advocating for small agricultural businesses at the local, State, and national level. They are a part of several local business and industry groups, including the Fleming County Chamber of Commerce and Kentucky Retail Federation. Notably, Adam has served on the Kentucky Agricultural Development Board, the Kentucky Retail Federation Board of Directors, and the Kentucky FFA Foundation's Board of Trustees. Like many small businesses, Hinton Mills rallied to face the challenges caused by the coronavirus pandemic and adapted to continue supporting local farmers as they kept the country fed.

Hinton Mills is a remarkable example of the resilience and adaptability of locally owned small businesses. Small businesses, like Hinton Mills, form the heart of towns across Kentucky and play a critical role in Kentucky's agricultural industry. Congratulations to Bud, Adam, and the entire team at Hinton Mills. I wish them the best of luck, and I look forward to watching their continued growth and success in Kentucky.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

At 11:38 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 921. An act to amend title 18, United States Code, to further protect officers and employees of the United States, and for other purposes.

S. 1502. An act to make Federal law enforcement officer peer support communications confidential, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4035. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to prioritize veterans court treatment programs that ensure equal access for racial and

ethnic minorities and women, and for other purposes.

H.R. 5661. An act to extend flexible use of John H. Chafee Foster Care Independence Program funding to address pandemic-related challenges for older foster youth.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1511. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, 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. 4035. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to prioritize veterans court treatment programs that ensure equal access for racial and ethnic minorities and women, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 380. A resolution reiterating United States support for the people of the Republic of South Sudan in their quest for lasting peace, stability, and democracy after 10 years of independence and calling for a review of United States policy toward South Sudan.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 965. An act to establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes.

S. 1104. A bill to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti.

S. 1657. A bill to impose sanctions with respect to the People's Republic of China in relation to activities in the South China Sea and the East China Sea, and for other purposes.

S. 2129. A bill to promote freedom of information and counter censorship and surveillance in North Korea, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*John Patrick Coffey, of New York, to be General Counsel of the Department of the Navy.

*Alexandra Baker, of New Jersey, to be a Deputy Under Secretary of Defense.

*Nickolas Guertin, of Virginia, to be Director of Operational Test and Evaluation, Department of Defense.

*Douglas R. Bush, of Virginia, to be an Assistant Secretary of the Army.

Marine Corps nomination of Maj. Gen. James W. Bierman, Jr., to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Michael E. Langley, to be Lieutenant General.

Air Force nomination of Maj. Gen. John D. Caine, to be Lieutenant General.

Army nomination of Col. Marcus H. Thomas, to be Brigadier General.

Army nomination of Brig. Gen. Douglas A. Paul, to be Major General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS 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 nomination of Tracy M. Shamburger, to be Colonel.

Air Force nomination of Libertad Melendez, to be Colonel.

Army nomination of Julia O. Coxen, to be Colonel.

Army nomination of Benjamin J. Neterer, to be Major.

Army nomination of Joseph G. Nunez, to be Major.

Army nomination of Kert L. St. John, to be Major.

Army nomination of Mark J. Ziegler, to be Major.

Army nominations beginning with Scott J. Anderson and ending with Jason J. Thornton, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2021.

Army nominations beginning with Paul J. E. Auchincloss and ending with D015356, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2021.

Army nominations beginning with Nadine M. Alonzo and ending with D015627, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2021.

Army nominations beginning with Mark Acopan and ending with Timothy R. Yourk, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2021.

Army nomination of Mahealani N. McFarland, to be Major.

Army nomination of D014273, to be Lieutenant Colonel.

Navy nominations beginning with Dylan L. Aaker and ending with Alison M. Zychlewicz, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2021.

Navy nomination of Harold S. Zald, to be Captain.

Navy nomination of Paul J. Wisniewski, to be Captain.

Space Force nomination of Haldane C. Gillette, to be Lieutenant Colonel.

By Mr. DURBIN for the Committee on the Judiciary.

Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

Jane M. Beckering, of Michigan, to be United States District Judge for the Western District of Michigan.

Shalina D. Kumar, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Armando O. Bonilla, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Carolyn N. Lerner, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Jonathan Kanter, of Maryland, to be an Assistant Attorney General.

Michael F. Easley, Jr., of North Carolina, to be United States Attorney for the Eastern District of North Carolina for the term of four years.

Sandra J. Hairston, of North Carolina, to be United States Attorney for the Middle District of North Carolina for the term of four years.

Dena J. King, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

*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 Ms. LUMMIS (for herself, Mr. MARSHALL, Mrs. HYDE-SMITH, Mr. ROUNDS, Mr. SCOTT of Florida, Mrs. BLACKBURN, and Mr. BARRASSO):

S. 3095. A bill to address Federal employees who comply with Executive Order 14043, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KELLY (for himself, Ms. COLLINS, Mrs. FEINSTEIN, and Mr. WYDEN):

S. 3096. A bill to make amendments to the Barry Goldwater Scholarship and Excellence in Education Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3097. A bill to amend the Securities Exchange Act of 1934 to allow for the registration of venture exchanges, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself, Ms. COLLINS, Ms. BALDWIN, Mr. ROUNDS, Ms. ROSEN, Mr. THUNE, and Ms. SMITH):

S. 3098. A bill to provide for a national public health education campaign, grant program, and task force for recommended preventive health care services during the COVID–19 pandemic and future pandemics; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself, Ms. HASSAN, Mr. HAWLEY, and Mr. DAINES):

S. 3099. A bill to amend title 44, United States Code, to establish the Federal Risk and Authorization Management Program within the General Services Administration, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WICKER (for himself, Mr. SCHATZ, and Mr. RUBIO):

S. 3100. A bill to establish a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3101. A bill to amend title II of the Social Security Act to repeal the retirement earnings test, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY:

S. 3102. A bill to amend the Securities and Exchange Act of 1934 to preserve commission-free trading and investor freedom for the people of the United States by prohibiting the Securities and Exchange Commission from banning payment for order flow, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mrs. BLACKBURN, Mrs. FEINSTEIN, Mr. CORNYN, and Mr. LEAHY):

S. 3103. A bill to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title; to the Committee on the Judiciary.

By Mr. CARPER:

S. 3104. A bill to amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET:

S. 3105. A bill to amend the Public Health Service Act to establish a hospital revitalization program to assist certain health facilities in constructing and modernizing their facilities and to support community development; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 3106. A bill to require the use of the voice and vote of the United States in international financial institutions to advance the cause of transitioning the global economy to a clean energy economy and to prohibit United States Government assistance to countries or entities to support fossil fuel activity, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself, Mrs. CAPITO, and Mr. DURBIN):

S. 3107. A bill to provide incentives for States to eliminate statutes of limitation related to child sexual abuse, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 3108. A bill to provide counsel for unaccompanied children, and for other purposes; to the Committee on the Judiciary.

By Mr. COONS (for himself and Mr. RUBIO):

S. 3109. A bill to improve commercialization activities in the SBIR and STTR programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. ERNST (for herself and Mr. BRAUN):

S. 3110. A bill to require the Director of the Office of Management and Budget to issue guidance relating to reporting by agencies on Federal financial assistance programs that do not provide Federal financial assistance during the 1-year period preceding the date of the report; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself, Mr. COONS, Mr. CASSIDY, Mr. HEINRICH, and Mr. LUJÁN):

S. 3111. A bill to require the Secretary of Energy to establish a grant program to support hydrogen-fueled equipment at ports and to conduct a study with the Secretary of Transportation and the Secretary of Homeland Security on the feasibility and safety of using hydrogen-derived fuels, including ammonia, as a shipping fuel; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself, Mr. CORNYN, Mr. CASSIDY, Mr. HEINRICH, and Mr. LUJÁN):

S. 3112. A bill to amend the Energy Policy Act of 2005 to establish a Hydrogen Technologies for Heavy Industry Grant Program, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3113. A bill to authorize the Attorney General to make grants to State and Tribal courts in order to allow the electronic service of certain court orders, and for other purposes; to the Committee on the Judiciary.

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

S. 3114. A bill to expand and improve the Legal Assistance for Victims Grant Program to ensure legal assistance is provided for survivors in proceedings related to domestic violence and sexual assault, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself, Mrs. SHAHEEN, Mrs. CAPITO, and Ms. MURKOWSKI):

S. 3115. A bill to remove the 4-year sunset from the Pro bono Work to Empower and Represent Act of 2018; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself and Mrs. GILLIBRAND):

S. 3116. A bill to amend title 36, United States Code, to designate October 1 as Choose Respect Day, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. WARREN, and Mr. BOOKER):

S. 3117. A bill to require the Financial Crimes Enforcement Network to issue an advisory about how homegrown violent extremists and other perpetrators of domestic terrorism procure firearms and firearm accessories, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself, Mr. COONS, Mr. CASSIDY, Mrs. CAPITO, Mr. HEINRICH, and Mr. LUJÁN):

S. 3118. A bill to require the Secretary of Energy to establish a hydrogen infrastructure finance and innovation pilot program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. YOUNG, and Mr. MARSHALL):

S. 3119. A bill to require the President to certify to Congress that a member of the Quadrilateral Security Dialogue is not participating in quadrilateral cooperation between Australia, India, Japan, and the United States on security matters that are critical to United States strategic interests before imposing sanctions under section 231 of the Countering America's Adversaries Through Sanctions Act with respect to a transaction of that member; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 3120. A bill to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to provide assistance to small and medium manufacturers in implementing smart manufacturing programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 3121. A bill to require the Secretary of Energy to establish a council to conduct a survey and analysis of the employment figures and demographics in the energy, energy efficiency, and motor vehicle sectors of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARPER (for himself and Mrs. CAPITO):

S. 3122. A bill to provide an extension of Federal-aid highway, highway safety, and transit programs, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SCOTT of Florida (for himself, Mr. BURR, Mrs. HYDE-SMITH, Mr. MCCONNELL, Mr. MARSHALL, Ms. LUMMIS, Mr. RUBIO, Mr. JOHNSON, Mr. BOOZMAN, Mr. KENNEDY, Mr. BRAUN, Mr. RISCH, Mr. CRAPO, Mr. TILLIS, Mr. GRAHAM, Mr. INHOFE, Mr. TUBERVILLE, Mr. HOEVEN, Mr. MORAN, Mrs. BLACKBURN, Mrs. FISCHER, Mr. CRAMER, Mr. LEE, Mr. COTTON, Mr. GRASSLEY, Ms. ERNST, Mr. SCOTT of South Carolina, Mr. BARRASSO, Mr. WICKER, Mr. LANKFORD, and Mr. CORNYN):

S. Res. 431. A resolution supporting the right of parents to be the leading voice in the education of their children; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, and Ms. WARREN):

S. Res. 432. A resolution recognizing the month of October 2021 as Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on the Judiciary.

By Ms. WARREN (for herself, Mr. COTTON, Mr. JOHNSON, Ms. ROSEN, and Mr. PETERS):

S. Res. 433. A resolution expressing support for the designation of October 28, 2021, as ''Honoring the Nation's First Responders Day''; to the Committee on the Judiciary.

By Mrs. MURRAY:

S. Res. 434. A resolution designating October 30, 2021, as a national day of remembrance for the workers of the nuclear weapons program of the United States; to the Committee on the Judiciary.

By Mr. DAINES (for himself, Mr. LANKFORD, Mr. BOOZMAN, Mrs. BLACKBURN, Mr. HAWLEY, Mr. MARSHALL, Mr. RUBIO, Mr. MORAN, Mr. BRAUN, Mr. HAGERTY, Mr. SCOTT of Florida, Mr. WICKER, Ms. LUMMIS, Mr. LEE, Mr. PORTMAN, and Mr. INHOFE):

S. Con. Res. 17. A concurrent resolution celebrating the first anniversary of the coalition of signatory countries to the Geneva

Consensus Declaration on Promoting Women's Health and Strengthening the Family; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 221

At the request of Mr. MORAN, the names of the Senator from California (Mr. PADILLA) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 221, a bill to direct the Secretary of Defense to carry out a grant program to increase cooperation on post-traumatic stress disorder research between the United States and Israel.

S. 350

At the request of Ms. HASSAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 350, a bill to amend the Public Health Service Act to reauthorize certain programs under part A of title XI of such Act relating to genetic diseases, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 876

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 876, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 998

At the request of Mr. COONS, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 998, a bill to provide grants to States that do not suspend, revoke, or refuse to renew a driver's license of a person or refuse to renew a registration of a motor vehicle for failure to pay a civil or criminal fine or fee, and for other purposes.

S. 1183

At the request of Mr. SCHATZ, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 1183, a bill to allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by a State or Indian Tribe, and for other purposes.

S. 1210

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1210, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 1488

At the request of Ms. DUCKWORTH, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1488, a bill to amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Armed Forces.

S. 1813

At the request of Mr. COONS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1847

At the request of Mr. KAINE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1847, a bill to amend the Higher Education Act of 1965 to establish a community college and career training grant program.

S. 1972

At the request of Mr. KELLY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 1972, a bill to amend title 10, United States Code, to improve dependent coverage under the TRICARE Young Adult Program, and for other purposes.

S. 2036

At the request of Mr. TESTER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Montana (Mr. DAINES), the Senator from New Jersey (Mr. BOOKER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2036, a bill to amend the Packers and Stockyards Act, 1921, to establish the Office of the Special Investigator for Competition Matters, and for other purposes.

S. 2088

At the request of Mr. KELLY, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 2088, a bill to amend title 10, United States Code, to improve the process by which a member of the Armed Forces may be referred for a mental health evaluation.

S. 2114

At the request of Mr. KELLY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2114, a bill to expand the definition of qualified persons for purposes of the Public Readiness and Emergency Preparedness Act to include health professional students.

S. 2230

At the request of Mr. LUJÁN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2230, a bill to amend the Internal Revenue Code of 1986 to enhance the carbon oxide sequestration credit.

S. 2256

At the request of Mr. DAINES, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2256, a bill to amend the Internal Revenue Code of 1986 to limit the charitable deduction for certain qualified conservation contributions.

S. 2305

At the request of Mr. OSSOFF, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2305, a bill to enhance cybersecurity education.

S. 2429

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2429, a bill to amend chapter 38 of title 31, United States Code, relating to civil remedies, and for other purposes.

S. 2511

At the request of Ms. STABENOW, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2511, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for the conversion of office buildings into other uses.

S. 2612

At the request of Mr. LUJÁN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2612, 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. 2702

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

S. 2756

At the request of Mr. DAINES, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 2756, a bill to posthumously award a Congressional Gold Medal, in commemoration of the service members who perished as a result of the attack in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

S. 2889

At the request of Mr. CORNYN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Arizona (Mr. KELLY), the Senator from Vermont (Mr. LEAHY), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 2889, a bill to amend the Consolidated Appropriations Act, 2021 to address the timing for the use of funds with respect to grants made to shuttered venue operators.

S. 2945

At the request of Ms. ERNST, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2945, a bill to include sexual assault and aggravated sexual violence in the definition of aggravated felonies under the Immigration and Nationality Act in order to expedite the removal of aliens convicted of such crimes.

S. 3039

At the request of Mr. YOUNG, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3039, a bill to amend title XI of the Social Security Act to establish an interagency council on social determinants of health, and for other purposes.

S. 3051

At the request of Mr. HEINRICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3051, a bill to assist Tribal governments in the management of buffalo and buffalo habitat and the reestablishment of buffalo on Indian land.

S. 3063

At the request of Mr. HAGERTY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3063, a bill to prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes.

AMENDMENT NO. 3881

At the request of Mr. PORTMAN, the names of the Senator from Arizona (Ms. SINEMA), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 3881 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 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. 3887

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 3887 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 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. 3909

At the request of Mr. WARNOCK, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 3909 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 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. SCOTT of South Carolina (for himself and Mr. RUBIO):

S. 3101. A bill to amend title II of the Social Security Act to repeal the retirement earnings test, and for other purposes; to the Committee on Finance.

Mr. SCOTT of Florida. Mr. President, older American workers are a vital source of economic strength. Before the pandemic, there were more seniors in the workforce than there were 20 years ago, and men and women age 55 and older lifted the overall labor force participation rate by a substantial margin. During the pandemic, more than 3 million seniors retired early, and millions more are considering early retirement. These losses harm seniors' retirement security by reducing their income and benefits.

That is why today, with my good friend Senator RUBIO, I am introducing the Senior Citizens' Freedom to Work Act, which would repeal the Social Security retirement earnings test. The earnings test is a confusing work disincentive. It says that you lose half your Social Security benefits if you earn more than $18,960. Then it gives your benefits back at full retirement age. The problem is that many seniors know their benefits will be cut if they make too much money, but not that they will be replaced later. They treat the earnings test like a 50-percent tax and work less to avoid it.

When I have spoken to small business owners in South Carolina they have made clear to me that the earnings test is in fact a disincentive for many older workers, and it harms their businesses. Older Americans want to earn just enough that they fall right under the threshold so their benefits don't get cut, which makes it harder for small businesses to hire them even on a part-time basis. It is not surprising that research shows the earnings test reduces labor force participation by more than 3 percent.

The earnings test also deepens inequality. It punishes lower-income seniors who need Social Security benefits and earned income to get by. And if you need Social Security benefits and earned income to meet caregiving responsibilities or pressing financial obligations or because you have a lower life expectancy, the earnings test says no, you have to wait until you reach full retirement age, whether that is 65 or 67.

Many seniors just can't wait that long, and the economy can't either. The Senior Citizens' Freedom to Work Act will give these older Americans the freedom and flexibility they need, promote work, and help employers and workers find arrangements that work best for them.

Thank you.

By Mr. DURBIN (for himself, Mrs. BLACKBURN, Mrs. FEINSTEIN, Mr. CORNYN, and Mr. LEAHY):

S. 3103. A bill to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title; to the Committee on the Judiciary.

Mr. DURBIN. Mr. 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. 3103

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 ''Eliminating Limits to Justice for Child Sex Abuse Victims Act of 2021''.

SEC. 2. ELIMINATION OF THE STATUTE OF LIMITATIONS.

Section 2255 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) STATUTE OF LIMITATIONS.—There shall be no time limit for the filing of any action commenced under this section.''.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

This Act and the amendments made by this Act shall—

(1) take effect on date of enactment of this Act; and

(2) apply to—

(A) any claim or action that, as of the date described in paragraph (1), would not have been barred under section 2255(b) of title 18, United States Code, as it read the day before the date of enactment of this Act; and

(B) any claim or action arising after the date of enactment of this Act.

By Mr. CARPER:

S. 3104. A bill to amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. CARPER. Mr. President, today I am introducing legislation to allow the District of Columbia to receive funding and other benefits under the Coastal Zone Management Act. I am pleased to offer this companion legislation to a bill introduced by the Congresswoman from the District of Columbia, ELEANOR HOLMES NORTON.

Few of us realize that 70 percent of the District is located within the coastal plain. Similar to my State of Delaware, sea level rise, upstream sources of water, and degraded infrastructure mean that the District could experience serious future cleanup and repair costs due to flooding, including damage to Federal property, which makes up almost 30 percent of the District. Since 1950, the National Oceanic and Atmospheric Administration, NOAA, reports there has been a 343-percent increase in nuisance flooding in

the District. Since 2006, D.C. has experienced two 100-year flooding events. Scientists predict that tides on the Atlantic coast could rise 2 to 4 feet by the year 2100, causing as much as $7 billion worth of property damage in the District, which would regularly be under threat by floodwaters. This fact was highlighted by a study released by the nonprofit Climate Central last week. Needless to say, these events will become more and more common due to climate change and sea level rise.

The District of Columbia would use funding from the Coastal Zone Management Program for flood risk planning and environmental restoration to prevent and mitigate future flood damage. At the same time, this work would help to restore and conserve the District's coastal resources such as habitat, fisheries, and endangered species.

If included in the Coastal Zone Management Program, the District of Columbia would be eligible for $1 million or more of Federal funding annually to assist in coastal flood-control projects, to combat non-point source water pollution, and to develop special area management plans in areas experiencing environmental justice and/or flooding issues.

The National Coastal Zone Management Program, housed in NOAA, was established through the passage of the Federal Coastal Zone Management Act of 1972. At the time, Congress recognized the need to manage the effects of increased growth in the Nation's coastal zone, which includes jurisdictions bordering the oceans and the Great Lakes.

There are currently 34 jurisdictional coastal zone management programs, including both States and territories. In order for the District of Columbia to participate in the program, Congress must pass this amendment to the Coastal Zone Management Act that would include the District under the definition of a ''coastal State.''

I ask unanimous consent that the text of the bill I am introducing today be printed in the RECORD following my statement.

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

S. 3104

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 ''Flood Prevention Act of 2021''.

SEC. 2. ELIGIBILITY OF DISTRICT OF COLUMBIA FOR FEDERAL FUNDING UNDER THE COASTAL ZONE MANAGEMENT ACT OF 1972.

Section 304(4) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(4)) is amended by inserting ''the District of Columbia,'' after ''the term also includes''.

By Ms. HIRONO (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 3108. A bill to provide counsel for unaccompanied children, and for other purposes; to the Committee on the Judiciary.

Ms. HIRONO, Mr. President, I rise today to introduce the Fair Day in Court for Kids Act of 2021. This important legislation would provide all unaccompanied children with legal representation as they go through immigration proceedings. This will protect the legal rights of vulnerable children running from violence, abuse, and gangs, but it will also make our immigration system more efficient.

Five years ago, I traveled to Baltimore, MD, to observe immigration court hearings on the children's docket. I watched children, who had suffered violence and trauma in their home countries, trying to navigate our complex legal system without any support. Leaving young people, children as young as 3, to combat an adversarial government lawyer and explain why they qualify for a legal immigration status is unacceptable and unconscionable.

I have also had the opportunity to speak to children who were able to secure an immigration status with legal support. These children are grateful to have escaped the dangers that drove them to leave home. They also express with certainty that they would not have been able to succeed in their cases if they did not have lawyers representing them.

In immigration court, people seeking relief through our immigration system do not have a right to counsel and often cannot afford counsel who understand our Byzantine immigration system and can explain the lifelong ramifications that result from certain decisions. This unfairness is most acute when it comes to unaccompanied children who are trying to escape brutal violence and crushing poverty. Most do not speak English, nor do they have any understanding of our legal system. Yet we expect them to argue their case before immigration court and against trained and skilled ICE attorneys.

The Fair Day in Court for Kids Act would remedy this injustice by providing all unaccompanied children with legal counsel. Attorneys would review the case, advise the child of their legal options, and remain with them throughout their immigration proceedings. Legal counsel would ensure these children have the legal rights and opportunities they are afforded, helping our immigration system protect the people it was meant to support.

In addition to protecting the rights of unaccompanied children, legal counsel will ensure their cases move quicker and more smoothly. Cases with unrepresented children are subject to delays and a slower pace as the judge must repeatedly help the child understand what is going on and help them respond. Children with legal counsel also have a 98 percent appearance rate in court. These efficiencies can only help our overwhelmed immigration court system, which currently has a 1.4 million case backlog.

I call on my Senate colleagues to help protect unaccompanied children and quickly pass this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 431—SUPPORTING THE RIGHT OF PARENTS TO BE THE LEADING VOICE IN THE EDUCATION OF THEIR CHILDREN

Mr. SCOTT of Florida (for himself, Mr. BURR, Mrs. HYDE-SMITH, Mr. MCCONNELL, Mr. MARSHALL, Ms. LUMMIS, Mr. RUBIO, Mr. JOHNSON, Mr. BOOZMAN, Mr. KENNEDY, Mr. BRAUN, Mr. RISCH, Mr. CRAPO, Mr. TILLIS, Mr. GRAHAM, Mr. INHOFE, Mr. TUBERVILLE, Mr. HOEVEN, Mr. MORAN, Mrs. BLACKBURN, Mrs. FISCHER, Mr. CRAMER, Mr. LEE, Mr. COTTON, Mr. GRASSLEY, Ms. ERNST, Mr. SCOTT of South Carolina, Mr. BARRASSO, Mr. WICKER, Mr. LANKFORD, and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 431

Whereas parents are the first teachers of their children and have the inherent and fundamental right to make decisions regarding the upbringing, education, and care of their children;

Whereas parental involvement in the educational system contributes to a collaborative environment with school administrators and teachers, which enhances the educational outcomes of all students;

Whereas school board officials, school administrators, and teachers are public servants, and parents are entitled to demand accountability from such public servants for policies and actions that affect their children;

Whereas the public meetings of the school board in Loudoun County, Virginia, have become emblematic of the increased engagement by concerned parents across the United States with respect to school policies and educational curricula impacting their children;

Whereas labor organizations representing teachers and school boards have begun advocating that administrators and teachers should not listen to parents who express concerns regarding such policies and curricula;

Whereas school administrators and school board officials have alarmingly implemented policies designed—

(1) to restrict parental involvement at public meetings;

(2) to prohibit parental visitation with children during school hours; and

(3) to limit parental input on policies and race-based curricula taught in the classroom;

Whereas, in a September 2021 letter to President Joseph R. Biden, Jr., the National School Boards Association—

(1) compared grassroots demonstrations and protests by concerned parents against

harmful school policies and educational curricula affecting their children to ''domestic terrorism and hate crimes'' against school boards, administrators, and teachers; and

(2) requested that the President use Federal law enforcement resources and legal authorities designed to address domestic terrorism, such as the authorities provided by the USA PATRIOT Act (Public Law 107–56; 115 Stat. 272), to investigate and prosecute parents who protest against such policies and curricula;

Whereas, in response to such letter, United States Attorney General Merrick Garland issued a memorandum, dated October 4, 2021, directing Federal law enforcement resources to be used to discourage, investigate, and prosecute parents engaged in such demonstrations and protests; and

Whereas parents should be at the forefront of the decisions affecting the education and well-being of their children, and school boards, school administrators, and teachers should work collaboratively with parents to improve educational outcomes rather than treat parents as intruders in the education of their children: Now, therefore, be it

Resolved, That the Senate—

(1) supports the right of parents to be the leading voice in the education of their children;

(2) condemns threats and acts of violence against school board officials, school administrators, and teachers;

(3) denounces attempts by school board officials, school administrators, and teachers to restrict parental involvement in the development and implementation of school policies and educational curricula affecting their children;

(4) rejects the threatened or actual use of Federal or State law enforcement resources to intimidate parents and silence parental involvement in decisions affecting the education of their children;

(5) encourages schools and parents to enter into constructive and open dialogue regarding school policies, curricula, and instructional materials to improve the educational outcomes of all students; and

(6) demands Attorney General Merrick Garland rescind the memorandum issued on October 4, 2021, that inappropriately directs Federal law enforcement resources to be used against parents advocating on behalf of their children against harmful school policies, curricula, and instructional materials.

SENATE RESOLUTION 432—RECOGNIZING THE MONTH OF OCTOBER 2021 AS FILIPINO AMERICAN HISTORY MONTH AND CELEBRATING THE HISTORY AND CULTURE OF FILIPINO AMERICANS AND THEIR IMMENSE CONTRIBUTIONS TO THE UNITED STATES

Ms. HIRONO (for herself, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 432

Whereas the earliest documented Filipino presence in the continental United States was October 18, 1587, when the first ''Luzones Indios'' arrived in Morro Bay, California, on board the Nuestra Señora de Esperanza, a Manila-built galleon ship;

Whereas the Filipino American National Historical Society recognizes 1763 as the year in which the first permanent Filipino settlement in the United States was established in St. Malo, Louisiana;

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States;

Whereas the Filipino American community is the third largest Asian American and Pacific Islander group in the United States, with a population of approximately 4,100,000;

Whereas, from the Civil War to the Iraq and Afghanistan conflicts, Filipinos and Filipino Americans have a longstanding history of serving in the Armed Forces of the United States;

Whereas more than 250,000 Filipinos fought under the United States flag during World War II to protect and defend the United States in the Pacific theater;

Whereas a guarantee to pay back the service of Filipinos through veterans benefits was reversed by the First Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 79–301; 60 Stat. 6) and the Second Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 79–391; 60 Stat. 221), which provided that the wartime service of members of the Commonwealth Army of the Philippines and the new Philippine Scouts shall not be deemed to have been active service, and, therefore, those members did not qualify for certain benefits;

Whereas 26,000 Filipino World War II veterans were granted United States citizenship as a result of the Immigration Act of 1990 (Public Law 101–649; 104 Stat. 4978), which was signed into law by President George H.W. Bush on November 29, 1990;

Whereas, on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), which established the Filipino Veterans Equity Compensation Fund to compensate Filipino World War II veterans for their service to the United States;

Whereas, since June 8, 2016, the Filipino World War II Veterans Parole Program has allowed Filipino World War II veterans and certain family members to be reunited more expeditiously than the immigrant visa process allowed at that time;

Whereas, on December 14, 2016, President Barack Obama signed into law the Filipino Veterans of World War II Congressional Gold Medal Act of 2015 (Public Law 114–265; 130 Stat. 1376) to award Filipino veterans who fought alongside troops of the United States in World War II the highest civilian honor bestowed by Congress;

Whereas, on October 25, 2017, the Congressional Gold Medal was presented to Filipino World War II veterans in Emancipation Hall in the Capitol Building, a recognition for which the veterans had waited for more than 70 years;

Whereas Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces, and continue to demonstrate a commendable sense of patriotism and honor in the Armed Forces;

Whereas the late Peter Aquino Aduja of Hawaii and the late Thelma Garcia Buchholdt of Alaska became the first Filipino American elected to public office and the first Filipina American elected to a legislature in the United States, respectively, inspiring their fellow Filipino Americans to pursue public service in politics and government;

Whereas Filipino American farmworkers and labor leaders, such as Philip Vera Cruz and Larry Itliong, played an integral role in the multiethnic United Farm Workers movement, alongside Cesar Chávez, Dolores Huerta, and other Latino workers;

Whereas, on April 25, 2012, President Barack Obama nominated Lorna G. Schofield to be a United States District Judge for the United States District Court for the Southern District of New York, and she was confirmed by the Senate on December 13, 2012, to be the first Filipina American in United States history to serve as an Article III Federal judge;

Whereas Filipino Americans play an integral role on the frontlines of the COVID–19 pandemic in the healthcare system of the United States as nurses, doctors, first responders, and other medical professionals;

Whereas Filipino Americans contribute greatly to music, dance, literature, education, business, journalism, sports, fashion, politics, government, science, technology, the fine arts, and other fields that enrich the United States;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the study of Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of the history of the United States;

Whereas it is imperative for Filipino American youth to have positive role models to instill—

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Filipino American History Month in October 2021 as—

(A) a testament to the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so as to provide an opportunity for all people of the United States to learn more about Filipino Americans and to appreciate the historic contributions of Filipino Americans to the United States; and

(2) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

Ms. HIRONO. Mr. President, I rise today in recognition of Filipino American History Month. Throughout the month of October, people across the United States come together to pay tribute to the rich culture, history, and heritage of Filipino Americans.

Since the first permanent Filipino settlement in the United States was established more than 250 years ago, Filipino Americans have played a notable role in the development of our country. As the third largest Asian American and Pacific Islander group in the United States, Filipino Americans add to the fabric of our society through contributions in healthcare, the arts,

business, journalism, and in government and military service.

Filipinos and Filipino Americans have a longstanding history of serving in the U.S. Armed Forces. In 1915, Fireman Second Class Telesforo Trinidad was awarded the Medal of Honor for his extraordinary heroism in rescuing two shipmates after a boiler explosion on board the USS *San Diego*. He survived and continued serving during WWI and WWII until his retirement in 1945. Today, Telesforo Trinidad holds the distinction of being the first Filipino American and the first and only Asian American in the U.S. Navy to receive a Medal of Honor.

Filipino Americans have also contributed as leaders in important workers' rights and civil rights movements. In 1965, Larry Itliong, Peter Velasco, and Philip Vera Cruz led Filipino American farm workers to strike, demanding better pay, benefits, and working conditions. The Delano Grape Strike was one of the most pivotal civil rights and labor movements in American history.

Earlier this month, Maria Ressa, a Filipino-American journalist and author, became the first person born in the Philippines to win a Nobel Peace Prize. Maria, a ''fearless defender of freedom of expression,'' was awarded the Nobel Peace Prize for working to expose the abuses of power and growing authoritarianism in her native country. She also founded Rappler, a digital media company for investigative journalism that has documented how social media is spreading fake news and manipulating public views.

While Filipino American History Month is a time of celebration and commemoration, we must also recognize the disparate impact that the COVID–19 pandemic has had on communities of color, including the Filipino-American community. Approximately one in four Filipino-American adults serve as frontline healthcare workers. High representation in essential work and other socioeconomic factors like living in multigenerational homes, poverty, limited English proficiency, preexisting health conditions, and a lack of health insurance, put these communities at higher risk for COVID–19 transmission. As a result, Filipino-Americans comprise an estimated 32 percent of COVID–19 deaths among nurses despite representing only 4 percent of registered nurses nationwide. In spite of the emotional and physical toll of the pandemic on these frontline workers and their families, the Filipino-American community has continued to show its strength and resilience.

During Filipino American History Month, we reflect on the great sacrifices and contributions of generations of Filipino Americans who have helped to shape our Nation. This resolution reminds us that as the United States forges ahead, it is crucial to ensure that future generations can learn from and appreciate the legacies of Filipino Americans, as well as other immigrants and people of color.

SENATE RESOLUTION 433—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 28, 2021, AS ''HONORING THE NATION'S FIRST RESPONDERS DAY''

Ms. WARREN (for herself, Mr. COTTON, Mr. JOHNSON, Ms. ROSEN, and Mr. PETERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 433

Whereas first responders include professional and volunteer fire, police, emergency medical technician, and paramedic workers in the United States;

Whereas, according to a 2017 compilation of data on the Emergency Services Sector in the United States by the Department of Homeland Security, ''The first responder community comprises an estimated 4.6 million career and volunteer professionals within five primary disciplines: Law Enforcement, Fire and Rescue Services, Emergency Medical Services, Emergency Management, and Public Works.'';

Whereas first responders deserve to be recognized for their commitment to safety, defense, and honor; and

Whereas October 28, 2021, would be an appropriate day to establish as ''Honoring the Nation's First Responders Day'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 28, 2021, as ''Honoring the Nation's First Responders Day'';

(2) honors and recognizes the contributions of first responders; and

(3) encourages the people of the United States to observe Honoring the Nation's First Responders Day with appropriate ceremonies and activities that promote awareness of the contributions of first responders in the United States.

SENATE RESOLUTION 434—DESIGNATING OCTOBER 30, 2021, AS A NATIONAL DAY OF REMEMBRANCE FOR THE WORKERS OF THE NUCLEAR WEAPONS PROGRAM OF THE UNITED STATES

Mrs. MURRAY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 434

Whereas, since World War II, hundreds of thousands of patriotic men and women, including uranium miners, millers, and haulers and onsite participants at atmospheric nuclear weapons tests, have served the United States by building nuclear weapons for the defense of the United States;

Whereas dedicated workers paid a high price for advancing a nuclear weapons program at the service and for the benefit of the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contributions, services, and sacrifices that those patriotic men and women made for the defense of the United States in—

(1) Senate Resolution 151, 111th Congress, agreed to May 20, 2009;

(2) Senate Resolution 653, 111th Congress, agreed to September 28, 2010;

(3) Senate Resolution 275, 112th Congress, agreed to September 26, 2011;

(4) Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

(5) Senate Resolution 164, 113th Congress, agreed to September 18, 2013;

(6) Senate Resolution 417, 113th Congress, agreed to July 9, 2014;

(7) Senate Resolution 213, 114th Congress, agreed to September 25, 2015;

(8) Senate Resolution 560, 114th Congress, agreed to November 16, 2016;

(9) Senate Resolution 314, 115th Congress, agreed to October 30, 2017;

(10) Senate Resolution 682, 115th Congress, agreed to October 11, 2018;

(11) Senate Resolution 377, 116th Congress, agreed to October 30, 2019; and

(12) Senate Resolution 741, 116th Congress, agreed to September 30, 2020; and

Whereas those patriotic men and women deserve to be recognized for the contributions, services, and sacrifices they made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2021, as a national day of remembrance for the workers of the nuclear weapons program of the United States, including the uranium miners, millers, and haulers and onsite participants at atmospheric nuclear weapons tests; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2021, as a national day of remembrance for past and present workers of the nuclear weapons program of the United States.

SENATE CONCURRENT RESOLUTION 17—CELEBRATING THE FIRST ANNIVERSARY OF THE COALITION OF SIGNATORY COUNTRIES TO THE GENEVA CONSENSUS DECLARATION ON PROMOTING WOMEN'S HEALTH AND STRENGTHENING THE FAMILY

Mr. DAINES (for himself, Mr. LANKFORD, Mr. BOOZMAN, Mrs. BLACKBURN, Mr. HAWLEY, Mr. MARSHALL, Mr. RUBIO, Mr. MORAN, Mr. BRAUN, Mr. HAGERTY, Mr. SCOTT of Florida, Mr. WICKER, Ms. LUMMIS, Mr. LEE, Mr. PORTMAN, and Mr. INHOFE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 17

Whereas the United States strongly supports women reaching the highest attainable outcomes for health, life, dignity, and well-being throughout their lives;

Whereas the historic coalition that issued the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family (in this preamble referred to as the ''Geneva Consensus Declaration'') was formed by a diverse group of countries committed to charting a more positive path to advance the health of women, protect the family as foundational to any healthy society, affirm the value of life in all stages of development, and uphold the sovereign right of countries to make their own laws to advance those core values, without external pressure;

Whereas the Geneva Consensus Declaration was signed on October 22, 2020, by 32 countries from every region of the world, representing more than 1,600,000,000 people, which committed to working together on the core pillars enshrined in the Declaration, and 5 countries have subsequently signed;

Whereas, although President Joseph R. Biden removed the United States as a signatory to the Geneva Consensus Declaration, at least temporarily, 36 countries remain signatories, and longstanding Federal laws that prohibit the United States from conducting or funding abortions, abortion lobbying, or coercive family planning in foreign countries remain in effect;

Whereas the Geneva Consensus Declaration reaffirms that ''all are equal before the law'' and ''human rights of women are an inalienable, integral, and indivisible part of all human rights and fundamental freedoms'';

Whereas the Geneva Consensus Declaration reaffirms the inherent ''dignity and worth of the human person'' and that ''every human being has the inherent right to life'';

Whereas the Geneva Consensus Declaration reaffirms that ''there is no international right to abortion, nor any international obligation on the part of States to finance or facilitate abortion'';

Whereas the Geneva Consensus Declaration reaffirms that ''the family is the natural and fundamental group unit of society and is entitled to protection by society and the State''; and

Whereas the Geneva Consensus Declaration coalition strengthens the collective voice of the signatory countries to prevent any country from being intimidated, isolated, or muted on the core values expressed in the Declaration: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) celebrates the first anniversary of the coalition of signatory countries to the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family (in this resolution referred to as the ''Geneva Consensus Declaration'');

(2) affirms the commitments to protect life and the family made in the Geneva Consensus Declaration and applauds the signatory countries for their dedication to advancing women's health, protecting life at every stage while affirming that there is no international right to abortion, and upholding the importance of the family as foundational to society;

(3) declares that the principles affirming life and the family recognized by the Geneva Consensus Declaration remain universally valid;

(4) welcomes opportunities to strengthen support for the Geneva Consensus Declaration;

(5) will defend the sovereignty of every country to adopt national policies that promote women's health, protect the right to life, and strengthen the family, as enshrined in the Geneva Consensus Declaration;

(6) will conduct oversight of the United States executive branch to ensure that the United States does not conduct or fund abortions, abortion lobbying, or coercive family planning in foreign countries, consistent with longstanding Federal law; and

(7) urges the signatory countries to the Geneva Consensus Declaration to defend the universal principles affirming life and the family expressed in the Declaration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3941. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 3942. Mr. GRAHAM (for himself, Mr. TUBERVILLE, Mr. LEAHY, Mr. SCOTT of South Carolina, Ms. BALDWIN, Mr. WYDEN, Mr. YOUNG, Mr. THUNE, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3943. Mr. HEINRICH (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3944. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3945. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3946. Mr. CARDIN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3947. Mr. SCOTT of South Carolina (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3948. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3949. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3950. Mr. WICKER (for himself, Mr. WARNOCK, Ms. DUCKWORTH, Mr. TOOMEY, Mrs. CAPITO, Mr. SCOTT of South Carolina, Mr. CASEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3951. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3952. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3953. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3954. Mrs. BLACKBURN (for herself and Mr. LUJÁN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3955. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3956. Mr. BENNET (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3957. Mr. CARPER (for himself, Mr. MERKLEY, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3958. Mr. PORTMAN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3959. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3960. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3961. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3962. Mr. ROMNEY (for himself, Mr. KAINE, Mr. YOUNG, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3963. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3964. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3965. Ms. HIRONO (for herself and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3966. Ms. HIRONO (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3967. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3968. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3969. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3970. Ms. HIRONO (for herself, Mr. MENENDEZ, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R.

4350, supra; which was ordered to lie on the table.

SA 3971. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3972. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3973. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3974. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3975. Mrs. GILLIBRAND (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3976. Ms. DUCKWORTH (for herself, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3977. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3978. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3979. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3980. Mr. CARDIN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3981. Mr. CARDIN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3982. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3983. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3984. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3985. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3986. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3987. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3988. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3989. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3990. Ms. ERNST (for herself, Mr. KELLY, Mr. DAINES, Mr. HICKENLOOPER, Mr. CRAMER, Mr. OSSOFF, Ms. COLLINS, Mr. BENNET, Mr. GRASSLEY, Mr. KING, Mr. TILLIS, Mrs. GILLIBRAND, Mr. RISCH, Mr. BLUNT, Mr. SULLIVAN, Mr. MENENDEZ, Mr. CRAPO, Mr. VAN HOLLEN, Mr. MARSHALL, Mr. WYDEN, Mr. PADILLA, Mrs. SHAHEEN, Ms. ROSEN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. GRAHAM, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. HOEVEN, Mr. BROWN, Ms. HASSAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3991. Ms. ERNST (for herself, Mr. COTTON, Mr. GRASSLEY, Mr. MARSHALL, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3992. Ms. ERNST (for herself, Mrs. FEINSTEIN, Mr. COTTON, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3993. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3994. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3995. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3996. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3997. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3998. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3999. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4000. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4001. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4002. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4003. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4004. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4005. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4006. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4007. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4008. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4009. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4010. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4011. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4012. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4013. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4014. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4015. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4016. Mr. KELLY (for himself, Mrs. FEINSTEIN, Mr. WYDEN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4017. Mr. KELLY (for himself, Mr. CRAMER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KAINE, Mr. BROWN, Mr. LUJÁN, Mr. BLUMENTHAL, and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4018. Mr. KELLY (for himself, Ms. MURKOWSKI, Mr. TESTER, Mr. PORTMAN, Ms. WARREN, Ms. ROSEN, Ms. BALDWIN, Mr. BLUNT, Mr. BLUMENTHAL, and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4019. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4020. Mrs. GILLIBRAND (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4021. Ms. ERNST (for herself, Ms. HASSAN, Mr. GRASSLEY, Mr. CRAMER, Mrs. FEINSTEIN, Mr. BURR, Mr. TILLIS, Mr. RISCH, Mrs. GILLIBRAND, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4022. Mrs. SHAHEEN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4023. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4024. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4025. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4026. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4027. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4028. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4029. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4030. Ms. ROSEN (for herself, Ms. CORTEZ MASTO, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4031. Ms. ROSEN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4032. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4033. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4034. Ms. BALDWIN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4035. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4036. Ms. BALDWIN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4037. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4038. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4039. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4040. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4041. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4042. Ms. ROSEN (for herself, Mr. SASSE, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4043. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4044. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4045. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4046. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4047. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4048. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4049. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4050. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4051. Mr. CRUZ (for himself and Mr. MARSHALL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4052. Mr. CRUZ (for himself, Mr. MARSHALL, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4053. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4054. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4055. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4056. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4057. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4058. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4059. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4060. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4061. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4062. Mr. OSSOFF (for himself, Mr. TILLIS, Mr. SCOTT of South Carolina, Mr. KING, Ms. CORTEZ MASTO, Mr. KELLY, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4063. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4064. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4065. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4066. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4067. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3941. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVII, add the following:

SEC. 2703. PROHIBITION ON CLOSING OR REALIGNMENT OF MARINE CORPS RECRUIT DEPOT LOCATED AT PARRIS ISLAND, SOUTH CAROLINA.

(a) FINDINGS.—Congress finds the following:

(1) The Marine Corps Recruit Depot located at Parris Island, South Carolina (in this subsection referred to as ''Parris Island''), has served the United States as a home to the Marine Corps since 1891.

(2) Parris Island was the first facility to integrate women in boot camp training for the Marine Corps in the United States.

(3) Female recruits have trained at Parris Island since 1949.

(4) The first integrated company of male and female recruits graduated from Parris Island in 2019.

(5) Parris Island has cultivated a legacy of excellence and faithful service to the United States.

(6) Parris Island is and shall remain the physical home of the Eastern Recruiting Region for the Marine Corps.

(b) PROHIBITION.—No Federal funds may be used to close or realign Marine Corps Recruit Depot, Parris Island, South Carolina, or to conduct any planning or other activity related to such closure or realignment.

SA 3942. Mr. GRAHAM (for himself, Mr. TUBERVILLE, Mr. LEAHY, Mr. SCOTT of South Carolina, Ms. BALDWIN, Mr. WYDEN, Mr. YOUNG, Mr. THUNE, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 145.

SA 3943. Mr. HEINRICH (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

SEC. 906. CHIEF DIGITAL RECRUITING OFFICER.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall designate a chief digital recruiting officer within the office of the Under Secretary of Defense for Personnel and Readiness to carry out the responsibilities set forth in subsection (b).

(b) RESPONSIBILITIES.—The chief digital recruiting officer shall be responsible for—

(1) identifying Department of Defense needs for, and skills gaps in, specific types of civilian digital talent;

(2) recruiting individuals with the skills that meet the needs and skills gaps identified under paragraph (1), in partnership with the military departments and the components of the Department of Defense, including by attending conferences and career fairs and actively recruiting on university campuses and from the private sector;

(3) ensuring Federal scholarship for service programs are incorporated into civilian recruiting strategies;

(4) when appropriate and within authority granted under other Federal law, offering recruitment and referral bonuses; and

(5) partnering with human resource teams in the military departments and the components of the Department of Defense to help train all Department of Defense human resources staff on the available hiring flexibilities to accelerate the hiring of individuals with the skills that fill the needs and skills gaps identified under paragraph (1).

(c) RESOURCES.—The Secretary of Defense shall ensure that the chief digital recruiting officer is provided with personnel and resources sufficient to carry out the duties set forth in subsection (b).

(d) ROLE OF CHIEF HUMAN CAPITAL OFFICER.—

(1) IN GENERAL.—The chief digital recruiting officer shall report directly to the Chief Human Capital Officer of the Department of Defense.

(2) INCORPORATION.—The Chief Human Capital Officer shall ensure that the chief digital recruiting officer is incorporated into the human capital operating plan and recruitment strategy of the Department of Defense. In carrying out this paragraph, the Chief Human Capital Officer shall ensure that the chief digital recruiting officer's responsibilities are deconflicted with any other recruitment initiatives and programs.

(e) DIGITAL TALENT DEFINED.—In this section, the term ''digital talent'' includes positions and capabilities in, or related to—

(1) software development, engineering, and product management;

(2) data science;

(3) artificial intelligence;

(4) distributed ledger technologies;

(5) autonomy;

(6) data management;

(7) product and user experience design; and

(8) cybersecurity.

SA 3944. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 511.

SA 3945. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 1236 and insert the following:

SEC. 1236. SENSE OF SENATE ON CONTINUING SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

It is the sense of the Senate that—

(1) the security of the Baltic region is crucial to the security of the North Atlantic Treaty Organization alliance, and the United States should continue to prioritize support for efforts by the Baltic states of Estonia, Latvia, and Lithuania to build and invest in critical security areas, as such efforts are important to achieving United States national security objectives, including deterring Russian aggression and bolstering the security of North Atlantic Treaty Organization allies;

(2) robust support to accomplish United States strategic objectives, including by providing assistance to the Baltic countries through security cooperation referred to as the Baltic Security Initiative pursuant to sections 332 and 333 of title 10, United States Code, should be prioritized in the years to come;

(3) Estonia, Latvia, and Lithuania play a crucial role in strategic efforts—

(A) to deter the Russian Federation; and

(B) to maintain the collective security of the North Atlantic Treaty Organization alliance;

(4) the United States should continue to pursue efforts consistent with the comprehensive, multilateral assessment of the military requirements of Estonia, Latvia, and Lithuania provided to Congress in December 2020;

(5) the Baltic security cooperation roadmap has proven to be a successful model to enhance intraregional Baltic planning and cooperation, particularly with respect to longer-term regional capability projects, including—

(A) integrated air defense;

(B) maritime domain awareness;

(C) command, control, communications, computers, intelligence, surveillance, and reconnaissance; and

(D) Special Operations Forces development;

(6) Estonia, Latvia, and Lithuania are to be commended for their efforts to pursue joint procurement of select defense capabilities and should explore additional areas for joint collaboration; and

(7) the Department of Defense should—

(A) continue robust, comprehensive investment in Baltic security efforts consistent with the assessment described in paragraph (4);

(B) continue efforts to enhance interoperability among Estonia, Latvia, and Lithuania and in support of North Atlantic Treaty Organization efforts;

(C) encourage infrastructure and other host-country support improvements that will enhance United States and allied military mobility across the region;

(D) invest in efforts to improve resilience to hybrid threats and cyber defenses in Estonia, Latvia, and Lithuania; and

(E) support planning and budgeting efforts of Estonia, Latvia, and Lithuania that are regionally synchronized.

SA 3946. Mr. CARDIN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. REAUTHORIZATION OF SBIR AND STTR PROGRAMS.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended by striking ''September 30, 2022'' and inserting ''September 30, 2023''.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking ''2022'' and inserting ''2023''.

SA 3947. Mr. SCOTT of South Carolina (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. 10___. DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM ON USE OF ALTERNATIVE CREDIT SCORING INFORMATION OR CREDIT SCORING MODELS.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence carrying out a pilot program that will assess the feasibility and advisability of—

(A) using alternative credit scoring information or credit scoring models using alternative credit scoring methodology for an individual described in paragraph (2)—

(i) to improve the determination of creditworthiness of such an individual; and

(ii) to increase the number of such individuals who are able to obtain a loan guaranteed or insured under chapter 37 of title 38, United States Code; and

(B) in consultation with such entities as the Secretary considers appropriate, establishing criteria for acceptable commercially available credit scoring models to be used by lenders for the purpose of guaranteeing or insuring a loan under chapter 37 of title 38, United State Code.

(2) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is a veteran or a member of the Armed Forces who—

(A) is eligible for a loan under chapter 37 of title 38, United States Code; and

(B) has an insufficient credit history for a lender or the Secretary to determine the creditworthiness of the individual.

(3) ALTERNATIVE CREDIT SCORING INFORMATION.—Alternative credit scoring information described in paragraph (1)(A) may include proof of rent, utility, and insurance payment histories, and such other information as the Secretary considers appropriate.

(b) VOLUNTARY PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall ensure that any participation in the pilot program is voluntary on an opt-in basis for a lender, a borrower, and an individual described in subsection (a)(2).

(2) NOTICE OF PARTICIPATION.—Subject to paragraph (3), any lender who participates in the pilot program shall—

(A) notify each individual described in subsection (a)(2) who, during the pilot program, applies for a loan under chapter 37 of title 38, United States Code, from such lender, of the lender's participation in the pilot program; and

(B) offer such individual the opportunity to participate in the pilot program.

(3) LIMITATION.—

(A) IN GENERAL.—The Secretary may establish a limitation on the number of individuals and lenders that may participate in the pilot program.

(B) REPORT.—If the Secretary limits participation in the pilot program under subparagraph (A), the Secretary shall, not later than 15 days after establishing such limitation, submit to Congress a report setting forth the reasons for establishing such limitation.

(c) APPROVAL OF CREDIT SCORING MODELS.—

(1) IN GENERAL.—A lender participating in the pilot program may not use a credit scoring model under subsection (a)(1)(A) until the Secretary has reviewed and approved such credit scoring model for purposes of the pilot program.

(2) PUBLICATION OF CRITERIA.—The Secretary shall publish in the Federal Register any criteria established under subsection (a)(1)(B) for acceptable commercially available credit scoring models that use alternative credit scoring information described in subsection (a)(1)(A) to be used for purposes of the pilot program.

(3) CONSIDERATIONS; APPROVAL OF CERTAIN MODELS.—In selecting credit scoring models to approve under this section, the Secretary shall —

(A) consider the criteria for credit score assessments under section 1254.7 of title 12, Code of Federal Regulations; and

(B) approve any commercially available credit scoring model that has been approved pursuant to section 302(b)(7) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(7)) or section 305(d) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454)(d)).

(d) OUTREACH.—To the extent practicable, the Secretary shall conduct outreach to lenders and individuals described in subsection (a)(2) to inform such persons of the pilot program.

(e) REPORT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the pilot program.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) The findings of the Secretary with respect to the feasibility and advisability of using alternative credit scoring information or credit scoring models using alternative credit scoring methodology for individuals described in subsection (a)(2).

(B) A description of the efforts of the Secretary to assess the feasibility and advisability of using alternative credit scoring information or credit scoring models as described in subparagraph (A).

(C) To the extent practicable, the following:

(i) The rate of participation in the pilot program.

(ii) An assessment of whether participants in the pilot program benefitted from such participation.

(D) An assessment of the effect of the pilot program on the subsidy rate for loans guaranteed or insured by the Secretary under chapter 37 of title 38, United States Code.

(E) Such other information as the Secretary considers appropriate.

(f) TERMINATION.—

(1) IN GENERAL.—The Secretary shall complete the pilot program required by subsection (a)(1) not later than September 30, 2025.

(2) EFFECT ON LOANS AND APPLICATIONS.—The termination of the pilot program under paragraph (1) shall not affect a loan guaranteed, or for which loan applications have been received by a participating lender, on or before the date of the completion of the pilot program.

(g) INSUFFICIENT CREDIT HISTORY DEFINED.—In this section, the term ''insufficient credit history'', with respect to an individual described in subsection (a)(2), means that the individual does not have a credit record with one of the national credit reporting agencies or such credit record contains insufficient credit information to assess creditworthiness.

SA 3948. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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:

SEC. 576. MILITARY TRAINING ON EMERGING TECHNOLOGIES.

(a) INTEGRATING DIGITAL SKILL SETS AND COMPUTATIONAL THINKING INTO MILITARY JUNIOR LEADER EDUCATION.—Not later than 270 days after the date of the enactment of this Act, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall expand the curriculum for military junior leader education to incorporate appropriate training material related to problem definition and curation, a conceptual understanding of the artificial intelligence lifecycle, data collection and management, probabilistic reasoning and data visualization, and data-informed decision-making. Whenever possible, the new training and education should include the use of existing artificial intelligence-enabled systems and tools.

(b) INTEGRATION OF MATERIAL ON EMERGING TECHNOLOGIES INTO PROFESSIONAL MILITARY

EDUCATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Joint Chiefs of Staff, shall ensure that the curriculum for professional military education is revised in each of the military services to incorporate periodic courses on militarily significant emerging technologies that increasingly build the knowledge base, vocabulary, and skills necessary to intelligently analyze and utilize emerging technologies in the tactical, operational, and strategic levels of warfighting and warfighting support.

(c) EMERGING TECHNOLOGY-CODED BILLETS WITHIN THE DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that the military services—

(A) code appropriate billets to be filled by emerging technology-qualified officers; and

(B) develop a process for officers to become qualified in emerging technologies.

(2) APPROPRIATE POSITIONS.—Emerging technology-coded positions may include, as appropriate—

(A) positions responsible for assisting with acquisition of emerging technologies;

(B) positions responsible for helping integrate technology into field units;

(C) positions responsible for developing organizational and operational concepts;

(D) positions responsible for developing training and education plans; and

(E) leadership positions at the operational and tactical levels within the military services.

(3) QUALIFICATION PROCESS.—The process for qualifying officers for emerging technology-coded billets shall be modeled on a streamlined version of the joint qualification process and may include credit for serving in emerging technology focused fellowships, emerging technology focused talent exchanges, emerging technology focused positions within government, and educational courses focused on emerging technologies.

SA 3949. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. SUPPORT FOR INDUSTRY PARTICIPATION IN INTERNATIONAL STANDARDS ORGANIZATIONS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' has the meaning given the term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note).

(3) COVERED ENTITY.—The term ''covered entity'' means a small business concern that is incorporated and maintains a primary place of business in the United States.

(4) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a program to support participation by covered entities in meetings and proceedings of standards development organizations in the development of voluntary technical standards.

(c) ACTIVITIES.—In carrying out the program established under subsection (b), the Administrator shall award competitive, merit-reviewed grants to covered entities to cover the reasonable costs, up to a specified ceiling, of participation of employees of those covered entities in meetings and proceedings of standards development organizations, including—

(1) regularly attending meetings;

(2) contributing expertise and research;

(3) proposing new work items; and

(4) volunteering for leadership roles such as a convener or editor.

(d) AWARD CRITERIA.—The Administrator may only provide a grant under this section to a covered entity that—

(1) demonstrates deep technical expertise in key emerging technologies and technical standards, including artificial intelligence and related technologies;

(2) commits personnel with such expertise to regular participation in international bodies responsible for developing standards for such technologies over the period of the grant; and

(3) agrees to participate in efforts to coordinate between the Federal Government and industry to ensure protection of national security interests in the setting of international standards.

(e) NO MATCHING CONTRIBUTION.—A recipient of an award under this section shall not be required to provide a matching contribution.

(f) EVALUATION.—In making awards under this section, the Administrator shall coordinate with the Director of the National Institute of Standards and Technology, who shall provide support in the assessment of technical expertise in emerging technologies and standards setting needs.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter $1,000,000 to carry out the program established under this section.

SA 3950. Mr. WICKER (for himself, Mr. WARNOCK, Ms. DUCKWORTH, Mr. TOOMEY, Mrs. CAPITO, Mr. SCOTT of South Carolina, Mr. CASEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 of division A, add the following:

SEC. 10___. WILLIAM T. COLEMAN, JR., FEDERAL BUILDING DESIGNATION.

(a) IN GENERAL.—The headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, shall be known and designated as the ''William T. Coleman, Jr., Federal Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''William T. Coleman, Jr., Federal Building''.

SA 3951. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 853 and insert the following:

SEC. 853. DETERMINATION WITH RESPECT TO OPTICAL FIBER FOR DEPARTMENT OF DEFENSE PURPOSES.

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall review access, metro, and long-haul passive optical fiber and optical fiber cable that is manufactured or produced by an entity owned or controlled by the People's Republic of China for potential inclusion on the list of covered communications equipment pursuant to section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601).

(2) APPLICABILITY.—If the Secretary of Defense makes a determination that any such optical fiber or optical fiber cable would pose an unacceptable risk to the national security of the United States or the security and safety of United States persons and should be included on the list, any such inclusion shall apply to such optical fiber or optical fiber cable deployed after such determination.

(b) NOTIFICATION REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees of the findings of the review and determination required under subsection (a).

(c) DEFINITIONS.—In this section:

(1) The term ''access'' means optical fiber and optical fiber cable that connects subscribers (residential and business) and radio sites to a service provider.

(2) The term ''long haul'' means optical fiber and optical fiber cable that connects cities and metropolitan areas.

(3) The term ''metro'' means optical fiber and optical fiber cable that connects city business districts and central city and suburban areas.

(4) The term ''passive'' means unpowered optical fiber and optical fiber cable.

SA 3952. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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:

SEC. ___. PROHIBITION ON OPERATION OR PROCUREMENT OF CERTAIN FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

(a) PROHIBITION ON AGENCY OPERATION OR PROCUREMENT.—Except as provided in subsection (b) and subsection (c)(3), the Secretary of Defense and the Secretary of Homeland Security may not operate, provide financial assistance for, or enter into or renew a contract for the procurement of—

(1) an unmanned aircraft system (referred to in this section as ''UAS'') that—

(A) is manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country;

(B) uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country;

(C) uses a ground control system or operating software developed in a covered foreign country or by a corporation domiciled in a covered foreign country; or

(D) uses network connectivity or data storage located in a covered foreign country or administered by a corporation domiciled in a covered foreign country;

(2) a software operating system associated with a UAS that uses network connectivity or data storage located in a covered foreign country or administered by a corporation domiciled in a covered foreign country; or

(3) a system for the detection or identification of a UAS, which system is manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Defense or the Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary submits a written certification described in paragraph (2) to—

(A) in the case of the Secretary of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) in the case of the Secretary of Homeland Security, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(2) CONTENTS.—A certification described in this paragraph shall certify that a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS described in any of subparagraphs (A) through (C) of subsection (a)(1) that is the subject of a waiver under paragraph (1) is required—

(A) in the national interest of the United States;

(B) for counter-UAS surrogate research, testing, development, evaluation, or training; or

(C) for intelligence, electronic warfare, or information warfare operations, testing, analysis, and or training.

(3) NOTICE.—The certification described in paragraph (1) shall be submitted to the Committees specified in such paragraph by not later than the date that is 14 days after the date on which a waiver is issued under such paragraph.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—This Act shall take effect on the date that is 120 days after the date of the enactment of this Act.

(2) WAIVER PROCESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall each establish a process by which the head of an office or component of the Department of Defense or Department of Homeland Security, respectively, may request a waiver under subsection (b).

(3) EXCEPTION.—Notwithstanding the prohibition under subsection (a), the head of an office or component of the Department of Defense or Department of Homeland Security may continue to operate a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS described in any of subparagraphs (1) through (3) of subsection (a) that was in the inventory of such office or component on the day before the effective date of this Act until, the later of—

(A) the date on which the Secretary of Defense or Secretary of Homeland Security, as the case may be

(i) grants a waiver relating thereto under subsection (b); or

(ii) declines to grant such a waiver, or

(B) 1 year after the date of the enactment of this Act.

(d) DRONE ORIGIN SECURITY REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall each submit to the congressional committees described in paragraph (2) a terrorism threat assessment and report that contains information relating to the following:

(A) The extent to which the Department of Defense or Department of Homeland Security, as the case may be, has previously analyzed the threat that a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS from a covered foreign country operating in the United States poses, and the results of such analysis.

(B) The number of UAS, software operating systems associated with a UAS, or systems for the detection or identification of a UAS from a covered foreign country in operation by the Department of Defense or Department of Homeland Security, as the case may be, including an identification of the component or office of the Department at issue, as of such date.

(C) The extent to which information gathered by such a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS from a covered foreign country could be employed to harm the national or economic security of the United States.

(2) COMMITTEES DESCRIBED.—The congressional committees described in this paragraph are—

(A) in the case of the Secretary of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) in the case of the Secretary of Homeland Security, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(e) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means a country that—

(A) the intelligence community has identified as a foreign adversary in its most recent Annual Threat Assessment; or

(B) the Secretary of Homeland Security, in coordination with the Director of National Intelligence, has identified as a foreign adversary that is not included in such Annual Threat Assessment.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(3) UNMANNED AIRCRAFT SYSTEM; UAS.—The terms ''unmanned aircraft system'' and ''UAS'' have the meaning given the term ''unmanned aircraft system'' in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44802 note).

SA 3953. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. PROHIBITION ON THE USE OF THE DIGITAL YUAN.

(a) DEFINITIONS.—In this section—

(1) the term ''digital yuan'' means the digital currency of the People's Bank of China, or any successor digital currency of the People's Republic of China;

(2) the term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code; and

(3) the term ''information technology'' has the meaning given that term in section 11101 of title 40, United States Code.

(b) PROHIBITION ON THE USE OF DIGITAL YUAN.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services, the Director of the Cybersecurity and Infrastructure Security Agency, the Director of National Intelligence, and the Secretary of Defense, and consistent with the information security requirements under subchapter II of chapter 35 of title 44, United States Code, shall develop standards and guidelines for executive agencies requiring the removal of any digital yuan from information technology.

(2) NATIONAL SECURITY AND RESEARCH EXCEPTIONS.—The standards and guidelines developed under paragraph (1) shall include—

(A) exceptions for law enforcement activities, national security interests and activities, and security researchers; and

(B) for any authorized use of digital yuan under an exception, requirements for agencies to develop and document risk mitigation actions for such use.

SA 3954. Mrs. BLACKBURN (for herself and Mr. LUJÁN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. _____. STUDY ON NATIONAL LABORATORY CONSORTIUM FOR CYBER RESILIENCE.

(a) STUDY REQUIRED.—The Secretary of Homeland Security shall, in coordination with the Secretary of Energy and the Secretary of Defense, conduct a study to analyze the feasibility of authorizing a consortia within the National Laboratory system to address information technology and operational technology cybersecurity vulnerabilities in critical infrastructure (as defined in section 1016(e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

(b) ELEMENTS.—The study required under subsection (a) shall include the following:

(1) An analysis of any additional authorities needed to establish a research and development program to leverage the expertise at

the Department of Energy National Laboratories to accelerate development and delivery of advanced tools and techniques to defend critical infrastructure against cyber intrusions and enable resilient operations during a cyber attack.

(2) Evaluation of potential pilot programs in research, innovation transfer, academic partnerships, and industry partnerships for critical infrastructure protection research.

(3) Identification of and assessment of near-term actions, and cost estimates, necessary for the proposed consortia to be established and effective at a broad scale expeditiously.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study conducted under subsection (a).

(2) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) Committee on Armed Services, the Committee Energy and Natural Resources, and the Committee on Homeland Security and Government Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives.

SA 3955. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXXI, add the following:

SEC. 3157. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Subtitle B of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is amended by adding at the end the following new section:

''SEC. 4815. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT.

''(a) AUTHORIZATION.—The Administrator may authorize the director of each covered nuclear weapons production facility to allocate not more than 5 percent of amounts made available to the facility for a fiscal year pursuant to a DOE national security authorization (as defined in section 4701) to engage in research, development, and demonstration activities in order to maintain and enhance the engineering and manufacturing capabilities at the facility.

''(b) DEFINITION.—In this section, the term 'covered nuclear weapons production facility' means the following:

''(1) The Kansas City National Security Campus, Kansas City, Missouri, as well as related satellite locations.

''(2) The Y–12 National Security Complex, Oak Ridge, Tennessee.

''(3) The Pantex Plant, Amarillo, Texas.

''(4) The Savannah River Site, Aiken, South Carolina.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4814 the following new item:

''Sec. 4815. Limitation on use of funds for National Nuclear Security Administration facility-directed research and development.''.

SA 3956. Mr. BENNET (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, insert the following:

SEC. ___. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.

The Secretary of Defense shall continue to support the FireGuard program with National Guard personnel to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires until September 30, 2026. After such date, the Secretary may not reduce such support, or transfer responsibility for such support to an interagency partner, until 30 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives written notice of such proposed change, and reasons for such change.

SA 3957. Mr. CARPER (for himself, Mr. MERKLEY, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

Subtitle B—PLUM Act

SEC. 1121. SHORT TITLE.

This subtitle may be cited as the ''Periodically Listing Updates to Management Act'' or the ''PLUM Act''.

SEC. 1122. ESTABLISHMENT OF PUBLIC WEBSITE ON GOVERNMENT POLICY AND SUPPORTING POSITIONS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''§ 3330f. Government policy and supporting position data

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' means—

''(A) any Executive agency, the United States Postal Service, and the Postal Regulatory Commission;

''(B) the Architect of the Capitol, the Government Accountability Office, the Government Publishing Office, and the Library of Congress; and

''(C) the Executive Office of the President and any component within such Office (including any successor component), including—

''(i) the Council of Economic Advisors;

''(ii) the Council on Environmental Quality;

''(iii) the National Security Council;

''(iv) the Office of the Vice President;

''(v) the Office of Policy Development;

''(vi) the Office of Administration;

''(vii) the Office of Management and Budget;

''(viii) the Office of the United States Trade Representative;

''(ix) the Office of Science and Technology Policy;

''(x) the Office of National Drug Control Policy; and

''(xi) the White House Office, including the White House Office of Presidential Personnel.

''(2) APPOINTEE.—The term 'appointee'—

''(A) means an individual serving in a policy and supporting position; and

''(B) includes an individual serving in such a position temporarily in an acting capacity in accordance with—

''(i) sections 3345 through 3349d (commonly referred to as the 'Federal Vacancies Reform Act of 1998');

''(ii) any other statutory provision described in section 3347(a)(1); or

''(iii) a Presidential appointment described in section 3347(a)(2).

''(3) COVERED WEBSITE.—The term 'covered website' means the website established and maintained by the Director under subsection (b).

''(4) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

''(5) POLICY AND SUPPORTING POSITION.—The term 'policy and supporting position' means—

''(A) a position that requires appointment by the President, by and with the advice and consent of the Senate;

''(B) a position that requires or permits appointment by the President or Vice President, without the advice and consent of the Senate;

''(C) a position occupied by a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a);

''(D) a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulation;

''(E) a position in the Senior Foreign Service;

''(F) any career position at an agency that, but for this section and section 1122(b)(3) of the PLUM Act, would be included in the publication entitled 'United States Government Policy and Supporting Positions', commonly referred to as the 'Plum Book'; and

''(G) any other position classified at or above level GS–14 of the General Schedule (or equivalent) that is excepted from the competitive service by law because of the confidential or policy-determining nature of the position duties.

''(b) ESTABLISHMENT OF WEBSITE.—Not later than 1 year after the date of enactment of the PLUM Act, the Director shall establish, and thereafter maintain, a public website containing the following information for the President then in office and for each subsequent President:

''(1) Each policy and supporting position in the Federal Government, including any such position that is vacant.

''(2) The name of each individual who—

''(A) is serving in a position described in paragraph (1); or

''(B) previously served in a position described in such paragraph under the applicable President.

''(3) Information on—

''(A) any Government-wide or agency-wide limitation on the total number of positions in the Senior Executive Service under section 3133 or 3132 or the total number of positions under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations; and

''(B) the total number of individuals occupying such positions.

''(c) CONTENTS.—With respect to any policy and supporting position listed on the covered website, the Director shall include—

''(1) the agency, and agency component, (including the agency and bureau code used by the Office of Management and Budget) in which the position is located;

''(2) the name of the position;

''(3) the name of the individual occupying such position (if any);

''(4) the geographic location of the position, including the city, State or province, and country;

''(5) the pay system under which the position is paid;

''(6) the level, grade, or rate of pay;

''(7) the term or duration of the appointment (if any);

''(8) the expiration date, in the case of a time-limited appointment;

''(9) a unique identifier for each appointee to enable tracking such appointee across positions;

''(10) whether the position is vacant; and

''(11) for any position that is vacant—

''(A) for a position for which appointment is required to be made by the President by and with the advice and consent of the Senate, the name of the acting official; and

''(B) for other positions, the name of the official performing the duties of the vacant position.

''(d) CURRENT DATA.—For each agency, the Director shall indicate in the information on the covered website the date that the agency last updated the data.

''(e) FORMAT.—The Director shall make the data on the covered website available to the public at no cost over the internet in a searchable, sortable, downloadable, and machine-readable format so that the data qualifies as an open Government data asset, as defined in section 3502 of title 44.

''(f) AUTHORITY OF DIRECTOR.—

''(1) INFORMATION REQUIRED.—Each agency shall provide to the Director any information that the Director determines necessary to establish and maintain the covered website, including the information uploaded under paragraph (4).

''(2) REQUIREMENTS FOR AGENCIES.—Not later than 1 year after the date of enactment of the PLUM Act, the Director shall issue instructions to agencies with specific requirements for the provision or uploading of information required under paragraph (1), including—

''(A) specific data standards that an agency shall follow to ensure that the information is complete, accurate, and reliable;

''(B) data quality assurance methods; and

''(C) the timeframe during which an agency shall provide or upload the information, including the timeframe described under paragraph (4).

''(3) PUBLIC ACCOUNTABILITY.—The Director shall identify on the covered website any agency that has failed to provide—

''(A) the information required by the Director;

''(B) complete, accurate, and reliable information; or

''(C) the information during the timeframe specified by the Director.

''(4) MONTHLY UPDATES.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the covered website is established, and not less than once during each 30-day period thereafter, the head of each agency shall upload to the covered website updated information (if any) on—

''(i) the policy and supporting positions in the agency;

''(ii) the appointees occupying such positions in the agency; and

''(iii) the former appointees who served in such positions in the agency under the President then in office.

''(B) SUPPLEMENT NOT SUPPLANT.—Information provided under subparagraph (A) shall supplement, not supplant, previously provided information under such subparagraph.

''(5) OPM HELP DESK.—The Director shall establish a central help desk, to be operated by not more than 1 full-time employee, to assist any agency with implementing this section.

''(6) COORDINATION.—The Director may designate 1 or more agencies to participate in the development, establishment, operation, and support of the covered website. With respect to any such designation, the Director may specify the scope of the responsibilities of the agency so designated.

''(7) DATA STANDARDS AND TIMING.—The Director shall make available on the covered website information regarding on data collection standards, quality assurance methods, and time frames for reporting data to the Director.

''(8) REGULATIONS.—The Director may prescribe regulations necessary for the administration of this section.

''(g) RESPONSIBILITY OF AGENCIES.—

''(1) PROVISION OF INFORMATION.—Each agency shall comply with the instructions and guidance issued by the Director to carry out this section, and, upon request of the Director, shall provide appropriate assistance to the Director to ensure the successful operation of the covered website in the manner and within the timeframe specified by the Director under subsection (f)(2).

''(2) ENSURING COMPLETENESS, ACCURACY, AND RELIABILITY.—With respect to any submission of information described in paragraph (1), the head of an agency shall include—

''(A) an explanation of how the agency ensured the information is complete, accurate, and reliable; and

''(B) a certification that such information is complete, accurate, and reliable.

''(h) INFORMATION VERIFICATION.—

''(1) SEMIANNUAL CONFIRMATION.—

''(A) IN GENERAL.—Not less frequently than semiannually, the Director, in coordination with the White House Office of Presidential Personnel, shall confirm that the information on the covered website is complete, accurate, reliable, and up-to-date.

''(B) CERTIFICATION.—On the date on which the Director makes a confirmation under subparagraph (A), the Director shall publish on the covered website a certification that the confirmation has been made.

''(2) AUTHORITY OF DIRECTOR.—In carrying out paragraph (1), the Director may—

''(A) request additional information from an agency; and

''(B) use any additional information provided to the Director or the White House Office of Presidential Personnel for the purposes of verification.

''(3) PUBLIC COMMENT.—The Director shall establish a process under which members of the public may provide feedback regarding the accuracy of the information on the covered website.

''(i) DATA ARCHIVING.—

''(1) IN GENERAL.—As soon as practicable after a transitional inauguration day (as defined in section 3349a), the Director, in consultation with the Archivist of the United States, shall archive the data that was compiled on the covered website for the preceding presidential administration.

''(2) PUBLIC AVAILABILITY.—The Director shall make the data described in paragraph (1) publicly available over the internet—

''(A) on, or through a link on, the covered website;

''(B) at no cost; and

''(C) in a searchable, sortable, downloadable, and machine-readable format.

''(j) REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the covered website is established, and every year thereafter, the Director, in coordination with the White House Office of Presidential Personnel, shall publish a report on the covered website that—

''(A) contains summary level information on the demographics of each appointee;

''(B) provide the information in a structured data format that—

''(i) is searchable, sortable, and downloadable;

''(ii) makes use of common identifiers wherever possible; and

''(iii) contains current and historical data regarding such information.

''(2) CONTENTS.—

''(A) IN GENERAL.—Each report published under paragraph (1) shall—

''(i) include self-identified data with respect to each type of appointee on race, ethnicity, tribal affiliation, gender, disability, sexual orientation, veteran status, and whether the appointee is over the age of 40; and

''(ii) allow for users of the covered website to view the type of appointee by agency or component, along with the data described in clause (i), alone and in combination, to the greatest level detail possible without allowing the identification of individual appointees.

''(B) OPTION TO NOT SPECIFY.—When collecting each category of data described in subparagraph (A)(i), each appointee shall be allowed an option to not specify with respect to any such category.

''(C) CONSULTATION.—The Director shall consult with the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives regarding reports published under this subsection and the information in such reports to determine whether the intent of this section is being fulfilled and if additional information or other changes are needed for such reports.

''(3) EXCLUSION OF CAREER POSITIONS.—For purposes of applying the term 'appointee' in this subsection, such term does not include any individual appointed to a position described in subsection (a)(5)(F).''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''3330f. Government policy and supporting position data.''.

(b) OTHER MATTERS.—

(1) DEFINITIONS.—In this subsection, the terms ''agency'', ''covered website'', ''Director'', and ''policy and supporting position'' have the meanings given those terms in section 3330f(b) of title 5, United States Code, as added by subsection (a).

(2) GAO REVIEW AND REPORT.—Not later than 1 year after the date on which the Director establishes the covered website, the Comptroller General shall conduct a review,

and issue a briefing or report, on the implementation of this subtitle and the amendments made by this subtitle, which shall include—

(A) the quality of data required to be collected and whether the data is complete, accurate, timely, and reliable;

(B) any challenges experienced by agencies in implementing this subtitle and the amendments made by this subtitle; and

(C) any suggestions or modifications to enhance compliance with this subtitle and the amendments made by this subtitle, including best practices for agencies to follow.

(3) SUNSET OF PLUM BOOK.—Beginning on January 1, 2024—

(A) the covered website shall serve as the public directory for policy and supporting positions in the Government; and

(B) the publication entitled ''United States Government Policy and Supporting Positions'', commonly referred to as the ''Plum Book'', shall no longer be issued or published.

SA 3958. Mr. PORTMAN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 XV, insert the following:

SEC. _____. REPORT ON UKRAINIAN CAPABILITIES TO COUNTER AIR BASED THREATS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report on the capabilities of Ukraine to counter air based threats.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of the risk to the armed forces of Ukraine posed by aerial threats, including current threats from weaponized unmanned aerial vehicles and missile and rocket attacks.

(2) Current defensive capabilities of Ukraine to counter the threats described in paragraph (1) and assessed gaps in capabilities to address such threats.

(3) Current efforts to build the defensive capabilities of Ukraine, an assessment of potential options for additional United States security assistance to address shortfalls identified in subparagraph (2), and any considerations with regard to absorption capacity, maintenance, and sustainment.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 3959. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 744. STUDY ON INCIDENCE OF BREAST CANCER AMONG MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY.

(a) STUDY.—The Secretary of Defense shall conduct a study on the incidence of breast cancer among members of the Armed Forces serving on active duty.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) A determination of the number of members of the Armed Forces who served on active duty at any time during the period beginning on January 1, 2011, and ending on the date of the enactment of this Act who were diagnosed with breast cancer during such period.

(2) A determination of demographic information regarding such members, including race, ethnicity, sex, age, military occupational specialty, and rank.

(3) A comparison of the rates of members of the Armed Forces serving on active duty who have breast cancer to civilian populations with comparable demographic characteristics.

(4) An identification of potential factors associated with service in the Armed Forces that could increase the risk of breast cancer for members of the Armed Forces serving on active duty.

(5) An identification of overseas locations associated with airborne hazards, such as burn pits, and members of the Armed Forces diagnosed with breast cancer.

(6) An assessment of the effectiveness of outreach by the Department of Defense to members of the Armed Forces to identify risks of, prevent, detect, and treat breast cancer.

(7) An assessment of the feasibility and advisability of changing the current mammography screening policy of the Department to incorporate all members of the Armed Forces who deployed overseas to an area associated with airborne hazards, such as burn pits.

(8) An assessment of the feasibility and advisability of conducting digital breast tomosynthesis at facilities of the Department that provide mammography services.

(9) Such recommendations as the Secretary may have for changes to policy or law that could improve the prevention, early detection, awareness, and treatment of breast cancer among members of the Armed Forces serving on active duty, including any additional resources needed.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings and recommendations of the study under subsection (a), including a description of any further unique military research needed with respect to breast cancer.

SA 3960. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. NATIONAL COLD WAR CENTER.

(a) FINDINGS.— Congress makes the following findings:

(1) The BAFB Cold War Museum, Inc., a nonprofit corporation under section 501(c)(3) of the Internal Revenue Code of 1986, is responsible for the finances and management of the National Cold War Museum at Blytheville/Eaker Air Force Base in Blytheville, Arkansas.

(2) The National Cold War Center, located on the Blytheville/Eaker Air Force Base, will be recognized as a major tourist attraction in Arkansas that will provide an immersive and authoritative experience in informing, interpreting, and honoring the legacy of the Cold War.

(3) The Blytheville/Eaker Air Force Base has the only intact, publicly accessible Alert Facility and Weapons Storage Facility in the United States.

(4) There is an urgent need to preserve the stories, artifacts, and heroic achievements of the Cold War.

(5) The United States has a need to preserve forever the knowledge and history of the United Stats' achievements in the Cold War century and to portray that history to citizens, visitors, and school children for centuries to come.

(6) The National Cold War Center seeks to educate a diverse group of audiences through its collection of artifacts, photographs, and firsthand personal accounts of the participants in the war on the home front.

(b) PURPOSES.—The purposes of this section are—

(1) to authorize references to the museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, including its future and expanded exhibits, collections, and educational programs, as the ''National Cold War Center'';

(2) to ensure the continuing preservation, maintenance, and interpretation of the artifacts, documents, images, and history collected by the Center;

(3) to enhance the knowledge of the American people of the experience of the United States during the Cold War years;

(4) to provide and support a facility for the public display of the artifacts, photographs, and personal histories of the Cold War years; and

(5) to ensure that all future generations understand the sacrifices made to preserve freedom and democracy, and the benefits of peace for all future generations in the 21st century and beyond.

(c) REFERENCE TO AMERICA'S COLD WAR CENTER.—The museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, is hereby authorized to be referred to as the ''National Cold War Center''.

SA 3961. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. MODIFICATION OF DEPARTMENT OF DEFENSE THRESHOLD FOR THE DISINTERMENT OF UNIDENTIFIED REMAINS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend section 4.1a.(1) of Department of Defense Instruction (DoDI) 1300.29, dated June 28, 2021, or any successor regulation, to provide that the threshold for disinterring commingled remains interred as group remains unknown is individual identification of 50 percent of the service members associated with the group.

SA 3962. Mr. ROMNEY (for himself, Mr. KAINE, Mr. YOUNG, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1283. DIPLOMATIC BOYCOTT OF THE XXIV OLYMPIC WINTER GAMES AND THE XIII PARALYMPIC WINTER GAMES.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to implement a diplomatic boycott of the XXIV Olympic Winter Games and the XIII Paralympic Winter Games in the People's Republic of China; and

(2) to call for an end to the Chinese Communist Party's ongoing human rights abuses, including the Uyghur genocide.

(b) FUNDING PROHIBITION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of State may not obligate or expend any Federal funds to support or facilitate the attendance of the XXIV Olympic Winter Games or the XIII Paralympic Winter Games by any employee of the United States Government.

(2) EXCEPTION.—Paragraph (1) shall not apply to the obligation or expenditure of Federal funds necessary—

(A) to support—

(i) the United States Olympic and Paralympic Committee;

(ii) the national governing bodies of amateur sports; or

(iii) athletes, employees, or contractors of the Olympic and Paralympic Committee or such national governing bodies; or

(B) to provide consular services or security to, or otherwise protect the health, safety, and welfare of, United States persons, employees, contractors, and their families.

(3) WAIVER.—The Secretary of State may waive the applicability of paragraph (1) in a circumstance in which the Secretary determines a waiver is the national interest.

SA 3963. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. COLLECTION OF DEMOGRAPHIC INFORMATION FOR PATENT INVENTORS.

(a) AMENDMENT.—Chapter 11 of title 35, United States Code, is amended by adding at the end the following:

"§ 124. Collection of demographic information for patent inventors

''(a) VOLUNTARY COLLECTION.—The Director shall provide for the collection of demographic information, including gender, race, military or veteran status, and any other demographic category that the Director determines appropriate, related to each inventor listed with an application for patent, that may be submitted voluntarily by that inventor.

''(b) PROTECTION OF INFORMATION.—The Director shall—

''(1) keep any information submitted under subsection (a) confidential and separate from the application for patent; and

''(2) establish appropriate procedures to ensure—

''(A) the confidentiality of any information submitted under subsection (a); and

''(B) that demographic information is not made available to examiners or considered in the examination of any application for patent.

''(c) RELATION TO OTHER LAWS.—

''(1) FREEDOM OF INFORMATION ACT.—Any demographic information submitted under subsection (a) shall be exempt from disclosure under section 552(b)(3) of title 5.

''(2) FEDERAL INFORMATION POLICY LAW.—Subchapter I of chapter 35 of title 44 shall not apply to the collection of demographic information under subsection (a).

''(d) PUBLICATION OF DEMOGRAPHIC INFORMATION.—

''(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this section, and not later than January 31 of each year thereafter, the Director shall make publicly available a report that, except as provided in paragraph (3)—

''(A) includes the total number of patent applications filed during the previous year disaggregated—

''(i) by demographic information described in subsection (a); and

''(ii) by technology class number, technology class title, country of residence of the inventor, and State of residence of the inventor in the United States;

''(B) includes the total number of patents issued during the previous year disaggregated—

''(i) by demographic information described in subsection (a); and

''(ii) by technology class number, technology class title, country of residence of the inventor, and State of residence of the inventor in the United States; and

''(C) includes a discussion of the data collection methodology and summaries of the aggregate responses.

''(2) DATA AVAILABILITY.—In conjunction with issuance of the report under paragraph (1), the Director shall make publicly available data based on the demographic information collected under subsection (a) that, except as provided in paragraph (3), allows the information to be cross-tabulated to review subgroups.

''(3) PRIVACY.—The Director—

''(A) may not include personally identifying information in—

''(i) the report made publicly available under paragraph (1); or

''(ii) the data made publicly available under paragraph (2); and

''(B) in making publicly available the report under paragraph (1) and the data under paragraph (2), shall anonymize any personally identifying information related to the demographic information collected under subsection (a).

''(e) BIENNIAL REPORT.—Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Director shall submit to Congress a biennial report that evaluates the data collection process under this section, ease of access to the information by the public, and recommendations on how to improve data collection.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 11 of title 35, United States Code, is amended by adding at the end the following:

''124. Collection of demographic information for patent inventors.''.

SA 3964. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title XXVIII, add the following:

SEC. 2815. APPLICABILITY OF WINDOW FALL PREVENTION REQUIREMENTS TO ALL MILITARY FAMILY HOUSING WHETHER PRIVATIZED OR GOVERNMENT-OWNED AND GOVERNMENT-CONTROLLED.

(a) TRANSFER OF WINDOW FALL PREVENTION SECTION TO MILITARY FAMILY HOUSING ADMINISTRATION SUBCHAPTER.—

(1) IN GENERAL.—Section 2879 of title 10, United States Code—

(A) is transferred to appear after section 2856 of such title; and

(B) is redesignated as section 2857.

(2) CLERICAL AMENDMENTS.—

(A) ALTERNATIVE AUTHORITY.—The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2879.

(B) ADMINISTRATION.—The table of sections at the beginning of subchapter III of chapter 169 of such title is amended by inserting after the item relating to section 2856 the following new item:

''2857. Window fall prevention devices in military family housing units.''.

(b) APPLICABILITY OF SECTION TO ALL MILITARY FAMILY HOUSING.—Section 2857 of title 10, United States Code, as transferred and redesignated by subsection (a)(1), is amended—

(1) in subsection (a)(1), by striking ''acquired or constructed under this chapter'';

(2) in subsection (b)(1), by striking ''acquired or constructed under this chapter''; and

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

''(e) APPLICABILITY TO ALL MILITARY FAMILY HOUSING.—This section applies to military family housing under the jurisdiction of the Department of Defense and military family housing acquired or constructed under subchapter IV of this chapter.''.

(c) IMPLEMENTATION PLAN.—In the report required to be submitted in 2022 pursuant to subsection (d) of section 2857 of title 10, United States Code, as transferred and redesignated by subsection (a)(1) and amended by subsection (b), the Secretary of Defense shall include a plan for implementation of the fall

protection devices described in subsection (a)(3) of such section as required by such section.

(d) LIMITATION ON USE OF FUNDS PENDING SUBMISSION OF OVERDUE REPORT.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2022 for the Office of the Assistant Secretary of Defense for Energy, Installations, and Environment, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense certifies to the congressional defense committees that—

(1) the independent assessment required by section 2817(b) of the Military Construction Authorization Act of 2018 (division B of Public Law 115–91; 131 Stat. 1852) has been initiated; and

(2) the Secretary expects the report containing the results of that assessment to be submitted to the congressional defense committees by September 1, 2022.

SA 3965. Ms. HIRONO (for herself and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title III, add the following new section:

SEC. 318. INSPECTION OF PIPING AND SUPPORT INFRASTRUCTURE AT JOINT BASE PEARL HARBOR–HICKAM IN HAWAI'I, INCLUDING RED HILL BULK FUEL STORAGE FACILITY.

(a) SENSE OF CONGRESS.—In order to fully effectuate national security, assure the maximum safe utilization of the Red Hill Bulk Fuel Storage Facility, and fully address concerns as to potential impacts of the facility on public health, it is the sense of Congress that the Secretary of the Navy and the Director of the Defense Logistics Agency should—

(1) operate and maintain the Red Hill Bulk Fuel Storage Facility to the highest standard possible; and

(2) require safety inspections to be conducted more frequently based on the corrosion rate of the piping and overall condition of the pipeline system and support equipment at the facility.

(b) INSPECTION REQUIREMENT.—

(1) INSPECTION REQUIRED.—The Secretary of the Navy shall direct the Naval Facilities Engineering Command to conduct an inspection of the pipeline system, supporting infrastructure, and appurtenances, including valves and any other corrosion prone equipment, for the fuel system at Joint Base Pearl Harbor–Hickam, Hawai'i, including at the Red Hill Bulk Fuel Storage Facility.

(2) INSPECTION AGENT; STANDARDS.—The inspection required by paragraph (1) shall be performed—

(A) by an independent inspector certified by the American Petroleum Institute who will present findings of the inspection and options to the Secretary of the Navy for improving the integrity of the fuel system at Joint Base Pearl Harbor–Hickam, including Red Hill Bulk Fuel Storage Facility and its appurtenances; and

(B) in accordance with the Unified Facilities Criteria (UFC–3–460–03) and American Petroleum Institute 570 inspection standards.

(3) EXCEPTION.—The inspection required by this paragraph (1) excludes the fuel tanks at the Red Hill Bulk Fuel Storage Facility.

(c) LIFE-CYCLE SUSTAINMENT PLAN.—In conjunction with the inspection required by subsection (b), the Naval Facilities Engineering Command shall prepare a life-cycle sustainment plan for the Red Hill Bulk Fuel Storage Facility, which shall consider the current condition and service life of the tanks, pipeline system, and support equipment.

(d) SUBMISSION OF RESULTS AND PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing—

(1) the results of the inspection conducted under subsection (b);

(2) the life-cycle sustainment plan prepared under subsection (c); and

(3) options on improving the security and maintenance of the Red Hill Bulk Fuel Storage Facility.

SA 3966. Ms. HIRONO (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. 10___. EXEMPTION FROM IMMIGRANT VISA LIMIT FOR CHILDREN OF CERTAIN FILIPINO WORLD WAR II VETERANS.

Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who—

''(i) are eligible for a visa under paragraph (1) or (3) of section 203(a); and

''(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized pursuant to—

''(I) section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note); or

''(II) title III of the Act of October 14, 1940 (54 Stat. 1137, chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182, chapter 199).''.

SA 3967. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, insert the following:

SEC. 530C. INVESTIGATIONS OF SEXUAL HARASSMENT.

(a) IN GENERAL.—Section 1561 of title 10, United States Code, is amended to read as follows:

''§ 1561. Complaints of sexual harassment: independent investigation

''(a) ACTION ON COMPLAINTS ALLEGING SEXUAL HARASSMENT.—A commanding officer or officer in charge of a unit, vessel, facility, or area of an armed force under the jurisdiction of the Secretary of a military department, who receives, from a member of the command or a member under the supervision of the officer, a formal complaint alleging sexual harassment by a member of the armed forces shall, as soon as practicable after such receipt, forward the complaint to an independent investigator.

''(b) COMMENCEMENT OF INVESTIGATION.—To the extent practicable, an independent investigator shall commence an investigation of a formal complaint of sexual harassment not later than 72 hours after—

''(1) receiving a formal complaint of sexual harassment forwarded by a commanding officer or officer in charge under subsection (a); or

''(2) receiving a formal complaint of sexual harassment directly from a member of the armed forces; and

''(c) DURATION OF INVESTIGATION.—To the extent practicable, an investigation under subsection (b) shall be completed not later than 14 days after the date on which the investigation commences.

''(d) REPORT ON INVESTIGATION.—(1) If the investigation cannot be completed within 14 days, not later than the 14th day after the investigation commences, and every 14 days thereafter until the investigation is complete, the independent investigator shall submit to the officer described in subsection (a) a report on the progress made in completing the investigation.

''(2) To the extent practicable, and as soon as practicable upon completion of the investigation, the officer described in subsection (a) shall notify the complainant of the final results of the investigation, including any action taken, or planned to be taken, as a result of the investigation.

''(e) DEFINITIONS.—In this section:

''(1) The term 'formal complaint' means a complaint that an individual files in writing and attests to the accuracy of the information contained in the complaint.

''(2) The term 'independent investigator' means a member of the armed forces or employee of the Department of Defense who—

''(A) is outside the chain of command of the complainant and the subject of the investigation; and

''(B) is trained in the investigation of sexual harassment, as determined by—

''(i) the Secretary concerned, in the case of a member of the armed forces; or

''(ii) the Secretary of Defense, in the case of a civilian employee of the Department of Defense.

''(3) The term 'sexual harassment' has the meaning given that term in section 920d(b) of this title (article 120d of the Uniform Code of Military Justice).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 80 of title 10, United States Code, is amended by striking the item relating to section 1561 and inserting the following new item:

''1561. Complaints of sexual harassment: independent investigation.''.

(c) EFFECTIVE DATE.—The amendment to section 1561 of such title made by this section shall—

(1) take effect on the day that is two years after the date of the enactment of this Act; and

(2) apply to any investigation of a formal complaint of sexual harassment (as those terms are defined in such section, as amended) made on or after that date.

(d) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report on preparation of that Secretary to implement section 1561 of title 10, United States Code, as amended by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

SA 3968. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, add the following:

SEC. 530C. PETITION FOR DNA TESTING UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) IN GENERAL.—Subchapter IX of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 873 (article 73) the following new section:

''§ 873a. Art 73a. Petition for DNA testing

''(a) IN GENERAL.—Upon a written petition by an accused sentenced to imprisonment or death pursuant to a conviction under this chapter (referred to in this section as the 'applicant'), the Judge Advocate General shall order DNA testing of specific evidence if the Judge Advocate General finds that all of the following apply:

''(1) The applicant asserts, under penalty of perjury, that the applicant is actually innocent of the offense for which the applicant is sentenced to imprisonment or death.

''(2) The specific evidence to be tested was secured in relation to the investigation or prosecution of the offense referenced in the applicant's assertion under paragraph (1).

''(3) The specific evidence to be tested—

''(A) was not previously subjected to DNA testing and the applicant did not knowingly fail to request DNA testing of that evidence in a prior motion for postconviction DNA testing; or

''(B) was previously subjected to DNA testing and the applicant is requesting DNA testing using a new method or technology that is substantially more probative than the prior DNA testing.

''(4) The specific evidence to be tested is in the possession of the Government and has been subject to a chain of custody and retained under conditions sufficient to ensure that such evidence has not been substituted, contaminated, tampered with, replaced, or altered in any respect material to the proposed DNA testing.

''(5) The proposed DNA testing is reasonable in scope, uses scientifically sound methods, and is consistent with accepted forensic practices.

''(6) The applicant identifies a theory of defense that—

''(A) is not inconsistent with an affirmative defense presented at trial; and

''(B) would establish the actual innocence of the applicant of the offense referenced in the applicant's assertion under paragraph (1).

''(7) If the applicant was convicted following a trial, the identity of the perpetrator was at issue in the trial.

''(8) The proposed DNA testing of the specific evidence may produce new material evidence that would—

''(A) support the theory of defense referenced in paragraph (6); and

''(B) raise a reasonable probability that the applicant did not commit the offense.

''(9) The applicant certifies that the applicant will provide a DNA sample for purposes of comparison.

''(10) The petition is made in a timely fashion, subject to the following conditions:

''(A) There shall be a rebuttable presumption of timeliness if the petition is made within five years of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022 or within three years after the date of the entry of judgment under section 860c of this title (article 60c), whichever comes later. Such presumption may be rebutted upon a showing—

''(i) that the applicant's petition for a DNA test is based solely upon information used in a previously denied motion; or

''(ii) of clear and convincing evidence that the applicant's filing is done solely to cause delay or harass.

''(B) There shall be a rebuttable presumption against timeliness for any petition not satisfying subparagraph (A). Such presumption may be rebutted upon the Judge Advocate General's finding—

''(i) that the applicant was or is incompetent and such incompetence substantially contributed to the delay in the applicant's motion for a DNA test;

''(ii) the evidence to be tested is newly discovered DNA evidence;

''(iii) that the applicant's petition is not based solely upon the applicant's own assertion of innocence and, after considering all relevant facts and circumstances surrounding the petition, a denial would result in a manifest injustice; or

''(iv) upon good cause shown.

''(C) For purposes of this paragraph—

''(i) the term 'incompetence' has the meaning given that term in section 876b of this chapter (article 76b); and

''(ii) the term 'manifest' means that which is unmistakable, clear, plain, or indisputable and requires that the opposite conclusion be clearly evident.

''(b) APPEAL OF DENIAL.—The applicant may appeal the Judge Advocate General's denial of the petition of DNA testing to the Court of Appeals for the Armed Forces.

''(c) EVIDENCE INVENTORY; PRESERVATION ORDER; APPOINTMENT OF COUNSEL.—

''(1) INVENTORY.—The Judge Advocate General shall order the preparation of an inventory of the evidence related to the case for which a petition is made under subsection (a), which shall be provided to the applicant.

''(2) PRESERVATION ORDER.—To the extent necessary to carry out proceedings under this section, the Judge Advocate General shall direct the preservation of the specific evidence relating to a petition under subsection (a).

''(3) APPOINTMENT OF COUNSEL.—The applicant shall be eligible for representation by appellate defense counsel under section 870 of this chapter (article 70).

''(d) TESTING COSTS.—The costs of any DNA testing ordered under this section shall be paid by the Government.

''(e) TIME LIMITATION IN CAPITAL CASES.—In any case in which the applicant is sentenced to death—

''(1) any DNA testing ordered under this section shall be completed not later than 60 days after the date on which the test is ordered by the Judge Advocate General; and

''(2) not later than 120 days after the date on which the DNA testing ordered under this section is completed, the Judge Advocate General shall order any post-testing procedures under subsection (f) or (g), as appropriate.

''(f) DISCLOSURE OF TEST RESULTS.—Reporting of test results shall be simultaneously disclosed to the Government and the applicant.

''(g) POST-TESTING PROCEDURES; INCONCLUSIVE AND INCULPATORY RESULTS.—

''(1) INCONCLUSIVE RESULTS.—If DNA test results obtained under this section are inconclusive, the Judge Advocate General may order further testing, if appropriate, or may deny the applicant relief.

''(2) INCULPATORY RESULTS.—If DNA test results obtained under this section show that the applicant was the source of the DNA evidence, the Judge Advocate General shall—

''(A) deny the applicant relief; and

''(B) if the DNA test results relate to a State offense, forward the finding to any appropriate State official.

''(h) POST-TESTING PROCEDURES; MOTION FOR NEW TRIAL OR RESENTENCING.—

''(1) IN GENERAL.—Notwithstanding any provision of law that would bar a motion under this paragraph as untimely, if DNA test results obtained under this section exclude the applicant as the source of the DNA evidence, the applicant may file a petition for a new trial or resentencing, as appropriate.

''(2) STANDARD FOR GRANTING MOTION FOR NEW TRIAL OR RESENTENCING.—The applicant's petition for a new trial or resentencing, as appropriate, shall be granted if the DNA test results, when considered with all other evidence in the case (regardless of whether such evidence was introduced at trial), establish by compelling evidence that a new trial would result in the acquittal of the applicant.

''(i) RELATIONSHIP TO OTHER LAWS.—

''(1) POST-CONVICTION RELIEF.—Nothing in this section shall affect the circumstances under which a person may obtain DNA testing or post-conviction relief under any other provision of law.

''(2) HABEAS CORPUS.—Nothing in this section shall provide a basis for relief in any Federal habeas corpus proceeding.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 873 (article 73) the following new item:

''873a. Art 73a. Petition for DNA testing.''.

SA 3969. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2836. FIVE-YEAR UPDATES OF HAWAI'I MILITARY LAND USE MASTER PLAN.

(a) SENSE OF CONGRESS.—Given the extent and significance of the presence of the Armed Forces and the Department of Defense in Hawai'i and the limited geography of the State, it is the sense of Congress that the Secretary of Defense should do the following:

(1) Synchronize all of the training activities, land holdings, and operations of the Armed Forces for the most efficient use and stewardship of land in Hawai'i.

(2) Ensure that the partnership between the Department and Hawai'i is mutually advantageous and based on the following principles:

(A) Respect for the land, people, and culture of Hawai'i.

(B) Commitment to building strong, resilient communities.

(C) Maximum joint use of land holdings of the Department.

(D) Optimization of existing training, operational, and administrative facilities of the Armed Forces.

(E) Synchronized communication from United States Indo-Pacific Command across all military components with State government, State agencies, county governments, communities, and Federal agencies on critical land and environmental topics.

(b) REQUIRED UPDATE OF MASTER PLAN.—

(1) PLAN UPDATE REQUIRED.—Not later than December 31, 2025, and every five years thereafter through December 31, 2045, the Deputy Assistant Secretary of Defense for Real Property shall update the Hawai'i Military Land Use Master Plan, which was first produced by the Department of Defense in 1995 and updated in 2002 and 2021.

(2) ELEMENTS.—In updating the Hawai'i Military Land Use Master Plan under paragraph (1), the Deputy Assistant Secretary of Defense for Real Property shall consider, address, and include the following:

(A) The priorities of each individual Armed Force and joint priorities within the State of Hawai'i.

(B) The historical background of the use of land in Hawai'i by the Armed Forces and Department of Defense and the cultural significance of the historical land holdings.

(C) A summary of all leases and easements held by the Department.

(D) An overview of assets of the Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, Hawai'i National Guard, and Hawai'i Air National Guard in the State, including the following for each asset:

(i) The location and size of facilities.

(ii) Any tenet commands.

(iii) Training lands.

(iv) Purpose of the asset.

(v) Priorities for the asset for the next five years, including any planned divestitures and expansions.

(E) A summary of encroachment planning efforts.

(F) A summary of efforts to synchronize the inter-service use of training lands and ranges.

(3) COOPERATION.—The Deputy Assistant Secretary of Defense for Real Property shall carry out this subsection in conjunction with the Commander of United States Indo-Pacific Command.

(c) SUBMISSION OF UPDATED PLAN.—Not later than 30 days after the date of the completion of an update to the Hawai'i Military Land Use Master Plan under subsection (b), the Deputy Assistant Secretary of Defense for Real Property shall submit to the Committees on Armed Services of the Senate and the House of Representatives the updated master plan.

SA 3970. Ms. HIRONO (for herself, Mr. MENENDEZ, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 105___. RUNIT DOME REPORT AND MONITORING ACTIVITIES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior (referred to in this section as the ''Secretary'') shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Natural Resources and Energy and Commerce of the House of Representatives a report prepared by independent experts not employed by the Federal Government that describes—

(1) the impacts of climate change on the Runit Dome nuclear waste disposal site in Enewetak Atoll in the Republic of the Marshall Islands; and

(2) other environmental hazards in the vicinity of the Runit Dome.

(b) REQUIREMENTS.—The report submitted under subsection (a) shall include—

(1) a detailed scientific analysis of any threats to the environment and to the health and safety of Enewetak Atoll residents from—

(A) the Runit Dome nuclear waste disposal site;

(B) crypts used to contain nuclear waste and other toxins on Enewetak Atoll;

(C) radionuclides and other toxins in the lagoon of Enewetak Atoll, including areas in the lagoon at which nuclear waste was dumped;

(D) radionuclides and other toxins, including beryllium, which may be present on the islands of Enewetak Atoll as a result of nuclear tests and other activities of the Federal Government, including—

(i) tests of chemical and biological warfare agents;

(ii) rocket tests;

(iii) contaminated aircraft landing on Enewetak Island; and

(iv) nuclear cleanup activities;

(E) radionuclides and other toxins that may be present in—

(i) the drinking water on Enewetak Atoll; or

(ii) the water source for the desalination plant for Enewetak Atoll; and

(F) radionuclides and other toxins that may be present in the groundwater under, and in the vicinity of, the Runit Dome nuclear waste disposal site;

(2) a detailed scientific analysis of the extent to which rising sea levels, severe weather events, and other effects of climate change might exacerbate any of the threats identified under paragraph (1); and

(3) a detailed plan, including the costs of implementing the plan, to relocate to a safe, secure facility to be constructed in an uninhabited, unincorporated territory of the United States all of the nuclear waste and other toxic waste contained in—

(A) the Runit Dome nuclear waste disposal site;

(B) each of the crypts on Enewetak Atoll containing nuclear waste; and

(C) the 3 dumping areas in the lagoon of Enewetak Atoll.

(c) PARTICIPATION BY THE REPUBLIC OF THE MARSHALL ISLANDS.—The Secretary shall allow scientists or other experts selected by the Government of the Republic of the Marshall Islands to participate in all aspects of the preparation of the report required under subsection (a), including—

(1) developing the plan under subsection (b)(3);

(2) identifying questions;

(3) conducting research; and

(4) collecting and interpreting data.

(d) PUBLICATION.—The report required under subsection (a) shall be published in the Federal Register for public comment for a period of not less than 60 days.

(e) PUBLIC AVAILABILITY.—The Secretary shall publish on a public website—

(1) the study required under subsection (a); and

(2) the results of any research submitted under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS FOR REPORT.—There are authorized to be appropriated to the Assistant Secretary of Insular and International Affairs of the Department of the Interior to complete the report under subsection (a) such sums as are necessary for fiscal year 2022.

(2) AUTHORIZATION OF APPROPRIATIONS FOR RUNIT DOME MONITORING ACTIVITIES.—There are authorized to be appropriated to the Secretary of Energy such sums as are necessary to comply with the requirements of section 103(f)(1)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(1)(B)).

SA 3971. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, insert the following:

SEC. [DAV21M33]. SELECTION PROCESS FOR MEMBERS TO SERVE ON COURTS-MARTIAL.

Section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (3), (4), and (5), respectively;

(2) by inserting after ''(e)'', the following: ''(1) When convening a court-martial, the convening authority shall detail as members thereof members of the armed forces under such regulations as the President may prescribe for the randomized selection of qualified personnel available to the convening authority for detail.

''(2) The randomized selection process developed and implemented under paragraph (1) may include parameter controls that—

''(A) allow for exclusions based on scheduling availability;

''(B) allow for controls based on military rank; and

''(C) allow for controls to promote gender, racial, and ethnic diversity and inclusion.''; and

(3) in paragraph (4), as redesignated by paragraph (1), by—

(A) striking the first sentence; and

(B) striking ''when he is'' and inserting ''when the member is''.

SA 3972. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be

proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, insert the following:

Subtitle H—War Powers Resolution Reform

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''War Powers Reform Resolution''.

SEC. 1292. JOINT RESOLUTIONS AND BILLS AUTHORIZING, NARROWING, OR REPEALING USE OF MILITARY FORCE.

The War Powers Resolution (50 U.S.C. 1541 et seq.) is amended by inserting after section 5 the following new section:

''JOINT RESOLUTIONS AND BILLS AUTHORIZING, NARROWING, OR REPEALING USE OF MILITARY FORCE

''SEC. 5A. (a) A joint resolution or bill introduced after the date of the enactment of this section pursuant to section 5(b) for a purpose specified in that section shall be eligible for expedited consideration in accordance with section 6(a) if the joint resolution or bill sets forth only the following:

''(1) The specific strategic objective of the military force authorized for use by the joint resolution or bill.

''(2) A specification that the military force authorized for use by the joint resolution or bill is necessary, appropriate, and proportional to the purpose of the joint resolution or bill.

''(3) A specific naming of the nations, organizations, or forces engaged in active hostilities against the United States, its territories or possessions, or United States Armed Forces against which use of military force is authorized by the joint resolution or bill, which may not vest in or delegate to any official in the Executive Branch authority to specify any other nation, organization, or force against which use of military force is authorized by the joint resolution or bill.

''(4) A specification of the country or countries, or subdivision of a country or subdivisions of countries, in which military force is authorized for use by the joint resolution or bill, which may not vest in or delegate to any official in the Executive Branch authority to specify any other country or subdivision of a country in which use of military force is authorized by the joint resolution or bill.

''(5) A specification to a date certain of the duration of the authorization for use of military force in the joint resolution or bill, which may not exceed two years from the date of the enactment of the joint resolution or bill.

''(b) A joint resolution or bill introduced after the date of the enactment of this section to narrow a Joint Resolution or Act authorizing use of military force that is in effect on the date of the introduction of the joint resolution or bill shall be eligible for expedited consideration in accordance with section 6(a) if the joint resolution or bill sets forth only a narrowing or other limitation of the Joint Resolution or Act as follows:

''(1) To narrow the specific strategic objective of the military force authorized by the Joint Resolution or Act.

''(2) To strike one or more named nations, organizations, or forces against which use of military force is authorized by the Joint Resolution or Act, and to specify a date certain for the effective date of such strike.

''(3) To strike one or more countries or subdivisions of a country in which military force is authorized for use by the Joint Resolution or Act, and to specify a date certain for the effective date of such strike.

''(4) To reduce the duration of the authorization for use of military force in the Joint Resolution or Act to an earlier date certain specified in the joint resolution or bill.

''(c) A joint resolution or bill introduced after the date of the enactment of this section only to repeal one or more Joint Resolutions or Acts authorizing use of military force that is or are in effect on the date of the introduction of the joint resolution or bill shall be eligible for expedited consideration in accordance with section 6(a).

''(d) A joint resolution or bill introduced as described in subsection (a) or (b) may also repeal any Joint Resolution or Act authorizing use of military force that is in effect on the date of the introduction of the joint resolution or bill without losing eligibility for expedited consideration in accordance with section 6(a) as otherwise provided in such subsection.''.

SEC. 1293. EXPEDITED PROCEDURES FOR JOINT RESOLUTIONS AND BILLS AUTHORIZING, LIMITING, OR REPEALING USE OF MILITARY FORCE.

Section 6(a) of the War Powers Resolution (50 U.S.C. 1545(a)) is amended—

(1) by inserting ''(1)'' after ''(a)'';

(2) in paragraph (1), as designated by paragraph (1) of this section—

(A) by striking ''introduced pursuant to section 5(b) at least thirty calendar days before the expiration of the sixty-day period specified in such section'' and inserting ''introduced pursuant to section 5(b) for purposes of section 5A(a) at least thirty calendar days before the expiration of the sixty-day period specified in section 5(b)''; and

(B) by striking ''sixty-day period specified in such section'' and inserting ''sixty-day period specified in section 5(b)''; and

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

''(2)(A) Any joint resolution or bill introduced pursuant to subsection (b) or (c) of section 5A shall be referred to the committee provided for in paragraph (1), and such committee shall report one such joint resolution or bill, together with its recommendations, not later than twenty-four calendar days before the expiration of the thirty-day period beginning on the date of the introduction of such joint resolution or bill, unless such House shall otherwise determine by the yeas and nays.

''(B) In the case of any joint resolution or bill described in subparagraph (A), any reference in this section to the sixty-day period specified in section 5(b) shall be deemed to refer instead to the thirty-day period beginning on the date of the introduction of such joint resolution or bill.''.

SEC. 1294. LIMITATION ON USE OF FUNDS IN CONTRAVENTION OF THE WAR POWERS RESOLUTION OR OTHER APPLICABLE RESOLUTIONS AUTHORIZING USE OF MILITARY FORCE.

The War Powers Resolution (50 U.S.C. 1541 et seq.) is amended—

(1) by redesignating sections 9 and 10 as sections 10 and 11, respectively; and

(2) by inserting after section 8 the following new section 9:

''LIMITATION ON USE OF FUNDS

''SEC. 9. Appropriated funds may not be obligated or expended for the introduction or use of United States Armed Forces into or in hostilities or situations where imminent involvement in hostilities is clearly indicated by the circumstances in contravention of the provisions of this joint resolution, or another Joint Resolution or Act authorizing such introduction or use (if applicable).''.

SEC. 1295. JUSTIFICATION IN REQUESTS FOR AUTHORIZATIONS FOR USE OF MILITARY FORCE AND IN REPORTS ON USE OF MILITARY FORCE.

Section 4 of the War Powers Resolution (50 U.S.C. 1543) is amended by adding at the end the following new subsection:

''(d)(1) If in submitting a report under subsection (a) or in connection with an introduction of the United States Armed Forces as described in that subsection the President also submits to Congress a request for an authorization for use of the United States Armed Forces in the hostilities or situation concerned, the President shall include with such request a comprehensive justification for such request, including a justification for—

''(A) the nations, organizations, and forces covered by such request;

''(B) the countries and subdivisions of countries covered by such request; and

''(C) the duration of the request.

''(2) Each report under subsection (c) on the status of hostilities or a situation shall include a current comprehensive justification for use of the United States Armed Forces in the hostilities or situation, including a justification for—

''(A) the continuing use of the United States Armed Forces against the particular nations, organizations, and forces concerned;

''(B) the continuing use of the United States Armed Forces in the particular countries and subdivisions of countries concerned; and

''(C) the currently anticipated duration of the use of the United States Armed Forces in the hostilities or situation.

''(3)(A) Except as provided in subparagraph (B), any justification submitted pursuant to this subsection shall be in unclassified form to the greatest extent practicable, including in the specification of the countries or subdivisions of countries concerned and in the duration or anticipated duration concerned, but may include a classified annex (and then only to the extent required to protect the national security interests of the United States).

''(B) A request described in paragraph (1) shall list or specify the names of the nations, organizations, and forces covered by such request in unclassified form.''.

SEC. 1296. REPEAL OF AUTHORIZATIONS FOR USE OF MILITARY FORCE.

(a) AUTHORIZATION FOR USE OF MILITARY FORCE.—Effective on the date that is one year after the date of the enactment of this Act, the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) is repealed.

(b) AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.—Effective on the date that is one year after the date of the enactment of this Act, the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public law 107–243; 50 U.S.C. 1541 note) is repealed.

SA 3973. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 part II of subtitle B of title V, add the following:

SEC. 520B. NON-DISCRIMINATION AND SERVICE IN THE ARMED FORCES.

(a) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by inserting after section 653 the following new section:

''§ 654. Non-discrimination and service in the armed forces

''Service in the armed forces shall be open to all persons who are able meet the standards and eligibility criteria for military service, without regard to race, color, national origin, religion, or sex (including gender identity and sexual orientation).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 653 the following new item:

''654. Non-discrimination and service in the armed forces.''.

SA 3974. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 704. MODIFICATIONS TO TRICARE OPERATIONS MANUAL WITH RESPECT TO COVERAGE OF AUTISM THERAPY.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall modify the operations manual under the TRICARE program, or successor manual of the Department of Defense, with respect to coverage of autism therapy as follows:

(1) To allow a covered beneficiary one year to obtain a confirmatory diagnosis of autism spectrum disorder.

(2) To require that the person completing the Pervasive Developmental Disorder Behavior Inventory Teacher Form meet the criteria in the Pervasive Developmental Disorder Behavior Inventory Manual regarding frequency and duration of contact with the client.

(3) To require that the services provided for autism spectrum disorder focus primarily on measuring outcomes for the covered beneficiary as the primary recipient of services.

(4) To eliminate the prohibition on billing for services provided outside of the home, clinic, office, school, or via telehealth.

(5) To require that medically necessary services authorized in a school setting be delivered by a trained behavioral provider as determined by the applied behavior analysis supervisor.

(b) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

SA 3975. Mrs. GILLIBRAND (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 744. INDEPENDENT ANALYSIS OF DEPARTMENT OF DEFENSE COMPREHENSIVE AUTISM CARE DEMONSTRATION PROGRAM.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (in this section referred to as the ''National Academies'') for the National Academies to carry out the activities described in subsections (b) and (c).

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) not later than 60 days after the date of the enactment of this Act.

(b) ANALYSIS BY THE NATIONAL ACADEMIES.—

(1) ANALYSIS.—Under an agreement between the Secretary and the National Academies entered into under subsection (a), the National Academies shall conduct an analysis of the effectiveness of the Department of Defense Comprehensive Autism Care Demonstration program (in this section referred to as the ''demonstration program'') and develop recommendations for the Secretary based on such analysis.

(2) ELEMENTS.—The analysis conducted and recommendations developed under paragraph (1) shall include the following:

(A) A review of the use by the Department of Defense of the Pervasive Developmental Disorder Behavior Inventory as an outcome measure, in relation to the goals of intervention, and a determination as to whether the Secretary is applying such inventory appropriately under the demonstration program.

(B) A review of the raw baseline and follow-up data from providers, including an assessment of how the data were scored and an analysis of the data utilized by the Department in any reports submitted by the Secretary to Congress with respect to the demonstration program.

(C) An assessment of the methods used under the demonstration program to measure the effectiveness of applied behavior analysis in the treatment of autism spectrum disorder.

(D) A review of any guidelines or industry standards of care adhered to in the provision of applied behavior analysis services under the demonstration program, including a review of the expected health outcomes for an individual who has received such services.

(E) A review of the expected health outcomes for an individual who has received applied behavior analysis treatments over time.

(F) An analysis of the increased utilization of the demonstration program by beneficiaries under the TRICARE program, to improve understanding of such utilization.

(G) Such other analyses to measure the effectiveness of the demonstration program as may be determined appropriate by the National Academies.

(H) An analysis on whether the prevalence of autism is higher among the children of military families.

(I) The development of a list of findings and recommendations related to the measurement, effectiveness, and increased understanding of the demonstration program and its effect on beneficiaries under the TRICARE program.

(c) REPORT.—Under an agreement between the Secretary and the National Academies entered into under subsection (a), the National Academies, not later than 270 days after the date of the execution of the agreement, shall—

(1) submit to the congressional defense committees a report on the findings of the National Academies with respect to the analysis conducted and recommendations developed under subsection (b); and

(2) make such report available on a public website in unclassified form.

(d) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.

SA 3976. Ms. DUCKWORTH (for herself, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VIII, add the following:

SEC. 838. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of any procurement carried out in connection with a major defense acquisition program.

(2) INFORMATION REPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured in connection with a major defense acquisition 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 not later than the date of the enactment of this Act, exceeds 60 percent of cost of the manufactured articles, materials, or supplies procured;

(B) supplied during the period beginning January 1, 2024, and ending December 31, 2028, exceeds 65 percent of the cost of the manufactured articles, materials, or supplies; and

(C) supplied on or after January 1, 2029, exceeds 75 percent of the cost of the manufactured articles, materials, or supplies.

(2) 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.

(3) RULEMAKING.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense 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—

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

(ii) 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.

(B) TERMINATION.—Rules issued under this paragraph shall cease to have force or effect on January 1, 2030.

(4) APPLICABILITY.—The requirements of this subsection shall apply to contracts entered into on or after the date of the enactment of this Act.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—The term ''major defense acquisition program'' has the meaning given in section 2430 of title 10, United States Code.

SA 3977. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. LIMITATION ON PROCUREMENT OF WELDED SHIPBOARD ANCHOR AND MOORING CHAIN FOR NAVAL VESSELS.

Section 2534(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) Welded shipboard anchor and mooring chain.''.

SA 3978. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10____. DESIGNATION OF OLYMPIC NATIONAL FOREST WILDERNESS AREAS; WILD AND SCENIC RIVER DESIGNATIONS.

(a) DESIGNATION OF OLYMPIC NATIONAL FOREST WILDERNESS AREAS.—

(1) IN GENERAL.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the Olympic National Forest in the State of Washington comprising approximately 126,554 acres, as generally depicted on the map entitled ''Proposed Wild Olympics Wilderness and Wild and Scenic Rivers Act'' and dated April 8, 2019 (referred to in this subsection as the ''map''), is designated as wilderness and as components of the National Wilderness Preservation System:

(A) LOST CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 7,159 acres, as generally depicted on the map, which shall be known as the ''Lost Creek Wilderness''.

(B) RUGGED RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,956 acres, as generally depicted on the map, which shall be known as the ''Rugged Ridge Wilderness''.

(C) ALCKEE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,787 acres, as generally depicted on the map, which shall be known as the ''Alckee Creek Wilderness''.

(D) GATES OF THE ELWHA WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,669 acres, as generally depicted on the map, which shall be known as the ''Gates of the Elwha Wilderness''.

(E) BUCKHORN WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 21,965 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Buckhorn Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(F) GREEN MOUNTAIN WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 4,790 acres, as generally depicted on the map, which shall be known as the ''Green Mountain Wilderness''.

(G) THE BROTHERS WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,625 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''The Brothers Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(H) MOUNT SKOKOMISH WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,933 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Mount Skokomish Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(I) WONDER MOUNTAIN WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 26,517 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Wonder Mountain Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(J) MOONLIGHT DOME WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 9,117 acres, as generally depicted on the map, which shall be known as the ''Moonlight Dome Wilderness''.

(K) SOUTH QUINAULT RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 10,887 acres, as generally depicted on the map, which shall be known as the ''South Quinault Ridge Wilderness''.

(L) COLONEL BOB WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 353 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Colonel Bob Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(M) SAM'S RIVER WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 13,418 acres, as generally depicted on the map, which shall be known as the ''Sam's River Wilderness''.

(N) CANOE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,378 acres, as generally depicted on the map, which shall be known as the ''Canoe Creek Wilderness''.

(2) ADMINISTRATION.—

(A) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by paragraph (1) shall be administered by the Secretary of Agriculture (referred to in this subsection as the ''Secretary''), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(B) MAP AND DESCRIPTION.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by paragraph (1) with—

(I) the Committee on Natural Resources of the House of Representatives; and

(II) the Committee on Energy and Natural Resources of the Senate.

(ii) EFFECT.—Each map and legal description filed under clause (i) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map and legal description.

(iii) PUBLIC AVAILABILITY.—Each map and legal description filed under clause (i) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(3) POTENTIAL WILDERNESS.—

(A) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Forest Service, comprising approximately 5,346 acres as identified as ''Potential Wilderness'' on the map, is designated as potential wilderness.

(B) DESIGNATION AS WILDERNESS.—On the date on which the Secretary publishes in the Federal Register notice that any nonconforming uses in the potential wilderness designated by subparagraph (A) have terminated, the potential wilderness shall be—

(i) designated as wilderness and as a component of the National Wilderness Preservation System; and

(ii) incorporated into the adjacent wilderness area.

(4) ADJACENT MANAGEMENT.—

(A) NO PROTECTIVE PERIMETERS OR BUFFER ZONES.—The designations in this subsection shall not create a protective perimeter or buffer zone around any wilderness area.

(B) NONCONFORMING USES PERMITTED OUTSIDE OF BOUNDARIES OF WILDERNESS AREAS.—Any activity or use outside of the boundary of any wilderness area designated under this subsection shall be permitted even if the activity or use would be seen or heard within the boundary of the wilderness area.

(5) FIRE, INSECTS, AND DISEASES.—The Secretary may take such measures as are necessary to control fire, insects, and diseases, in the wilderness areas designated by this subsection, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and subject to such terms and conditions as the Secretary determines to be appropriate.

(b) WILD AND SCENIC RIVER DESIGNATIONS.—

(1) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) ELWHA RIVER, WASHINGTON.—The approximately 29.0-mile segment of the Elwha River and tributaries from the source to Cat Creek, to be administered by the Secretary of the Interior as a wild river.

''(232) DUNGENESS RIVER, WASHINGTON.—The segment of the Dungeness River from the headwaters to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments of the

mainstem and major tributary the Gray Wolf River, in the following classes:

''(A) The approximately 5.8-mile segment of the Dungeness River from the headwaters to the 2870 Bridge, as a wild river.

''(B) The approximately 2.1-mile segment of the Dungeness River from the 2870 Bridge to Silver Creek, as a scenic river.

''(C) The approximately 2.7-mile segment of the Dungeness River from Silver Creek to Sleepy Hollow Creek, as a wild river.

''(D) The approximately 6.3-mile segment of the Dungeness River from Sleepy Hollow Creek to the Olympic National Forest boundary, as a scenic river.

''(E) The approximately 1.9-mile segment of the Dungeness River from the National Forest boundary to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(F) The approximately 16.1-mile segment of the Gray Wolf River from the headwaters to the 2870 Bridge, as a wild river.

''(G) The approximately 1.1-mile segment of the Gray Wolf River from the 2870 Bridge to the confluence with the Dungeness River, as a scenic river.

''(233) BIG QUILCENE RIVER, WASHINGTON.—The segment of the Big Quilcene River from the headwaters to the City of Port Townsend water intake facility, to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 4.4-mile segment from the headwaters to the Buckhorn Wilderness boundary, as a wild river.

''(B) The approximately 5.3-mile segment from the Buckhorn Wilderness boundary to the City of Port Townsend water intake facility, as a scenic river.

''(C) Section 7(a), with respect to the licensing of dams, water conduits, reservoirs, powerhouses, transmission lines, or other project works, shall apply to the approximately 5-mile segment from the City of Port Townsend water intake facility to the Olympic National Forest boundary.

''(234) DOSEWALLIPS RIVER, WASHINGTON.—The segment of the Dosewallips River from the headwaters to the private land in T. 26 N., R. 3 W., sec. 15, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 12.9-mile segment from the headwaters to Station Creek, as a wild river.

''(B) The approximately 6.8-mile segment from Station Creek to the private land in T. 26 N., R. 3 W., sec. 15, as a scenic river.

''(235) DUCKABUSH RIVER, WASHINGTON.—The segment of the Duckabush River from the headwaters to the private land in T. 25 N., R. 3 W., sec. 1, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 19.0-mile segment from the headwaters to the Brothers Wilderness boundary, as a wild river.

''(B) The approximately 1.9-mile segment from the Brothers Wilderness boundary to the private land in T. 25 N., R. 3 W., sec. 1, as a scenic river.

''(236) HAMMA HAMMA RIVER, WASHINGTON.—The segment of the Hamma Hamma River from the headwaters to the eastern edge of the NW¼ sec. 21, T. 24 N., R. 3 W., to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 3.1-mile segment from the headwaters to the Mt. Skokomish Wilderness boundary, as a wild river.

''(B) The approximately 5.8-mile segment from the Mt. Skokomish Wilderness boundary to Lena Creek, as a scenic river.

''(C) The approximately 6.8-mile segment from Lena Creek to the eastern edge of the NW¼ sec. 21, T. 24 N., R. 3 W., to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(237) SOUTH FORK SKOKOMISH RIVER, WASHINGTON.—The segment of the South Fork Skokomish River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 6.7-mile segment from the headwaters to Church Creek, as a wild river.

''(B) The approximately 8.3-mile segment from Church Creek to LeBar Creek, as a scenic river.

''(C) The approximately 4.0-mile segment from LeBar Creek to upper end of gorge in the NW¼ sec. 22, T. 22 N., R. 5 W., as a recreational river.

''(D) The approximately 6.0-mile segment from the upper end of the gorge to the Olympic National Forest boundary, as a scenic river.

''(238) MIDDLE FORK SATSOP RIVER, WASHINGTON.—The approximately 7.9-mile segment of the Middle Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(239) WEST FORK SATSOP RIVER, WASHINGTON.—The approximately 8.2-mile segment of the West Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(240) WYNOOCHEE RIVER, WASHINGTON.—The segment of the Wynoochee River from the headwaters to the head of Wynoochee Reservoir to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 2.5-mile segment from the headwaters to the boundary of the Wonder Mountain Wilderness, as a wild river.

''(B) The approximately 7.4-mile segment from the boundary of the Wonder Mountain Wilderness to the head of Wynoochee Reservoir, as a recreational river.

''(241) EAST FORK HUMPTULIPS RIVER, WASHINGTON.—The segment of the East Fork Humptulips River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 7.4-mile segment from the headwaters to the Moonlight Dome Wilderness boundary, as a wild river.

''(B) The approximately 10.3-mile segment from the Moonlight Dome Wilderness boundary to the Olympic National Forest boundary, as a scenic river.

''(242) WEST FORK HUMPTULIPS RIVER, WASHINGTON.—The approximately 21.4-mile segment of the West Fork Humptulips River from the headwaters to the Olympic National Forest Boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(243) QUINAULT RIVER, WASHINGTON.—The segment of the Quinault River from the headwaters to private land in T. 24 N., R. 8 W., sec. 33, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 16.5-mile segment from the headwaters to Graves Creek, as a wild river.

''(B) The approximately 6.7-mile segment from Graves Creek to Cannings Creek, as a scenic river.

''(C) The approximately 1.0-mile segment from Cannings Creek to private land in T. 24 N., R. 8 W., sec. 33, as a recreational river.

''(244) QUEETS RIVER, WASHINGTON.—The segment of the Queets River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, except that portions of the river outside the boundaries of Olympic National Park shall be administered by the Secretary of Agriculture, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 28.6-mile segment of the Queets River from the headwaters to the confluence with Sams River, as a wild river.

''(B) The approximately 16.0-mile segment of the Queets River from the confluence with Sams River to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 15.7-mile segment of the Sams River from the headwaters to the confluence with the Queets River, as a scenic river.

''(D) The approximately 17.7-mile segment of Matheny Creek from the headwaters to the confluence with the Queets River, to be administered as a scenic river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(245) HOH RIVER, WASHINGTON.—The segment of the Hoh River and the major tributary South Fork Hoh from the headwaters to Olympic National Park boundary, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 20.7-mile segment of the Hoh River from the headwaters to Jackson Creek, as a wild river.

''(B) The approximately 6.0-mile segment of the Hoh River from Jackson Creek to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 13.8-mile segment of the South Fork Hoh River from the headwaters to the Olympic National Park boundary, as a wild river.

''(D) The approximately 4.6-mile segment of the South Fork Hoh River from the Olympic National Park boundary to the Washington State Department of Natural Resources boundary in T. 27 N., R. 10 W., sec. 29, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture, as provided in section 10(e).

''(246) BOGACHIEL RIVER, WASHINGTON.—The approximately 25.6-mile segment of the Bogachiel River from the source to the Olympic National Park boundary, to be administered by the Secretary of the Interior, as a wild river.

''(247) SOUTH FORK CALAWAH RIVER, WASHINGTON.—The segment of the South Fork Calawah River and the major tributary Sitkum River from the headwaters to Hyas Creek to be administered by the Secretary of Agriculture, except those portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments in the following classes:

''(A) The approximately 15.7-mile segment of the South Fork Calawah River from the headwaters to the Sitkum River, as a wild river.

''(B) The approximately 0.9-mile segment of the South Fork Calawah River from the

Sitkum River to Hyas Creek, as a scenic river.

''(C) The approximately 1.6-mile segment of the Sitkum River from the headwaters to the Rugged Ridge Wilderness boundary, as a wild river.

''(D) The approximately 11.9-mile segment of the Sitkum River from the Rugged Ridge Wilderness boundary to the confluence with the South Fork Calawah, as a scenic river.

''(248) SOL DUC RIVER, WASHINGTON.—The segment of the Sol Duc River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 7.0-mile segment of the Sol Duc River from the headwaters to the end of Sol Duc Hot Springs Road, as a wild river.

''(B) The approximately 10.8-mile segment of the Sol Duc River from the end of Sol Duc Hot Springs Road to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 14.2-mile segment of the North Fork Sol Duc River from the headwaters to the Olympic Hot Springs Road bridge, as a wild river.

''(D) The approximately 0.2-mile segment of the North Fork Sol Duc River from the Olympic Hot Springs Road bridge to the confluence with the Sol Duc River, as a scenic river.

''(E) The approximately 8.0-mile segment of the South Fork Sol Duc River from the headwaters to the confluence with the Sol Duc River, as a scenic river.

''(249) LYRE RIVER, WASHINGTON.—The approximately 0.2-mile segment of the Lyre River from Lake Crescent to the Olympic National Park boundary, to be administered by the Secretary of the Interior as a scenic river.''.

(2) EFFECT.—The amendment made by paragraph (1) does not affect valid existing water rights.

(3) UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 3 years after the date of enactment of this Act, the Secretary of Agriculture shall, with respect to the designations made under paragraph (1) on land under the jurisdiction of the Secretary, incorporate such designations into updated management plans for units of the National Forest System in accordance with applicable laws (including regulations).

(B) EXCEPTION.—The date specified in subparagraph (A) shall be 5 years after the date of enactment of this Act if the Secretary of Agriculture—

(i) is unable to meet the requirement under that subparagraph by the date specified in such subparagraph; and

(ii) not later than 3 years after the date of enactment of this Act, includes in the Department of Agriculture annual budget submission to Congress a request for additional sums as may be necessary to meet the requirement of that subparagraph.

(C) COMPREHENSIVE MANAGEMENT PLAN REQUIREMENTS.—Updated management plans under subparagraph (A) or (B) satisfy the requirements under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(c) EXISTING RIGHTS AND WITHDRAWAL.—

(1) IN GENERAL.—In accordance with section 12(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1283(b)), nothing in this section or the amendment made by subsection (b)(1) affects or abrogates existing rights, privileges, or contracts held by private parties, nor does this section in any way modify or direct the management, acquisition, or disposition of land managed by the Washington Department of Natural Resources on behalf of the State of Washington.

(2) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by this section and the amendment made by subsection (b)(1) is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(d) TREATY RIGHTS.—Nothing in this section alters, modifies, diminishes, or extinguishes the reserved treaty rights of any Indian Tribe with hunting, fishing, gathering, and cultural or religious rights as protected by a treaty.

SA 3979. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

Subtitle D—Reproductive and Fertility Preservation Assistance

SEC. 751. DEFINITIONS.

In this subtitle:

(1) ACTIVE DUTY.—The term ''active duty'' has the meaning given that term in section 101(d)(1) of title 10, United States Code.

(2) ARMED FORCES.—The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a)(4) of such title.

SEC. 752. ESTABLISHMENT OF FERTILITY PRESERVATION PROCEDURES AFTER AN INJURY OR ILLNESS.

(a) IN GENERAL.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Health Affairs, shall establish procedures for the retrieval of gametes, as soon as medically appropriate, from a member of the Armed Forces in cases in which the fertility of such member is potentially jeopardized as a result of an injury or illness incurred or aggravated while serving on active duty in the Armed Forces in order to preserve the medical options of such member.

(b) CONSENT FOR RETRIEVAL OF GAMETES.—Gametes may be retrieved from a member of the Armed Forces under subsection (a) only—

(1) with the specific consent of the member; or

(2) if the member is unable to consent, if a medical professional determines that—

(A) the future fertility of the member is potentially jeopardized as a result of an injury or illness described in subsection (a) or will be potentially jeopardized as a result of treating such injury or illness;

(B) the member lacks the capacity to consent to the retrieval of gametes and is likely to regain such capacity; and

(C) the retrieval of gametes under this section is in the medical interest of the member.

(c) CONSENT FOR USE OF RETRIEVED GAMETES.—Gametes retrieved from a member of the Armed Forces under subsection (a) may be used only—

(1) with the specific consent of the member; or

(2) if the member has lost the ability to consent permanently, as determined by a medical professional, as specified in an advance directive or testamentary instrument executed by the member.

(d) DISPOSAL OF GAMETES.—In accordance with regulations prescribed by the Secretary for purpose of this subsection, the Secretary shall dispose of gametes retrieved from a member of the Armed Forces under subsection (a)—

(1) with the specific consent of the member; or

(2) if the member—

(A) has lost the ability to consent permanently, as determined by a medical professional; and

(B) has not specified the use of their gametes in an advance directive or testamentary instrument executed by the member.

SEC. 753. CRYOPRESERVATION AND STORAGE OF GAMETES OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.

(a) IN GENERAL.—The Secretary of Defense shall provide members of the Armed Forces on active duty in the Armed Forces with the opportunity to cryopreserve and store their gametes prior to—

(1) deployment to a combat zone; or

(2) a duty assignment that includes a hazardous assignment, as determined by the Secretary.

(b) PERIOD OF TIME.—

(1) IN GENERAL.—The Secretary shall provide for the cryopreservation and storage of gametes of any member of the Armed Forces under subsection (a) in a facility of the Department of Defense or of a private entity and the transportation of such gametes, at no cost to the member, until the date that is one year after the retirement, separation, or release of the member from the Armed Forces.

(2) CONTINUED CRYOPRESERVATION AND STORAGE.—At the end of the one-year period specified in paragraph (1), the Secretary shall permit an individual whose gametes were cryopreserved and stored in a facility of the Department as described in that paragraph to select, including pursuant to an advance medical directive or military testamentary instrument completed under subsection (c), one of the following options:

(A) To continue such cryopreservation and storage in such facility with the cost of such cryopreservation and storage borne by the individual.

(B) To transfer the gametes to a private cryopreservation and storage facility selected by the individual.

(C) To transfer the gametes to a facility of the Department of Veterans Affairs if cryopreservation and storage is available to the individual at such facility.

(3) DISPOSAL OF GAMETES.—If an individual described in paragraph (2) does not make a selection under subparagraph (A), (B), or (C) of such paragraph, the Secretary may dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

(c) ADVANCE MEDICAL DIRECTIVE AND MILITARY TESTAMENTARY INSTRUMENT.—A member of the Armed Forces who elects to cryopreserve and store their gametes under this section must complete an advance medical directive, as defined in section 1044c(b) of title 10, United States Code, and a military testamentary instrument, as defined in section 1044d(b) of such title, that explicitly specifies the use of their cryopreserved and stored gametes if such member dies or otherwise loses the capacity to consent to the use of their cryopreserved and stored gametes.

(d) AGREEMENTS.—To carry out this section, the Secretary may enter into agreements with private entities that provide cryopreservation, transportation, and storage services for gametes.

SEC. 754. ASSISTANCE WITH AND CONTINUITY OF CARE REGARDING REPRODUCTIVE AND FERTILITY PRESERVATION SERVICES.

The Secretary of Defense shall ensure that employees of the Department of Defense assist members of the Armed Forces—

(1) in navigating the services provided under this subtitle;

(2) in finding a provider that meets the needs of such members with respect to such services; and

(3) in continuing the receipt of such services without interruption during a permanent change of station for such members.

SEC. 755. COORDINATION BETWEEN DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS ON FURNISHING OF FERTILITY TREATMENT AND COUNSELING.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall share best practices and facilitate referrals, as they consider appropriate, on the furnishing of fertility treatment and counseling to individuals eligible for the receipt of such counseling and treatment from the Secretaries.

(b) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding—

(1) providing that the Secretary of Defense will ensure access by the Secretary of Veterans Affairs to gametes of veterans stored by the Department of Defense; and

(2) authorizing the Department of Veterans Affairs to compensate the Department of Defense for the cryopreservation, transportation, and storage of gametes of veterans under section 753.

SEC. 756. MODERNIZATION AND EXPANSION OF ASSISTED REPRODUCTIVE TECHNOLOGY PROGRAM.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop and submit to Congress a strategy to modernize and expand the program described in the memorandum on the subject ''Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members'' issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012.

SA 3980. Mr. CARDIN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1283. MODIFICATIONS TO AND REAUTHORIZATION OF SANCTIONS WITH RESPECT TO HUMAN RIGHTS VIOLATIONS.

(a) DEFINITIONS.—Section 1262 of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended by striking paragraph (2) and inserting the following:

''(2) IMMEDIATE FAMILY MEMBER.—The term 'immediate family member', with respect to a foreign person, means the spouse, parent, sibling, or adult child of the person.''.

(b) SENSE OF CONGRESS.—The Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended by inserting after section 1262 the following new section:

''SEC. 1262A. SENSE OF CONGRESS.

''It is the sense of Congress that the President should establish and regularize information sharing and sanctions-related decision making with like-minded governments possessing human rights and anti-corruption sanctions programs similar in nature to those authorized under this subtitle.''.

(c) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Subsection (a) of section 1263 of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended to read as follows:

''(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to—

''(1) any foreign person that the President determines, based on credible information—

''(A) is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse;

''(B) is a current or former government official, or a person acting for or on behalf of such an official, who is responsible for or complicit in, or has directly or indirectly engaged in—

''(i) corruption, including—

''(I) the misappropriation of state assets;

''(II) the expropriation of private assets for personal gain;

''(III) corruption related to government contracts or the extraction of natural resources; or

''(IV) bribery; or

''(ii) the transfer or facilitation of the transfer of the proceeds of corruption;

''(C) is or has been a leader or official of—

''(i) an entity, including a government entity, that has engaged in, or whose members have engaged in, any of the activities described in subparagraph (A) or (B) related to the tenure of the leader or official; or

''(ii) an entity whose property and interests in property are blocked pursuant to this section as a result of activities related to the tenure of the leader or official;

''(D) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of—

''(i) an activity described in subparagraph (A) or (B) that is conducted by a foreign person;

''(ii) a person whose property and interests in property are blocked pursuant to this section; or

''(iii) an entity, including a government entity, that has engaged in, or whose members have engaged in, an activity described in subparagraph (A) or (B) conducted by a foreign person; or

''(E) is owned or controlled by, or has acted or been purported to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to this section; and

''(2) any immediate family member of a person described in paragraph (1).''.

(2) CONSIDERATION OF CERTAIN INFORMATION.—Subsection (c)(2) of such section is amended by inserting ''corruption and'' after ''monitor''.

(3) REQUESTS BY CONGRESS.—Subsection (d) of such section is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''subsection (a)'' and inserting ''subsection (a)(1)''; and

(ii) in subparagraph (B)(i), by inserting ''or an immediate family member of the person''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking ''HUMAN RIGHTS VIOLATIONS'' and inserting ''SERIOUS HUMAN RIGHTS ABUSE''; and

(II) by striking ''described in paragraph (1) or (2) of subsection (a)'' and inserting ''described in subsection (a)(1) relating to serious human rights abuse''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''described in paragraph (3) or (4) of subsection (a)'' and inserting ''described in subsection (a)(1) relating to corruption or the transfer or facilitation of the transfer of the proceeds of corruption''; and

(II) by striking ''ranking member of'' and all that follows through the period at the end and inserting ''ranking member of one of the appropriate congressional committees''.

(4) TERMINATION OF SANCTIONS.—Subsection (g) of such section is amended, in the matter preceding paragraph (1), by inserting ''and the immediate family members of that person'' after ''a person''.

(d) REPORTS TO CONGRESS.—Section 1264(a) of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) A description of additional steps taken by the President through diplomacy, international engagement, and assistance to foreign or security sectors to address persistent underlying causes of serious human rights abuse and corruption in each country in which foreign persons with respect to which sanctions have been imposed under section 1263 are located.''.

(e) REPEAL OF SUNSET.—Section 1265 of the Global Magnitsky Human Rights Accountability Act (Subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) is repealed.

SA 3981. Mr. CARDIN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1283. COMBATING GLOBAL CORRUPTION.

(a) DEFINITIONS.—In this section:

(1) CORRUPT ACTOR.—The term ''corrupt actor'' means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of corruption.

(2) CORRUPTION.—The term ''corruption'' means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

(3) SIGNIFICANT CORRUPTION.—The term ''significant corruption'' means corruption committed at a high level of government that has some or all of the following characteristics:

(A) Illegitimately distorts major decision-making, such as policy or resource determinations, or other fundamental functions of governance.

(B) Involves economically or socially large-scale government activities.

(b) PUBLICATION OF TIERED RANKING LIST.—

(1) IN GENERAL.—The Secretary of State shall annually publish, on a publicly accessible website, a tiered ranking of all foreign countries.

(2) TIER 1 COUNTRIES.—A country shall be ranked as a tier 1 country in the ranking published under paragraph (1) if the government of such country is complying with the minimum standards set forth in subsection (c).

(3) TIER 2 COUNTRIES.—A country shall be ranked as a tier 2 country in the ranking published under paragraph (1) if the government of such country is making efforts to comply with the minimum standards set forth in subsection (c), but is not achieving the requisite level of compliance to be ranked as a tier 1 country.

(4) TIER 3 COUNTRIES.—A country shall be ranked as a tier 3 country in the ranking published under paragraph (1) if the government of such country is making de minimis or no efforts to comply with the minimum standards set forth in subsection (c).

(c) MINIMUM STANDARDS FOR THE ELIMINATION OF CORRUPTION AND ASSESSMENT OF EFFORTS TO COMBAT CORRUPTION.—

(1) IN GENERAL.—The government of a country is complying with the minimum standards for the elimination of corruption if the government—

(A) has enacted and implemented laws and established government structures, policies, and practices that prohibit corruption, including significant corruption;

(B) enforces the laws described in subparagraph (A) by punishing any person who is found, through a fair judicial process, to have violated such laws;

(C) prescribes punishment for significant corruption that is commensurate with the punishment prescribed for serious crimes; and

(D) is making serious and sustained efforts to address corruption, including through prevention.

(2) FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT CORRUPTION.—In determining whether a government is making serious and sustained efforts to address corruption, the Secretary of State shall consider, to the extent relevant or appropriate, factors such as—

(A) whether the government of the country has criminalized corruption, investigates and prosecutes acts of corruption, and convicts and sentences persons responsible for such acts over which it has jurisdiction, including, as appropriate, incarcerating individuals convicted of such acts;

(B) whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate corruption, including nationals of the country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions, who engage in or facilitate significant corruption;

(C) whether the government of the country has adopted measures to prevent corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of corruption;

(D) what steps the government of the country has taken to prohibit government officials from participating in, facilitating, or condoning corruption, including the investigation, prosecution, and conviction of such officials;

(E) the extent to which the country provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat corruption, including reporting, investigating, and monitoring;

(F) whether an independent judiciary or judicial body in the country is responsible for, and effectively capable of, deciding corruption cases impartially, on the basis of facts and in accordance with the law, without any improper restrictions, influences, inducements, pressures, threats, or interferences (direct or indirect);

(G) whether the government of the country is assisting in international investigations of transnational corruption networks and in other cooperative efforts to combat significant corruption, including, as appropriate, cooperating with the governments of other countries to extradite corrupt actors;

(H) whether the government of the country recognizes the rights of victims of corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

(I) whether the government of the country protects victims of corruption or whistleblowers from reprisal due to such persons having assisted in exposing corruption, and refrains from other discriminatory treatment of such persons;

(J) whether the government of the country is willing and able to recover and, as appropriate, return the proceeds of corruption;

(K) whether the government of the country is taking steps to implement financial transparency measures in line with the Financial Action Task Force recommendations, including due diligence and beneficial ownership transparency requirements;

(L) whether the government of the country is facilitating corruption in other countries in connection with state-directed investment, loans or grants for major infrastructure, or other initiatives; and

(M) such other information relating to corruption as the Secretary of State considers appropriate.

(3) ASSESSING GOVERNMENT EFFORTS TO COMBAT CORRUPTION IN RELATION TO RELEVANT INTERNATIONAL COMMITMENTS.—In determining whether a government is making serious and sustained efforts to address corruption, the Secretary of State shall consider the government of a country's compliance with the following, as relevant:

(A) The Inter-American Convention against Corruption of the Organization of American States, done at Caracas March 29, 1996.

(B) The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation of Economic Co-operation and Development, done at Paris December 21, 1997 (commonly referred to as the ''Anti-Bribery Convention'').

(C) The United Nations Convention against Transnational Organized Crime, done at New York November 15, 2000.

(D) The United Nations Convention against Corruption, done at New York October 31, 2003.

(E) Such other treaties, agreements, and international standards as the Secretary of State considers appropriate.

(d) IMPOSITION OF SANCTIONS UNDER GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT.—

(1) IN GENERAL.—The Secretary of State, in coordination with the Secretary of the Treasury, should evaluate whether there are foreign persons engaged in significant corruption for the purposes of potential imposition of sanctions under the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note)—

(A) in all countries identified as tier 3 countries under subsection (b); or

(B) in relation to the planning or construction or any operation of the Nord Stream 2 pipeline.

(2) REPORT REQUIRED.—Not later than 180 days after publishing the list required by subsection (b)(1) and annually thereafter, the Secretary of State shall submit to the committees specified in paragraph (6) a report that includes—

(A) a list of foreign persons with respect to which the President imposed sanctions pursuant to the evaluation under paragraph (1);

(B) the dates on which such sanctions were imposed;

(C) the reasons for imposing such sanctions; and

(D) a list of all foreign persons found to have been engaged in significant corruption in relation to the planning, construction, or operation of the Nord Stream 2 pipeline.

(3) FORM OF REPORT.—Each report required by paragraph (2) shall be submitted in unclassified form but may include a classified annex.

(4) BRIEFING IN LIEU OF REPORT.—The Secretary of State, in coordination with the Secretary of the Treasury, may (except with respect to the list required by paragraph (2)(D)) provide a briefing to the committees specified in paragraph (6) instead of submitting a written report required under paragraph (2), if doing so would better serve existing United States anti-corruption efforts or the national interests of the United States.

(5) TERMINATION OF REQUIREMENTS RELATING TO NORD STREAM 2.—The requirements under paragraphs (1)(B) and (2)(D) shall terminate on the date that is 5 years after the date of the enactment of this Act.

(6) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives.

(e) DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.—

(1) IN GENERAL.—The Secretary of State shall annually designate an anti-corruption point of contact at the United States diplomatic post to each country identified as tier 2 or tier 3 under subsection (b), or which the Secretary otherwise determines is in need of such a point of contact. The point of contact shall be the chief of mission or the chief of mission's designee.

(2) RESPONSIBILITIES.—Each anti-corruption point of contact designated under subsection (a) shall be responsible for enhancing coordination and promoting the implementation of a whole-of-government approach among the relevant Federal departments and agencies undertaking efforts to—

(A) promote good governance in foreign countries; and

(B) enhance the ability of such countries—

(i) to combat public corruption; and

(ii) to develop and implement corruption risk assessment tools and mitigation strategies.

(3) TRAINING.—The Secretary of State shall implement appropriate training for anti-corruption points of contact designated under paragraph (1).

SA 3982. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 division A, add the following:

TITLE XVII—COMBATING CORRUPTION AND PROMOTING ACCOUNTABILITY INTERNATIONALLY

Subtitle A—Transnational Repression Accountability and Prevention Act of 2021

SEC. 1701. SHORT TITLE.

This subtitle may be cited as the ''Transnational Repression Accountability and Prevention Act of 2021'' or as the ''TRAP Act of 2021''.

SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) The International Criminal Police Organization (INTERPOL) works to prevent and fight crime through enhanced cooperation and innovation on police and security matters, including kleptocracy, counterterrorism, cybercrime, counternarcotics, and transnational organized crime.

(2) United States membership and participation in INTERPOL advances the national security and law enforcement interests of the United States related to combating kleptocracy, terrorism, cybercrime, narcotics, and transnational organized crime.

(3) Article 2 of INTERPOL's Constitution states that the organization aims ''[to] ensure and promote the widest possible mutual assistance between all criminal police authorities . . . in the spirit of the 'Universal Declaration of Human Rights' ''.

(4) Article 3 of INTERPOL's Constitution states that ''[i]t is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character''.

(5) These principles provide INTERPOL with a foundation based on respect for human rights and avoidance of politically motivated actions by the organization and its members.

(6) Some INTERPOL member countries have used INTERPOL's databases and processes, including Notice and Diffusion mechanisms and the Stolen and Lost Travel Document Database, for activities of a political or other unlawful character and in violation of international human rights standards, including making requests to INTERPOL for interventions related to purported charges of ordinary law crimes that are fabricated for political or other unlawful motives.

(7) According to the Justice Manual of the United States Department of Justice, ''[i]n the United States, national law prohibits the arrest of the subject of a Red Notice issued by another INTERPOL member country, based upon the notice alone'' and requires the existence of a valid extradition treaty between the requesting country and the United States, a valid request for provisional arrest of the subject individual, and an arrest warrant issued by a United States District Court based on a complaint filed by the United States Attorney's Office of the subject jurisdiction.

SEC. 1703. STATEMENT OF POLICY.

It is the policy of the United States:

(1) To use the voice, vote, and influence of the United States, as appropriate, within INTERPOL's General Assembly and Executive Committee to promote the following objectives aimed at improving the transparency of INTERPOL and ensuring its operation consistent with its Constitution, particularly articles 2 and 3, and Rules on the Processing of Data:

(A) Support INTERPOL's reforms enhancing the screening process for Notices, Diffusions, and other INTERPOL communications to ensure they comply with INTERPOL's Constitution and Rules on the Processing of Data (RPD).

(B) Support and strengthen INTERPOL's coordination with the Commission for Control of INTERPOL's Files (CCF) in cases in which INTERPOL or the CCF has determined that a member country issued a Notice, Diffusion, or other INTERPOL communication against an individual in violation of articles 2 or 3 of the INTERPOL Constitution, or the RPD, to prohibit such member country from seeking the publication or issuance of any subsequent Notices, Diffusions, or other INTERPOL communication against the same individual based on the same set of claims or facts.

(C) Support candidates for positions within INTERPOL's structures, including the Presidency, Executive Committee, General Secretariat, and CCF who have demonstrated experience relating to and respect for the rule of law.

(D) Seek to require INTERPOL in its annual report to provide a detailed account of the following information, disaggregated by member country or entity:

(i) The number of Notice requests, disaggregated by color, that it received.

(ii) The number of Notice requests, disaggregated by color, that it rejected.

(iii) The category of violation identified in each instance of a rejected Notice.

(iv) The number of Diffusions that it cancelled without reference to decisions by the CCF.

(v) The sources of all INTERPOL income during the reporting period.

(E) Support greater transparency by the CCF in its annual report by providing a detailed account of the following information, disaggregated by country:

(i) The number of admissible requests for correction or deletion of data received by the CCF regarding issued Notices, Diffusions, and other INTERPOL communications.

(ii) The category of violation alleged in each such complaint.

(2) Put in place procedures, as appropriate, for sharing with relevant departments and agencies credible information of likely attempts by member countries to abuse INTERPOL communications for politically motivated or other unlawful purposes so that, as appropriate, action can be taken in accordance with their respective institutional mandates.

SEC. 1704. REPORT ON THE ABUSE OF INTERPOL SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, in coordination with the Secretary of Homeland Secretary, the Secretary of State, and the heads of other relevant United States Government departments or agencies shall submit to the appropriate congressional committees a report containing an assessment of how INTERPOL member countries abuse INTERPOL Red Notices, Diffusions, and other INTERPOL communications for political motives and other unlawful purposes within the past three years.

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

(1) A description of the most common tactics employed by member countries in conducting such abuse, including the crimes most commonly alleged and the INTERPOL communications most commonly exploited.

(2) An assessment of the adequacy of INTERPOL mechanisms for challenging abusive re- quests, including the Commission for the Control of INTERPOL's Files (CCF), and any shortcoming the United States believes should be addressed.

(3) A description of any incidents in which the Department of Justice assesses that United States courts and executive departments or agencies have relied on INTERPOL communications in contravention of existing law or policy to seek the detention of individuals or render judgments concerning their immigration status or requests for asylum, with holding of removal, or convention against torture claims and any measures the Department of Justice or other executive departments or agencies took in response to these incidents.

(4) A description of how the United States monitors and responds to likely instances of abuse of INTERPOL communications by member countries that could affect the interests of the United States, including citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(5) A description of what actions the United States takes in response to credible information it receives concerning likely abuse of INTERPOL communications targeting employees of the United States Government for activities they undertook in an official capacity.

(6) A description of United States advocacy for reform and good governance within INTERPOL.

(7) A strategy for improving interagency coordination to identify and address instances of INTERPOL abuse that affect the interests of the United States, including international respect for human rights and fundamental freedoms, citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(8) An estimate of the costs involved in establishing such improvements.

(c) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form and be published in the Federal Register, but may include a classified annex, as appropriate.

(d) BRIEFING.—Not later than 180 days after the submission of the report in subsection (a), and every 180 days after for two years, the Department of Justice, in coordination with the Department of Homeland Secretary, the Department of State, and the heads of other relevant United States Government departments and agencies shall brief the appropriate congressional committees on recent instances of INTERPOL abuse by member countries and United States efforts to identify and challenge such abuse, including efforts to promote reform and good governance within INTERPOL.

SEC. 1705. PROHIBITION ON DENIAL OF SERVICES.

(a) ARRESTS.—No United States Government department or agency may arrest an individual for the purpose of extradition who is the subject of an INTERPOL Red Notice or Diffusion issued by another INTERPOL member country, based solely upon the INTERPOL communication without—

(1) prior verification of the individual's eligibility for extradition under a valid bilateral extradition treaty for the specified crime or crimes;

(2) receipt of a valid request for provisional arrest from the requesting country; and

(3) the issuance of an arrest warrant in compliance with section 3184 of title 18, United States Code.

(b) REMOVAL AND TRAVEL RESTRICTIONS.—No United States Government department or agency may make use of any INTERPOL Notice, Diffusion, or other INTERPOL communication, or the information contained therein, published on behalf of another INTERPOL member country as the sole basis to detain or otherwise deprive an individual of freedom, to remove an individual from the United States, or to deny a visa, asylum, citizenship, other immigration status, or participation in any trusted traveler program of the Transportation Security Administration, without independent credible evidence supporting such a determination.

SEC. 1706. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

The Foreign Assistance Act of 1961 is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following new subsection:

''(h) POLITICALLY MOTIVATED REPRISAL AGAINST INDIVIDUALS OUTSIDE THE COUNTRY.—The report required by subsection (d) shall include examples from credible reporting of likely attempts by countries to misuse international law enforcement tools, such as INTERPOL communications, for politically-motivated reprisal against specific individuals located in other countries.''; and

(2) in section 502B (22 U.S.C. 2304)—

(A) by redesignating the second subsection (i) (relating to child marriage status) as subsection (j); and

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

''(k) POLITICALLY MOTIVATED REPRISAL AGAINST INDIVIDUALS OUTSIDE THE COUNTRY.—The report required by subsection (b) shall include examples from credible reporting of likely attempts by countries to misuse international law enforcement tools, such as INTERPOL communications, for politically motivated reprisal against specific individuals located in other countries.''.

SEC. 1707. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on the Judiciary of the House of Representatives.

(2) INTERPOL COMMUNICATIONS.—The term ''INTERPOL communications'' means any INTERPOL Notice or Diffusion or any entry into any INTERPOL database or other communications system maintained by INTERPOL.

Subtitle B—Countering Russian and Other Overseas Kleptocracy Act

SEC. 1711. SHORT TITLES.

This subtitle may be cited as the ''Countering Russian and Other Overseas Kleptocracy Act'' or the ''CROOK Act''.

SEC. 1712. FINDINGS.

Congress makes the following findings:

(1) Authoritarian leaders in foreign countries abuse their power to steal assets from state institutions, enrich themselves at the expense of their countries' economic development, and use corruption as a strategic tool both to solidify their grip on power and to undermine democratic institutions abroad.

(2) Global corruption harms the competitiveness of United States businesses, weakens democratic governance, feeds terrorist recruitment and transnational organized crime, enables drug smuggling and human trafficking, and stymies economic growth.

(3) Illicit financial flows often penetrate countries through what appear to be legitimate financial transactions, as kleptocrats launder money, use shell companies, amass offshore wealth, and participate in a global shadow economy.

(4) The Government of the Russian Federation is a leading model of this type of kleptocratic system, using state-sanctioned corruption to both erode democratic governance from within and discredit democracy abroad, thereby strengthening the authoritarian rule of Vladimir Putin.

(5) Corrupt individuals and entities in the Russian Federation, often with the backing and encouragement of political leadership, use stolen money—

(A) to purchase key assets in other countries, often with a goal of attaining monopolistic control of a sector;

(B) to gain access to and influence the policies of other countries; and

(C) to advance Russian interests in other countries, particularly those that undermine confidence and trust in democratic systems.

(6) Systemic corruption in the People's Republic of China, often tied to, directed by, or backed by the leadership of the Chinese Communist Party and the Chinese Government is used—

(A) to provide unfair advantage to certain People's Republic of China economic entities;

(B) to increase other countries' economic dependence on the People's Republic of China to secure greater deference to the People's Republic of China's diplomatic and strategic goals; and

(C) to exploit corruption in foreign governments and among other political elites to enable People's Republic of China state-backed firms to pursue predatory and exploitative economic practices.

(7) Thwarting these tactics by Russian, Chinese, and other kleptocratic actors requires the international community to strengthen democratic governance and the rule of law. International cooperation in combating corruption and illicit finance is vital to such efforts, especially by empowering reformers in foreign countries during historic political openings for the establishment of the rule of law in those countries.

(8) Technical assistance programs that combat corruption and strengthen the rule of law, including through assistance provided by the Department of State's Bureau of International Narcotics and Law Enforcement Affairs and the United States Agency for International Development, and through programs like the Department of Justice's Office of Overseas Prosecutorial Development, Assistance and Training and the International Criminal Investigative Training Assistance Program, can have lasting and significant impacts for both foreign and United States interests.

(9) There currently exist numerous international instruments to combat corruption, kleptocracy, and illicit finance, including—

(A) the Inter-American Convention against Corruption of the Organization of American States, done at Caracas March 29, 1996;

(B) the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation of Economic Co-operation and Development, done at Paris December 21, 1997 (commonly referred to as the ''Anti-Bribery Convention'');

(C) the United Nations Convention against Transnational Organized Crime, done at New York November 15, 2000;

(D) the United Nations Convention against Corruption, done at New York October 31, 2003;

(E) Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions, adopted November 26, 2009; and

(F) recommendations of the Financial Action Task Force comprising the International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation.

SEC. 1713. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Finance of the Senate;

(D) the Committee on the Judiciary of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Committee on Financial Services of the House of Representatives;

(G) the Committee on Ways and Means of the House of Representatives; and

(H) the Committee on the Judiciary of the House of Representatives.

(2) FOREIGN ASSISTANCE.—The term ''foreign assistance'' means foreign assistance authorized under the Foreign Assistance Act of 1961 (22 U.S.C. 2251 et seq.).

(3) FOREIGN STATE.—The term ''foreign state'' has the meaning given such term in section 1603(a) of title 28, United States Code.

(4) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(5) PUBLIC CORRUPTION.—The term ''public corruption'' includes the unlawful exercise of entrusted public power for private gain, such as through bribery, nepotism, fraud, extortion, or embezzlement.

(6) RULE OF LAW.—The term ''rule of law'' means the principle of governance in which all persons, institutions, and entities, whether public or private, including the state, are accountable to laws that are—

(A) publicly promulgated;

(B) equally enforced;

(C) independently adjudicated; and

(D) consistent with international human rights norms and standards.

SEC. 1714. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to leverage United States diplomatic engagement and foreign assistance to promote the rule of law;

(2)(A) to promote international instruments to combat corruption, kleptocracy, and illicit finance, including instruments referred to in section 1712(9), and other relevant international standards and best practices, as such standards and practices develop; and

(B) to promote the adoption and implementation of such laws, standards, and practices by foreign states;

(3) to support foreign states in promoting good governance and combating public corruption;

(4) to encourage and assist foreign partner countries to identify and close loopholes in their legal and financial architecture, including the misuse of anonymous shell companies, free trade zones, and other legal structures, that are enabling illicit finance to penetrate their financial systems;

(5) to help foreign partner countries to investigate, prosecute, adjudicate, and more generally combat the use of corruption by malign actors, including authoritarian governments, particularly the Government of the Russian Federation and the Government of the People's Republic of China, as a tool of malign influence worldwide;

(6) to assist in the recovery of kleptocracy-related stolen assets for victims, including through the use of appropriate bilateral arrangements and international agreements, such as the United Nations Convention against Corruption, done at New York October 31, 2003, and the United Nations Convention against Transnational Organized Crime, done at New York November 15, 2000;

(7) to use sanctions authorities, such as the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656 note)) and section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94), to identify and take action against corrupt foreign actors;

(8) to ensure coordination between relevant Federal departments and agencies with jurisdiction over the advancement of good governance in foreign states; and

(9) to lead the creation of a formal grouping of like-minded states—

(A) to coordinate efforts to counter corruption, kleptocracy, and illicit finance; and

(B) to strengthen collective financial defense.

SEC. 1715. ANTI-CORRUPTION ACTION FUND.

(a) ESTABLISHMENT.—There is established in the United States Treasury a fund, to be known as the ''Anti-Corruption Action Fund'', only for the purposes of—

(1) strengthening the capacity of foreign states to prevent and fight public corruption;

(2) assisting foreign states to develop rule of law-based governance structures, including accountable civilian police, prosecutorial, and judicial institutions;

(3) supporting foreign states to strengthen domestic legal and regulatory frameworks to combat public corruption, including the adoption of best practices under international law; and

(4) supplementing existing foreign assistance and diplomacy with respect to efforts described in paragraphs (1), (2), and (3).

(b) FUNDING.—

(1) TRANSFERS.—Beginning on or after the date of the enactment of this Act, if total criminal fines and penalties in excess of $50,000,000 are imposed against a person under the Foreign Corrupt Practices Act of 1977 (Public Law 95–213) or section 13, 30A, or 32 of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78dd–1, and 78ff), whether pursuant to a criminal prosecution, enforcement proceeding, deferred prosecution agreement, nonprosecution agreement, a declination to prosecute or enforce, or any other resolution, the court (in the case of a conviction) or the Attorney General shall impose an additional prevention payment equal to $5,000,000 against such person, which shall be deposited in the Anti-Corruption Action Fund established under subsection (a).

(2) AVAILABILITY OF FUNDS.—Amounts deposited into the Anti-Corruption Action Fund pursuant to paragraph (1) shall be available to the Secretary of State only for the purposes described in subsection (a), without fiscal year limitation or need for subsequent appropriation.

(3) LIMITATION.—None of the amounts made available to the Secretary of State from the Anti-Corruption Action Fund may be used inside the United States, except for administrative costs related to overseas program implementation pursuant to subsection (a).

(c) SUPPORT.—The Anti-Corruption Action Fund—

(1) may support governmental and non-governmental parties in advancing the purposes described in subsection (a); and

(2) shall be allocated in a manner complementary to existing United States foreign assistance, diplomacy, and anti-corruption activities.

(d) ALLOCATION AND PRIORITIZATION.—In programming foreign assistance made available through the Anti-Corruption Action Fund, the Secretary of State, in coordination with the Attorney General, shall prioritize projects that—

(1) assist countries that are undergoing historic opportunities for democratic transition, combating corruption, and the establishment of the rule of law; and

(2) are important to United States national interests.

(e) TECHNICAL ASSISTANCE PROVIDERS.—For any technical assistance to a foreign governmental party under this section, the Secretary of State, in coordination with the Attorney General, shall prioritize United States Government technical assistance providers as implementers, in particular the Office of Overseas Prosecutorial Development, Assistance and Training and the International Criminal Investigative Training Assistance Program at the Department of Justice.

(f) PUBLIC DIPLOMACY.—The Secretary of State shall announce that funds deposited in the Anti-Corruption Action Fund are derived from actions brought under the Foreign Corrupt Practices Act to demonstrate that the use of such funds are—

(1) contributing to international anti-corruption work; and

(2) reducing the pressure that United States businesses face to pay bribes overseas, thereby contributing to greater competitiveness of United States companies.

(g) REPORTING.—Not later than 1 year after the date of the enactment of this Act and not less frequently than annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that contains—

(1) the balance of the funding remaining in the Anti-Corruption Action Fund;

(2) the amount of funds that have been deposited into the Anti-Corruption Action Fund; and

(3) a summary of the obligation and expenditure of such funds.

(h) NOTIFICATION REQUIREMENTS.—None of the amounts made available to the Secretary of State from the Anti-Corruption Action Fund pursuant to this section shall be available for obligation, or for transfer to other departments, agencies, or entities, unless the Secretary of State notifies the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives, not later than 15 days in advance of such obligation or transfer.

SEC. 1716. INTERAGENCY ANTI-CORRUPTION TASK FORCE.

(a) IN GENERAL.—The Secretary of State, in cooperation with the Interagency Anti-Corruption Task Force established pursuant to subsection (b), shall manage a whole-of-government effort to improve coordination among Federal departments and agencies and donor organizations with a role in—

(1) promoting good governance in foreign states; and

(2) enhancing the ability of foreign states to combat public corruption.

(b) INTERAGENCY ANTI-CORRUPTION TASK FORCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish and convene the Interagency Anti-Corruption Task Force (referred to in this section as the ''Task Force''), which shall be composed of representatives appointed by the President from appropriate departments and agencies, including the Department of State, the United States Agency for International Development, the Department of Justice, the Department of the Treasury, the Department of Homeland Security, the Department of Defense, the Department of Commerce, the Millennium Challenge Corporation, and the intelligence community.

(c) ADDITIONAL MEETINGS.—The Task Force shall meet not less frequently than twice per year.

(d) DUTIES.—The Task Force shall—

(1) evaluate, on a general basis, the effectiveness of existing foreign assistance programs, including programs funded by the Anti-Corruption Action Fund, that have an impact on—

(A) promoting good governance in foreign states; and

(B) enhancing the ability of foreign states to combat public corruption;

(2) assist the Secretary of State in managing the whole-of-government effort described in subsection (a);

(3) identify general areas in which such whole-of-government effort could be enhanced; and

(4) recommend specific programs for foreign states that may be used to enhance such whole-of-government effort.

(e) BRIEFING REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act and not less frequently than annually thereafter through the end of fiscal year 2026, the Secretary of State shall provide a briefing to the appropriate congressional committees regarding the ongoing work of the Task Force. The briefing shall include the participation of a representative of each of the departments and agencies described in subsection (b), to the extent feasible.

SEC. 1717. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.

(a) EMBASSY ANTI-CORRUPTION POINT OF CONTACT.—The chief of mission of each United States embassy shall designate an anti-corruption point of contact for each such embassy.

(b) DUTIES.—The designated anti-corruption points of contact designated pursuant to subsection (a) shall—

(1) coordinate, in accordance with guidance from the Interagency Anti-Corruption Task Force established pursuant to section 1716(b), an interagency approach within United States embassies to combat public corruption in the foreign states in which such embassies are located that is tailored to the needs of such foreign states, including all relevant Federal departments and agencies with a presence in such foreign states, such as the Department of State, the United States Agency for International Development, the Department of Justice, the Department of the Treasury, the Department of Homeland Security, the Department of Defense, the Millennium Challenge Corporation, and the intelligence community;

(2) make recommendations regarding the use of the Anti-Corruption Action Fund and other foreign assistance funding related to

anti-corruption efforts in their respective countries of responsibility that aligns with United States diplomatic engagement; and

(3) ensure that anti-corruption activities carried out within their respective countries of responsibility are included in regular reporting to the Secretary of State and the Interagency Anti-Corruption Task Force, including United States embassy strategic planning documents and foreign assistance-related reporting, as appropriate.

(c) TRAINING.—The Secretary of State shall develop and implement appropriate training for the designated anti-corruption points of contact.

SEC. 1718. REPORTING REQUIREMENTS.

(a) REPORT OR BRIEFING ON PROGRESS TOWARD IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 3 years, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Attorney General, and the Secretary of the Treasury, shall submit a report or provide a briefing to the appropriate congressional committees that summarizes progress made in combating public corruption and in implementing this subtitle, including—

(1) identifying opportunities and priorities for outreach with respect to promoting the adoption and implementation of relevant international law and standards in combating public corruption, kleptocracy, and illicit finance;

(2) describing—

(A) the bureaucratic structure of the offices within the Department of State and the United States Agency for International Development that are engaged in activities to combat public corruption, kleptocracy, and illicit finance; and

(B) how such offices coordinate their efforts with each other and with other relevant Federal departments and agencies;

(3) providing a description of how the provisions under subsections (d) and (e) of section 1705 have been applied to each project funded by the Anti-Corruption Action Fund;

(4) providing an explanation as to why a United States Government technical assistance provider was not used if technical assistance to a foreign governmental entity is not implemented by a United States Government technical assistance provider;

(5) describing the activities of the Interagency Anti-Corruption Task Force established pursuant to section 1706(b);

(6) identifying—

(A) the designated anti-corruption points of contact for foreign states; and

(B) any training provided to such points of contact; and

(7) recommending additional measures that would enhance the ability of the United States Government to combat public corruption, kleptocracy, and illicit finance overseas.

(b) ONLINE PLATFORM.—The Secretary of State, in conjunction with the Administrator of the United States Agency for International Development, should consolidate existing reports with anti-corruption components into a single online, public platform that includes—

(1) the Annual Country Reports on Human Rights Practices required under section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n);

(2) the Fiscal Transparency Report required under section 7031(b) of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6);

(3) the Investment Climate Statement reports;

(4) the International Narcotics Control Strategy Report;

(5) any other relevant public reports; and

(6) links to third-party indicators and compliance mechanisms used by the United States Government to inform policy and programming, as appropriate, such as—

(A) the International Finance Corporation's Doing Business surveys;

(B) the International Budget Partnership's Open Budget Index; and

(C) multilateral peer review anti-corruption compliance mechanisms, such as—

(i) the Organisation for Economic Co-operation and Development's Working Group on Bribery in International Business Transactions;

(ii) the Follow-Up Mechanism for the Inter-American Convention Against Corruption; and

(iii) the United Nations Convention Against Corruption, done at New York October 31, 2003.

SA 3983. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. TECHNICAL CORRECTION TO ELIGIBILITY FOR COUNSELING AND TREATMENT FOR MILITARY SEXUAL TRAUMA TO INCLUDE ALL FORMER MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 1720D of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''a physical assault of a sexual nature'' and all that follows through the period at the end and inserting ''military sexual trauma.''; and

(B) in paragraph (2)(A), by striking ''that was suffered by the member while serving on duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10)''; and

(2) by striking subsections (f) and (g) and inserting the following new subsection (f):

''(f) In this section:

''(1) The term 'former member of the Armed Forces' means a person who served on active duty, active duty for training, or inactive duty training, and who was discharged or released therefrom under any condition that is not—

''(A) a discharge by court-martial; or

''(B) a discharge subject to a bar to benefits under section 5303 of this title.

''(2) The term 'military sexual trauma' means, with respect to a former member of the Armed Forces, a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the former member of the Armed Forces was serving on duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10).

''(3) The term 'sexual harassment' means unsolicited verbal or physical contact of a sexual nature which is threatening in character.''.

SA 3984. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 607. ELIGIBILITY OF DISABILITY RETIREES WITH FEWER THAN 20 YEARS OF SERVICE AND A COMBAT-RELATED DISABILITY FOR CONCURRENT RECEIPT OF VETERANS' DISABILITY COMPENSATION AND RETIRED PAY.

(a) CONCURRENT RECEIPT IN CONNECTION WITH CSRC.—Section 1413a(b)(3)(B) of title 10, United States Code, is amended by striking ''creditable service,'' and all that follows and inserting the following: ''creditable service—

''(i) the retired pay of the retiree is not subject to reduction under sections 5304 and 5305 of title 38; and

''(ii) no monthly amount shall be paid the retiree under subsection (a).''.

(b) CONCURRENT RECEIPT GENERALLY.—Section 1414(b)(2) of title 10, United States Code, is amended by striking ''Subsection (a)'' and all that follows and inserting the following: ''Subsection (a)—

''(A) applies to a member described in paragraph (1) of that subsection who is retired under chapter 61 of this title with less than 20 years of service otherwise creditable under chapter 1405 of this title, or with less than 20 years of service computed under section 12732 of this title, at the time of the member's retirement if the member has a combat-related disability (as that term is defined in section 1413a(e) of this title), except that in the application of subsection (a) to such a member, any reference in that subsection to a qualifying service-connected disability shall be deemed to be a reference to that combat-related disability; but

''(B) does not apply to any member so retired if the member does not have a combat-related disability.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS REFLECTING END OF CONCURRENT RECEIPT PHASE-IN PERIOD.—Section 1414 of title 10, United States Code, is further amended—

(A) in subsection (a)(1)—

(i) by striking the second sentence; and

(ii) by striking subparagraphs (A) and (B);

(B) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(C) in subsection (d), as redesignated, by striking paragraphs (3) and (4).

(2) SECTION HEADING.—The heading of such section 1414 is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt''.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 1414 and inserting the following new item:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt.''.

(4) CONFORMING AMENDMENT.—Section 1413a(f) of such title is amended by striking ''Subsection (d)'' and inserting ''Subsection (c)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month beginning after the date of the enactment of this Act and shall apply to payments for months beginning on or after that date.

SA 3985. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Improvement of Veterans Crisis Line

SEC. 1070. SHORT TITLE.

This subtitle may be cited as the ''Revising and Expediting Actions for the Crisis Hotline for Veterans Act'' or the ''REACH for Veterans Act''.

SEC. 1071. DEFINITIONS.

In this subtitle:

(1) DEPARTMENT.—The term ''Department'' means the Department of Veterans Affairs.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Veterans Affairs.

(3) VETERANS CRISIS LINE.—the term ''Veterans Crisis Line'' means the toll-free hotline for veterans established under section 1720F(h) of title 38, United States Code.

PART I—VETERANS CRISIS LINE TRAINING AND QUALITY MANAGEMENT

Subpart A—Staff Training

SEC. 1072. REVIEW OF TRAINING FOR VETERANS CRISIS LINE CALL RESPONDERS.

(a) IN GENERAL.—The Secretary shall enter into an agreement with an organization outside the Department, such as the American Association of Suicidology, to review the training for Veterans Crisis Line call responders on assisting callers in crisis.

(b) COMPLETION OF REVIEW.—The review conducted under subsection (a) shall be completed not later than one year after the date of the enactment of this Act.

(c) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall consist of a review of the training provided by the Department on subjects including risk assessment, lethal means assessment, substance use and overdose risk assessment, safety planning, referrals to care, supervisory consultation, and emergency dispatch.

(d) UPDATE OF TRAINING.—If any deficiencies in the training for Veterans Crisis Line call responders are found pursuant to the review under subsection (a), the Secretary shall update such training and associated standards of practice to correct those deficiencies not later than one year after the completion of the review.

SEC. 1073. RETRAINING GUIDELINES FOR VETERANS CRISIS LINE CALL RESPONDERS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall develop guidelines on retraining and quality management for when a Veterans Crisis Line call responder has an adverse event or when a quality review check by a supervisor of such a call responder denotes that the call responder needs improvement.

(b) ELEMENTS OF GUIDELINES.—The guidelines developed under subsection (a) shall specify the subjects and quantity of retraining recommended and how supervisors should implement increased use of silent monitoring or other performance review mechanisms.

Subpart B—Quality Review and Management

SEC. 1074. MONITORING OF CALLS ON VETERANS CRISIS LINE.

(a) IN GENERAL.—The Secretary shall require that not fewer than two calls per month for each Veterans Crisis Line call responder be subject to supervisory silent monitoring, which is used to monitor the quality of conduct by such call responder during the call.

(b) BENCHMARKS.—The Secretary shall establish benchmarks for requirements and performance of Veterans Crisis Line call responders on supervisory silent monitored calls.

(c) QUARTERLY REPORTS.—Not less frequently than quarterly, the Secretary shall submit to the Office of Mental Health and Suicide Prevention of the Department of Veterans Affairs a report on occurrence and outcomes of supervisory silent monitoring of calls on the Veterans Crisis Line.

SEC. 1075. QUALITY MANAGEMENT PROCESSES FOR VETERANS CRISIS LINE.

Not later than one year after the date of the enactment of this Act, the leadership for the Veterans Crisis Line, in partnership with the Office of Mental Health and Suicide Prevention of the Department and the National Center for Patient Safety of the Department, shall establish quality management processes and expectations for staff of the Veterans Crisis Line, including with respect to reporting of adverse events and close calls.

SEC. 1076. ANNUAL COMMON CAUSE ANALYSIS FOR CALLERS TO VETERANS CRISIS LINE WHO DIE BY SUICIDE.

(a) IN GENERAL.—Not less frequently than annually, the Secretary shall perform a common cause analysis for all identified callers to the Veterans Crisis Line that died by suicide during the one-year period preceding the conduct of the analysis before the caller received contact with emergency services and in which the Veterans Crisis Line was the last point of contact.

(b) SUBMITTAL OF RESULTS.—The Secretary shall submit to the Office of Mental Health and Suicide Prevention of the Department the results of each analysis conducted under subsection (a).

(c) APPLICATION OF THEMES OR LESSONS.—The Secretary shall apply any themes or lessons learned under an analysis under subsection (a) to updating training and standards of practice for staff of the Veterans Crisis Line.

Subpart C—Guidance for High-Risk Callers

SEC. 1077. DEVELOPMENT OF ENHANCED GUIDANCE AND PROCEDURES FOR RESPONSE TO CALLS RELATED TO SUBSTANCE USE AND OVERDOSE RISK.

Not later than one year after the date of the enactment of this Act, the Secretary, in consultation with national experts within the Department on substance use disorder and overdose, shall—

(1) develop enhanced guidance and procedures to respond to calls to the Veterans Crisis Line related to substance use and overdose risk;

(2) update training materials for staff of the Veterans Crisis Line in response to such enhanced guidance and procedures; and

(3) update criteria for monitoring compliance with such enhanced guidance and procedures.

SEC. 1078. REVIEW AND IMPROVEMENT OF STANDARDS FOR EMERGENCY DISPATCH.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall—

(1) review the current emergency dispatch standard operating procedure of the Veterans Crisis Line to identify any additions to such procedure to strengthen communication regarding—

(A) emergency dispatch for disconnected callers; and

(B) the role of social service assistants in requesting emergency dispatch and recording such dispatches; and

(2) update such procedure to include the additions identified under paragraph (1).

(b) TRAINING.—The Secretary shall ensure that all staff of the Veterans Crisis Line are trained on all updates made under subsection (a)(2) to the emergency dispatch standard operating procedure of the Veterans Crisis Line.

Subpart D—Oversight and Clarification of Staff Roles and Responsibilites

SEC. 1079. OVERSIGHT OF TRAINING OF SOCIAL SERVICE ASSISTANTS AND CLARIFICATION OF JOB RESPONSIBILITIES.

Not later than one year after the date of the enactment of this Act, the Secretary shall—

(1) establish oversight mechanisms to ensure that social service assistants and supervisory social service assistants working with the Veterans Crisis Line are appropriately trained and implementing guidance of the Department regarding the Veterans Crisis Line; and

(2) refine standard operating procedures to delineate roles and responsibilities for all levels of supervisory social service assistants working with the Veterans Crisis Line.

PART II—PILOT PROGRAMS AND RESEARCH ON VETERANS CRISIS LINE

Subpart A—Pilot Programs

SEC. 1080. EXTENDED SAFETY PLANNING PILOT PROGRAM FOR VETERANS CRISIS LINE.

(a) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary shall carry out a pilot program to determine whether a lengthier, templated safety plan used in clinical settings could be applied in call centers for the Veterans Crisis Line.

(b) BRIEFING.—Not later than two years after the date of the enactment of this Act, the Secretary shall brief Congress on the findings of the Secretary under the pilot program under subsection (a), including such recommendations as the Secretary may have for continuation or discontinuation of the pilot program.

SEC. 1081. CRISIS LINE FACILITATION PILOT PROGRAM.

(a) IN GENERAL.—Commencing not later than one year after the date of the enactment of this Act, the Secretary shall carry out a pilot program on the use of crisis line facilitation to increase use of the Veterans Crisis Line among high-risk veterans.

(b) BRIEFING.—Not later than two years after the date of the enactment of this Act, the Secretary shall brief Congress on the findings of the Secretary under the pilot program under subsection (a), including such recommendations as the Secretary may have for continuation or discontinuation of the pilot program.

(c) DEFINITIONS.—In this section:

(1) CRISIS LINE FACILITATION.—The term ''crisis line facilitation'', with respect to a high-risk veteran, means the presentation by a therapist of psychoeducational information about the Veterans Crisis Line and a discussion of the perceived barriers and facilitators to future use of the Veterans Crisis Line for the veteran, which culminates in the veteran calling the Veterans Crisis Line with the therapist to provide firsthand experiences that may counter negative impressions of the Veterans Crisis Line.

(2) HIGH-RISK VETERAN.—The term ''high-risk veteran'' means a veteran receiving inpatient mental health care following a suicidal crisis.

Subpart B—Research on Effectiveness

SEC. 1082. AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH ON EFFECTIVENESS AND OPPORTUNITIES FOR IMPROVEMENT OF VETERANS CRISIS LINE.

There is authorized to be appropriated to the Secretary $5,000,000 for the Mental Illness Research, Education, and Clinical Centers of the Department to conduct research on the effectiveness of the Veterans Crisis Line and areas for improvement for the Veterans Crisis Line.

PART III—TRANSITION OF CRISIS LINE NUMBER

SEC. 1083. FEEDBACK ON TRANSITION OF CRISIS LINE NUMBER.

(a) IN GENERAL.—The Secretary shall solicit feedback from veterans service organizations on how to conduct outreach to members of the Armed Forces, veterans, their family members, and other members of the military and veterans community on the move to 988 as the new, national three-digit suicide and mental health crisis hotline, which is expected to be implemented by July 2022, to minimize confusion and ensure veterans are aware of their options for reaching the Veterans Crisis Line.

(b) NONAPPLICATION OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any feedback solicited under subsection (a).

(c) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term ''veterans service organization'' means an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SA 3986. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VIII, add the following:

SEC. 807. EXTENSION OF AUTHORITY FOR THE ENHANCED TRANSFER OF TECHNOLOGY DEVELOPED AT DEPARTMENT OF DEFENSE LABORATORIES.

Section 801(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), as amended by section 818 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by striking ''2021'' and inserting ''2026''.

SA 3987. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. ___. 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—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) 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 for Indigenous Peoples of the United States 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.''.

SA 3988. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 I, add the following:

SEC. 138. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF MARK VI PATROL BOATS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2022 for the Navy may be obligated or expended to retire, prepare to retire, or place in storage any Mark VI patrol boat.

(b) REPORT.—Not later than February 15, 2022, the Secretary of the Navy, in consultation with the Commandant of the Marine Corps, shall submit to the congressional defense committees a report that includes each of the following:

(1) The rationale for the retirement of existing Mark VI patrol boats, including an operational analysis of the effect of such retirements on the warfighting requirements of the combatant commanders.

(2) A review of operating concepts for escorting high value units without the Mark VI patrol boat.

(3) A description of the manner and concept of operations in which the Marine Corps could use the Mark VI patrol boat to support distributed maritime operations, advanced expeditionary basing operations, and persistent presence near maritime choke points and strategic littorals in the Indo-Pacific region.

(4) An assessment of the potential for modification, and the associated costs, of the Mark VI patrol boat for the inclusion of loitering munitions or antiship cruise missiles, such as the Long Range Anti Ship Missile and the Naval Strike Missile, particularly to support the concept of operations described in paragraph (3).

(5) A description of resources required for the Marine Corps to possess, man, train, and maintain the Mark VI patrol boat in the performance of the concept of operations described in paragraph (3) and modifications described in paragraph (4).

(6) At the discretion of the Commandant of the Marine Corps, a plan for the Marine Corps to take possession of the Mark VI patrol boat not later than September 30, 2022.

(7) Such other matters as the Secretary determines appropriate.

SA 3989. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 607. IMPROVEMENTS TO FINANCIAL LITERACY TRAINING.

(a) IMPROVEMENTS TO FINANCIAL LITERACY TRAINING.—

(1) IN GENERAL.—Subsection (a) of section 992 of title 10, United States Code, is amended—

(A) in paragraph (2)(C), by striking ''grade E–4'' and inserting ''grade E–6'';

(B) by adding at the end the following new paragraph:

''(5) In carrying out the program to provide training under this subsection, the Secretary concerned shall—

''(A) require the development of a standard curriculum across all military departments for such training that—

''(i) focuses on ensuring that members of the armed forces who receive such training develop proficiency in financial literacy rather than focusing on completion of training modules;

''(ii) is based on best practices in the financial services industry, such as the use of a social learning approach and the incorporation of elements of behavioral economics or gamification; and

''(iii) is designed to address the needs of members and their families;

''(B) ensure that such training—

''(i) is conducted by a financial services counselor who is qualified as described in paragraph (3) of subsection (b) or by other means as described in paragraph (2)(A)(ii) of that subsection;

''(ii) is provided, to the extent practicable—

''(I) in a class held in person with fewer than 50 attendees; or

''(II) one-on-one between the member and a financial services counselor or a qualified representative described in subclause (III) or (IV) of subsection (b)(2)(A)(ii); and

''(iii) is provided using computer-based methods only if methods described in clause (ii) are impractical or unavailable;

''(C) ensure that—

''(i) an in-person class described in subparagraph (B)(i)(I) is available to the spouse of a member; and

''(ii) if a spouse of a member is unable to attend such a class in person—

''(I) training is available to the spouse through Military OneSource; and

''(II) the member is informed during the in-person training of the member under subparagraph (B)(i) with respect to how the member's spouse can access the training;

''(D) ensure that such training, and all documents and materials provided in relation to such training, are presented or written in manner that the Secretary determines can be understood by the average enlisted member.''.

(2) QUALIFIED REPRESENTATIVES FOR COUNSELING FOR MEMBERS AND SPOUSES.—Subsection (b)(2)(A)(ii) of such section is amended by adding at the end the following:

''(IV) Through qualified representatives of banks or credit unions operating on military installations pursuant to an operating agreement with the Department of Defense or a military department.''.

(3) PROVISION OF RETIREMENT INFORMATION.—Such section is further amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (g), respectively; and

(B) by inserting after subsection (c) the following new subsection (d):

''(d) PROVISION OF RETIREMENT INFORMATION.—In each training under subsection (a) and in each meeting to provide counseling under subsection (b), a member of the armed forces shall be provided with—

''(1) all forms relating to retirement that are relevant to the member, including with respect to the Thrift Savings Plan;

''(2) information with respect to how to find additional information; and

''(3) contact information for counselors provided through—

''(A) the Personal Financial Counselor program, the Personal Financial Management program, or Military OneSource; or

''(B) nonprofit organizations or agencies that have in effect agreements with the Department of Defense to provide financial services counseling.''.

(4) ADVISORY COUNCIL ON FINANCIAL READINESS.—Such section is further amended by inserting after subsection (e), as redesignated by paragraph (3)(A), the following new subsection:

''(f) ADVISORY COUNCIL ON FINANCIAL READINESS.—

''(1) ESTABLISHMENT.—There is established an Advisory Council on Financial Readiness (in this section referred to as the 'Council').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Council shall consist of 12 members appointed by the Secretary of Defense, as follows:

''(i) Three shall be representatives of military support organizations.

''(ii) Three shall be representatives of veterans service organizations.

''(iii) Three shall be representatives of private, nonprofit organizations with a vested interest in education and communication of financial education and financial services.

''(iv) Three shall be representatives of governmental entities with a vested interest in education and communication of financial education and financial services.

''(B) QUALIFICATIONS.—The Secretary shall appoint members to the Council from among individuals qualified to appraise military compensation, military retirement, and financial literacy training.

''(C) TERMS.—Members of the Council shall serve for terms of three years, except that, of the members first appointed—

''(i) four shall be appointed for terms of one year;

''(ii) four shall be appointed for terms of two years; and

''(iii) four shall be appointed for terms of three years.

''(D) REAPPOINTMENT.—A member of the Council may be reappointed for additional terms.

''(E) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term of office for which such member's predecessor was appointed shall be appointed only for the remainder of such term.

''(3) DUTIES AND FUNCTIONS.—The Council shall—

''(A) advise the Secretary with respect to matters relating to the financial literacy and financial readiness of members of the armed forces; and

''(B) submit to the Secretary recommendations with respect to those matters.

''(4) MEETINGS.—

''(A) IN GENERAL.—The Council shall meet not less frequently than twice each year and at such other times as the Secretary requests.

''(B) QUORUM.—A majority of members shall constitute a quorum and action shall be taken only by a majority vote of the members present and voting.

''(5) SUPPORT SERVICES.—The Secretary—

''(A) shall provide to the Council an executive secretary and such secretarial, clerical, and other support services as the Council considers necessary to carry out the duties of the Council; and

''(B) may request that other Federal agencies provide statistical data, reports, and other information that is reasonably accessible to assist the Council in the performance of the duties of the Council.

''(6) COMPENSATION.—While away from their homes or regular places of business in the performance of services for the Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

''(7) ANNUAL REPORT.—Not less frequently than annually, the Secretary shall submit to Congress a report that—

''(A) describes each recommendation received from the Council during the preceding year; and

''(B) includes a statement, with respect to each such recommendation, of whether the Secretary has implemented the recommendation and, if not, a description of why the Secretary has not implemented the recommendation.

''(8) TERMINATION.—Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. App.) (relating to termination) shall not apply to the Council.

''(9) DEFINITIONS.—In this subsection:

''(A) MILITARY SUPPORT ORGANIZATION.—The term 'military support organization' means an organization that provides support to members of the armed forces and their families with respect to education, finances, health care, employment, and overall well-being.

''(B) VETERANS SERVICE ORGANIZATION.—The term 'veterans service organization' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38.''.

(5) REPORT ON EFFECTIVENESS OF FINANCIAL SERVICES COUNSELING.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on financial literacy training and financial services counseling provided under section 992 of title 10, United States Code, as amended by this subsection, that assesses—

(A) the effectiveness of such training and counseling, which shall be determined using actual localized data similar to the Unit Risk Inventory Survey of the Army; and

(B) whether additional training or counseling is necessary for enlisted members of the Armed Forces or for officers.

(b) MODIFICATIONS TO LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.—

(1) SPOUSAL CONSENT TO LUMP SUM PAYMENT.—Subsection (b) of section 1415 of title 10, United States Code, is amended by adding at the end the following:

''(7) SPOUSAL CONSENT FOR ELECTION OF LUMP SUM PAYMENT.—An eligible person who is married may not elect to receive a lump sum payment under this subsection without the concurrence of the person's spouse, unless the eligible person establishes to the satisfaction of the Secretary concerned—

''(A) that the spouse's whereabouts cannot be determined; or

''(B) that, due to exceptional circumstances, requiring the person to seek the spouse's consent would otherwise be inappropriate.''.

(2) DISCLOSURES RELATING TO OFFER OF LUMP SUM PAYMENT.—Such section is further amended—

(A) by redesignating subsection (e) as subsection (g); and

(B) by inserting after subsection (d) the following new subsections:

''(e) DISCLOSURES RELATING TO OFFER OF LUMP SUM PAYMENT.—

''(1) IN GENERAL.—Not later than 90 days before offering an eligible person a lump sum payment under this section, the Secretary of Defense shall provide a notice to the person, and the person's spouse, if married, that includes the following:

''(A) A description of the available retirement benefit options, including—

''(i) the monthly covered retired pay that the person would receive after the person attains retirement age if the person is not already receiving such pay;

''(ii) the monthly covered retired pay that the person would receive if payments begin immediately; and

''(iii) the amount of the lump sum payment the person would receive if the person elects to receive the lump sum payment.

''(B) An explanation of how the amount of the lump sum payment was calculated, including the interest rate and mortality assumptions used in the calculation, and whether any additional benefits were included in the amount.

''(C) A description of how the option to take the lump sum payment compares to the value of the covered retired pay the person would receive if the person elected not to take the lump sum payment.

''(D) A statement of whether, by purchasing a retail annuity using the lump sum payment, it would be possible to replicate the stream of payments the person would receive if the person elected not to take the lump sum payment.

''(E) A description of the potential implications of accepting the lump sum payment, including possible benefits and reductions in such benefits, investment risks, longevity risks, and loss of protection from creditors.

''(F) A description of the tax implications of accepting the lump sum payment, including rollover options, early distribution penalties, and associated tax liabilities.

''(G) Instructions for how to accept or reject the offer of the lump sum payment and the date by which the person is required to accept or reject the offer.

''(H) Contact information for the person to obtain more information or ask questions about the option to accept the lump sum payment, including the opportunity for a one-on-one meeting with a counselor provided through the Personal Financial Counselor program or the Personal Financial Management program.

''(I) A statement that—

''(i) financial advisers (other than financial services counselors provided through the Personal Financial Counselor program or the Personal Financial Management program) may not be required to act in the best interests of the person or the person's beneficiaries with respect to determining whether to take the lump sum payment; and

''(ii) if the person or a beneficiary of the person is seeking financial advice from a financial adviser not affiliated with the armed forces, the person or beneficiary should obtain written confirmation that the adviser is acting as a fiduciary to the person or beneficiary.

''(J) Such other information as the Secretary considers to be necessary or relevant.

''(2) FORM.—The Secretary shall ensure that any notice provided to an eligible person under paragraph (1)—

''(A) is written in manner that the Secretary determines can be understood by the average enlisted member of the armed forces; and

''(B) is presented in a manner that is not biased for or against acceptance of the offer of the lump sum payment.

''(f) REPORT REQUIRED.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter, the Secretary shall submit to the congressional defense committees report that—

''(1) sets forth the number of members of the armed forces who take a lump sum payment under this section; and

''(2) describes the details of the arrangements relating to taking such a payment, including—

''(A) whether members have taken a lump sum payment in exchange for reduced future benefits; and

''(B) information relating to the members who have taken a lump sum payment, such as the age and rank of such members.''.

(c) TRAINING OF CERTAIN OFFICERS RELATING TO BLENDED RETIREMENT SYSTEM.—The Secretary of Defense shall ensure that each member of the Armed Forces in pay grade E–9 or below or in pay grade O–6 or below receives training with respect to the features of the Blended Retirement System.

(d) REPORT ON IMPROVED ACCESS TO THRIFT SAVINGS PLAN.—Not later than 18 months after the date of the enactment of this Act, the Federal Retirement Thrift Investment Board shall submit to Congress a plan for improving the access of members of the Armed Forces to information about the Thrift Savings Plan that—

(1) takes into account the time likely to pass between the mailing of account information to a member of the Armed Forces and the time the member is likely to receive the information; and

(2) makes recommendations for statutory changes necessary to improve such access.

(e) REGULATIONS.—The Secretary of Defense may prescribe such regulations as are necessary to carry out the amendments made by this section.

SA 3990. Ms. ERNST (for herself, Mr. KELLY, Mr. DAINES, Mr. HICKENLOOPER, Mr. CRAMER, Mr. OSSOFF, Ms. COLLINS, Mr. BENNET, Mr. GRASSLEY, Mr. KING, Mr. TILLIS, Mrs. GILLIBRAND, Mr. RISCH, Mr. BLUNT, Mr. SULLIVAN, Mr. MENENDEZ, Mr. CRAPO, Mr. VAN HOLLEN, Mr. MARSHALL, Mr. WYDEN, Mr. PADILLA, Mrs. SHAHEEN, Ms. ROSEN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. GRAHAM, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. HOEVEN, Mr. BROWN, Ms. HASSAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title VII, add the following:

SEC. 728. EVALUATION AND STANDARDIZATION OF SUICIDE PREVENTION EFFORTS BY THE DEPARTMENT OF DEFENSE.

Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall—

(1) direct the Defense Suicide Prevention Office to collaborate with each Secretary of a military department—

(A) to develop and implement a process to ensure that individual non-clinical suicide prevention efforts are assessed for effectiveness among members of the Armed Forces; and

(B) to develop consistent suicide-related definitions to be used throughout the Department of Defense;

(2) require the use of suicide-related definitions developed under paragraph (1)(B) to be used in any updated policies of the Department of Defense or any military department; and

(3) enhance collaboration between the Defense Suicide Prevention Office and the Psychological Health Center of Excellence on the production of annual suicide reports to minimize duplication of efforts by the Department of Defense.

SA 3991. Ms. ERNST (for herself, Mr. COTTON, Mr. GRASSLEY, Mr. MARSHALL, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. _____. PROHIBITION ON FEDERAL FUNDING TO ECOHEALTH ALLIANCE, INC.

No funds authorized under this Act may be made available for any purpose to EcoHealth Alliance, Inc.

SA 3992. Ms. ERNST (for herself, Mrs. FEINSTEIN, Mr. COTTON, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. NATIONAL MUSEUM OF THE SURFACE NAVY.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Surface Navy represents the millions of sailors and thousands of ships that sail on oceans around the world to ensure the safety and freedom of Americans and all people.

(2) The Battleship IOWA is an iconic Surface Navy vessel that—

(A) served as home to hundreds of thousands of sailors from all 50 States; and

(B) is recognized as a transformational feat of engineering and innovation.

(3) In 2012, the Navy donated the Battleship IOWA to the Pacific Battleship Center, a nonprofit organization pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, after which the Center established the Battleship IOWA Museum at the Port of Los Angeles in Los Angeles, California.

(4) The Battleship IOWA Museum is a museum and educational institution that—

(A) has welcomed millions of visitors from across the United States and receives support from thousands of Americans throughout the United States to preserve the legacy of those who served on the Battleship IOWA and all Surface Navy ships;

(B) is home to Los Angeles Fleet Week, which has the highest public engagement of any Fleet Week in the United States and raises awareness of the importance of the Navy to defending the United States, maintaining safe sea lanes, and providing humanitarian assistance;

(C) hosts numerous military activities, including enlistments, re-enlistments, commissionings, promotions, and community service days, with participants from throughout the United States;

(D) is a leader in museum engagement with innovative exhibits, diverse programming, and use of technology;

(E) is an on-site training platform for Federal, State, and local law enforcement personnel to use for a variety of training exercises, including urban search and rescue and maritime security exercises;

(F) is a partner with the Navy in carrying out Defense Support of Civil Authorities efforts by supporting training exercises and responses to crises, including the COVID–19 pandemic;

(G) is a science, technology, engineering, and mathematics education platform for thousands of students each year;

(H) is an instrumental partner in the economic development efforts along the Los Angeles waterfront by attracting hundreds of thousands of visitors annually and improving the quality of life for area residents; and

(I) provides a safe place for—

(i) veteran engagement and reintegration into the community through programs and activities that provide a sense of belonging to members of the Armed Forces and veterans; and

(ii) proud Americans to come together in common purpose to highlight the importance of service to community for the future of the United States.

(5) In January 2019, the Pacific Battleship Center received a license for the rights of the National Museum of the Surface Navy from the Navy for the purpose of building such museum aboard the Battleship IOWA at the Port of Los Angeles.

(6) The National Museum of the Surface Navy will—

(A) be the official museum to honor millions of Americans who have proudly served and continue to serve in the Surface Navy since the founding of the Navy on October 13, 1775;

(B) be a community-based and future-oriented museum that will raise awareness and educate the public on the important role of the Surface Navy in ensuring international relations, maintaining safe sea transit for free trade, preventing piracy, providing humanitarian assistance, and enhancing the role of the United States throughout the world;

(C) build on successes of the Battleship IOWA Museum by introducing new exhibits and programs with a focus on education, veterans, and community;

(D) borrow and exhibit artifacts from the Navy and other museums and individuals throughout the United States; and

(E) work with individuals from the Surface Navy community and the public to ensure that the story of the Surface Navy community is accurately interpreted and represented.

(b) DESIGNATION.—

(1) IN GENERAL.—The Battleship IOWA Museum, located in Los Angeles, California, and managed by the Pacific Battleship Center, shall be designated as the ''National Museum of the Surface Navy''.

(2) PURPOSES.—The purposes of the National Museum of the Surface Navy shall be to—

(A) provide and support—

(i) a museum dedicated to the United States Surface Navy community; and

(ii) a platform for education, community, and veterans programs;

(B) preserve, maintain, and interpret artifacts, documents, images, stories, and history collected by the museum; and

(C) ensure that the American people understand the importance of the Surface Navy in the continued freedom, safety, and security of the United States.

SA 3993. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SECTION 1. EXPANDING THE DEFINITION OF AGGRAVATED FELONIES UNDER THE IMMIGRATION AND NATIONALITY ACT.

(a) SHORT TITLES.—This section may be cited as the ''Better Enforcement of Grievous Offenses by unNaturalized Emigrants'' or the ''BE GONE Act''.

(b) IN GENERAL.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in subparagraph (U), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(V) sexual assault and aggravated sexual violence.''.

SA 3994. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 II, insert the following:

SEC. 2_____. REPORT DETAILING COMPLIANCE WITH DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF RESEARCH AND DEVELOPMENT FUNDS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing compliance with the disclosure requirements for recipients of research and development funds required under section 2374b of title 10, United States Code.

SA 3995. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1224. ASSESSMENT OF AND REPORT ON [COUNTER-UAS SYSTEM] CAPABILITIES OF MILITARY FORCES OF UNITED STATES PARTNERS IN IRAQ.

(a) IN GENERAL.—Not later than March 1, 2022, the Secretary of Defense shall —

(1) complete an assessment of—

(A) the current state of [counter-UAS system (as defined in section 44801 of title 49, United States Code) capabilities] of military forces of United States partners in Iraq, including in the Iraqi Kurdistan Region; and

(B) the implications of such capabilities for the security of the United States and United States partners against attacks by unmanned aircraft systems (as defined in section 44801 of title 49, United States Code) in Iraq; and

(2) submit to the congressional defense committees a report on the findings of the assessment completed under paragraph (1).

(b) ELEMENTS.—The report submitted under subsection (a)(2) shall include—

(1) the current level of [counter-UAS system] training and amount of equipment available to the military forces of United States partners in Iraq, including in the Iraqi Kurdistan Region;

(2) a description of the type of additional training and equipment needed to maximize the level of [counter-UAS system] capabilities of such military forces;

(3) an analysis of the availability of additional training and equipment required to maximize such capabilities; and

(4) any other matter the Secretary of Defense considers appropriate.

SA 3996. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. REPORT ON COSTS AND BENEFITS OF MAINTAINING A MINIMUM OF 12 PRIMARY AIRCRAFT AUTHORIZED FOR EACH TYPE OF SPECIALTY MISSION AIRCRAFT.

(a) SENSE OF SENATE.—It is the sense of the Senate that it is important to maintain safety and increase mission readiness and interoperability of the weather reconnaissance, aerial spray, and firefighting system specialty mission capabilities of the Air Force Reserve Command.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the costs and benefits of maintaining a minimum of 12 primary aircraft authorized for each type of specialty mission aircraft.

SA 3997. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. REPORT ON THE DEMILITARIZATION ABROAD OF UNSERVICEABLE MUNITIONS LOCATED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasibility and advisability of demilitarizing abroad unserviceable munitions that are located outside the United States in order to avoid the costs of transporting such munitions to the United States for demilitarization.

(b) CONSIDERATIONS.—In preparing the evaluation required for the report, the Secretary shall take into account the following:

(1) The need for mitigation of adverse environmental impacts, or impacts to the health and safety of local populations, in the demilitarization of unserviceable munitions.

(2) The availability and ease of use of munitions demilitarization technologies and mechanisms abroad, whether or not currently in use by the Army, including available non-incineration technologies.

(3) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(c) TECHNOLOGIES.—If the Secretary determines for purposes of the report that the demilitarization abroad of unserviceable munitions located outside the United States is feasible and advisable, the report shall include a description and assessment of various technologies and other mechanisms that would be suitable for such demilitarization.

SA 3998. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. REPORT ON ENERGY PRODUCT SUPPLY CHAINS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the strength and vitality of United States energy product supply chains, including—

(1) the level of dependence of the United States on foreign nations for energy products;

(2) the impact of Federal regulations and statutes, including subtitle II of title 46, United States Code, on United States energy product supply chains; and

(3) recommendations on how to secure and protect United States energy product supply chains.

SA 3999. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. PARTICIPATION IN HEALTH SAVINGS ACCOUNTS.

(a) IN GENERAL.—Subparagraph (C) of section 223(c)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(C) SPECIAL RULE FOR INDIVIDUALS ELIGIBLE FOR CERTAIN DEPARTMENT OF DEFENSE OR VETERANS BENEFITS.—An individual shall be treated as an eligible individual for any period if the individual—

''(i) receives hospital care or medical services under any law administered by the Secretary of Veterans Affairs for a service-connected disability (within the meaning of section 101(16) of title 38, United States Code),

''(ii) is covered under the TRICARE program (as defined in section 1072 of title 10, United States Code), or

''(iii) is enrolled in the system of annual patient enrollment of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SEC. _____. TREATMENT OF DIETARY SUPPLEMENTS AS MEDICAL EXPENSES FOR CERTAIN INDIVIDUALS.

(a) IN GENERAL.—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) DIETARY SUPPLEMENTS.—In the case of an individual to whom subsection (c)(1)(C) applies, amounts paid for dietary supplements shall be treated as paid for medical care. For purposes of this paragraph, the term 'dietary supplement' has the meaning given such term by section 201(ff) of the Federal Food, Drug, and Cosmetic Act.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SA 4000. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. ___. TREATMENT OF FUNDS RECEIVED BY NATIONAL GUARD BUREAU AS REIMBURSEMENT FROM STATES.

Section 710 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(g) TREATMENT OF REIMBURSED FUNDS.—Any funds received by the National Guard Bureau from a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands as reimbursement under this section for the use of military property shall be credited to—

''(1) the appropriation, fund, or account used in incurring the obligation; or

''(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.''.

SA 4001. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 DEFENSE SPECTRUM AUDIT.

(a) AUDIT AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information and the Secretary of Defense shall jointly—

(1) conduct an audit of the electromagnetic spectrum that is assigned or otherwise allocated to the Department of Defense as of the date of the audit; and

(2) submit to Congress, and make available to each Member of Congress upon request, a report containing the results of the audit conducted under paragraph (1).

(b) CONTENTS OF REPORT.—The Assistant Secretary of Commerce for Communications and Information and the Secretary of Defense shall include in the report submitted under subsection (a)(2), with respect to the electromagnetic spectrum that is assigned or otherwise allocated to the Department of Defense as of the date of the audit—

(1) each particular band of spectrum being used by the Department of Defense;

(2) a description of each purpose for which a particular band described in paragraph (1) is being used, and how much of the band is being used for that purpose;

(3) the geographic area in which a particular band described in paragraph (1) is being used;

(4) whether a particular band described in paragraph (1) is used exclusively by the Department of Defense or shared with a non-Federal entity; and

(5) any portion of the spectrum that is not being used by the Department of Defense.

(c) FORM OF REPORT.—The report required under subsection (a)(2) shall be submitted in unclassified form but may include a classified annex.

SA 4002. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. 10____. CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NORTH ATLANTIC TREATY ORGANIZATION COUNTRIES.

Section 8679 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NATO COUNTRIES.—The Secretary of the Navy may construct a naval vessel in a foreign shipyard if—

''(1) the shipyard is located within the boundaries of a member country of the North Atlantic Treaty Organization; and

''(2) the cost of construction of such vessel in such shipyard will be less than the cost of construction of such vessel in a domestic shipyard.''.

SA 4003. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 IV, insert the following:

SEC. ___. REPORTING ON END STRENGTH RATIONALES.

Section 115a(b) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary'';

(2) by inserting '', including an assessment of the most important threats facing the United States by regional command and how personnel end strength level requests address those specific threats'' after ''in effect at the time''; and

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

''(2) Not later than May 1 each year, the Secretary shall provide a briefing to Congress including—

''(A) the rationale for recommended increases or decreases in active, reserve, and civilian personnel for each component of the Department of Defense;

''(B) the rationale for recommended increases or decreases in active, reserve, and civilian personnel for each of the regional combatant commands;

''(C) the primary functions or missions of military and civilian personnel in each regional combatant command; and

''(D) an assessment of any areas in which decreases in active, reserve, or civilian personnel would not result in a decrease in readiness.''.

SA 4004. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. CATEGORICAL EXCLUSIONS IN ENVIRONMENTAL REVIEWS.

(a) DEFINITIONS.—In this section:

(1) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(2) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means a detailed statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(3) PROPOSED ACTION.—The term ''proposed action'' means an action (within the meaning of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) proposed to be carried out by the Secretary under this Act.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(b) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law and subject to paragraph (2), the Secretary may, with respect to a proposed action and without further approval, use a categorical exclusion under title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) that has been approved by—

(A)(i) another Federal agency; and

(ii) the Council on Environmental Quality; or

(B) an Act of Congress.

(2) REQUIREMENTS.—The Secretary may use a categorical exclusion described in paragraph (1) if the Secretary—

(A) carefully reviews the description of the proposed action to ensure that it fits within the category of actions described in the categorical exclusion; and

(B) considers the circumstances associated with the proposed action to ensure that there are no extraordinary circumstances that warrant the preparation of an environmental assessment or an environmental impact statement.

SA 4005. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 12___. REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary to submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the threats facing the United States—

(A) extend beyond the global war on terror; and

(B) include near-peer threats; and

(2) the President should seek from each country described in subsection (c)(2) acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with

the collective defense agreements or treaties to which such country is a party.

(c) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member state of the North Atlantic Treaty Organization.

(B) Each member state of the Gulf Cooperation Council.

(C) Each country party to the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), done at Rio de Janeiro September 2, 1947, and entered into force December 3, 1948 (TIAS 1838).

(D) Australia.

(E) Japan.

(F) New Zealand.

(G) The Philippines.

(H) South Korea.

(I) Thailand.

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

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 4006. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. CLARIFICATION OF EMERGENCY WAR FUNDING FOR PURPOSES OF DETERMINING ELIGIBLE COSTS.

(a) DEFINITION OF EMERGENCY WAR FUNDING.—For purposes of determining eligible costs for emergency war funding, the term ''emergency war funding''—

(1) means a contingency operation (as defined in section 101(a) of title 10, United States Code) conducted by the Department of Defense that—

(A) is conducted in a foreign country;

(B) has geographical limits;

(C) is not longer than 60 days; and

(D) provides only—

(i) replacement of ground equipment lost or damaged in conflict;

(ii) equipment modifications;

(iii) munitions;

(iv) replacement of aircraft lost or damaged in conflict;

(v) military construction for short-term temporary facilities;

(vi) direct war operations; and

(vii) fuel; and

(2) does not include any operation that provides for—

(A) research and development; or

(B) training, equipment, and sustainment activities for foreign military forces.

(b) REPORT TO BE INCLUDED IN THE PRESIDENT'S BUDGET SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall submit to Congress a report on the effect of the clarified definition of emergency war funding under subsection (a) on the process for determining eligible costs for emergency war funding.

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

(A) For the subsequent fiscal year, a plan for transferring to the base budget any activities that do not meet such definition.

(B) For each of the subsequent five fiscal years, the anticipated emergency war funding based on such clarified definition.

(c) POINT OF ORDER AGAINST FUNDING FOR CONTINGENCY OPERATIONS THAT DOES NOT MEET THE REQUIREMENTS FOR EMERGENCY WAR FUNDING.—

(1) IN GENERAL.—Title IV of the Congressional Budget Act of 1974 (2 U.S.C. 651 et seq.) is amended by adding at the end the following:

''PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

''SEC. 441. POINT OF ORDER AGAINST FUNDING FOR CONTINGENCY OPERATIONS THAT DOES NOT MEET THE REQUIREMENTS FOR EMERGENCY WAR FUNDING.

''(a) DEFINITIONS.—In this section—

''(1) the term 'contingency operation' has the meaning given that term in section 101 of title 10, United States Code; and

''(2) the term 'emergency war funding' has the meaning given that term in section **[**_____**]** of the National Defense Authorization Act for Fiscal Year 2022.

''(b) POINT OF ORDER.—

''(1) IN GENERAL.—In the Senate, it shall not be in order to consider a provision in a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that provides new budget authority for a contingency operation, unless the provision of new budget authority meets the requirements to constitute emergency war funding.

''(2) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a provision described in paragraph (1), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

''(c) FORM OF THE POINT OF ORDER.—A point of order under subsection (b)(1) may be raised by a Senator as provided in section 313(e).

''(d) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to subsection (b)(1), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

''(e) SUPERMAJORITY WAIVER AND APPEAL.—

''(1) WAIVER.—Subsection (b)(1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

''(2) APPEALS.—Debate on appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b)(1).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Congressional Budget Act of 1974 is amended by inserting after the item relating to section 428 the following:

''PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

''Sec. 441. Point of order against funding for contingency operations that does not meet the requirements for emergency war funding.''.

SA 4007. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

SA 4008. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to

the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. GREATER SAGE-GROUSE PROTECTION AND RECOVERY.

(a) PURPOSES.—The purposes of this section are—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(b) DEFINITIONS.—In this section:

(1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land and resource management plan prepared by the Forest Service for National Forest System land pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) GREATER SAGE-GROUSE.—The term ''greater sage-grouse'' means a sage-grouse of the species *Centrocercus urophasianus*.

(3) STATE MANAGEMENT PLAN.—The term ''State management plan'' means a State-approved plan for the protection and recovery of the greater sage-grouse.

(c) PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.—

(1) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(A) DELAY REQUIRED.—The Secretary of the Interior may not modify or invalidate the finding of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled ''Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (Centrocercus urophasianus) as an Endangered or Threatened Species'' (80 Fed. Reg. 59858 (October 2, 2015)) during the 10-year period beginning on the date of enactment of this Act.

(B) EFFECT ON OTHER LAWS.—The delay required under subparagraph (A) is and shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(C) EFFECT ON CONSERVATION STATUS.—The conservation status of the greater sage-grouse shall be considered not to warrant listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) during the 10-year period beginning on the date of enactment of this Act.

(2) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.—

(A) PROHIBITION ON WITHDRAWAL AND MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—On notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not make, modify, or extend any withdrawal or amend or otherwise modify any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for, as specified by the Governor in the notification, a period of not fewer than 5 years beginning on the date of the notification.

(B) RETROACTIVE EFFECT.—In the case of any State that provides notification under subparagraph (A), if any withdrawal was made, modified, or extended or any amendment or modification of a Federal resource management plan applicable to Federal land in the State was issued after June 1, 2014, and the withdrawal, amendment, or modification altered the management of the greater sage-grouse or the habitat of the greater sage-grouse—

(i) implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan; and

(ii) the Federal resource management plan, as in effect immediately before the withdrawal, amendment, or modification, shall apply instead with respect to the management of the greater sage-grouse and the habitat of the greater sage-grouse, to the extent consistent with the State management plan.

(C) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, amendment, or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(3) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(4) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through the date that is 10 years after that date of enactment, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the implementation by the Secretaries of, and the effectiveness of, systems to monitor the status of greater sage-grouse on Federal land under the jurisdiction of the Secretaries.

(5) JUDICIAL REVIEW.—Notwithstanding any other provision of law (including regulations), this subsection, including any determination made under paragraph (2)(C), shall not be subject to judicial review.

SEC. _____. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) CANDIDATE CONSERVATION AGREEMENT; CANDIDATE CONSERVATION AGREEMENT WITH ASSURANCES.—The terms ''Candidate Conservation Agreement'' and ''Candidate Conservation Agreement with Assurances'' have the meanings given those terms in the announcement of the Department of the Interior and the Department of Commerce entitled ''Announcement of Final Policy for Candidate Conservation Agreements with Assurances'' (64 Fed. Reg. 32726 (June 17, 1999)).

(2) LESSER PRAIRIE-CHICKEN.—The term ''lesser prairie-chicken'' means a prairie-chicken of the species *Tympanuchus pallidicinctus*.

(3) RANGE-WIDE PLAN.—The term ''Range-Wide Plan'' means the lesser prairie-chicken Range-Wide Conservation Plan of the Western Association of Fish and Wildlife Agencies, as described in the proposed rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Listing the Lesser-Prairie Chicken as a Threatened Species with a Special Rule'' (79 Fed. Reg. 4652 (January 29, 2014)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(1) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie-chicken shall not be treated as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before the date that is 10 years after the date of enactment of this Act.

(2) PROHIBITION ON PROPOSAL.—Effective beginning on the date that is 10 years after the date of enactment of this Act, the lesser prairie-chicken may not be treated as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary publishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts described in subsection (c) have not achieved the conservation goals established by the Range-Wide Plan.

(c) MONITORING OF PROGRESS OF CONSERVATION PROGRAMS.—The Secretary shall monitor and annually submit to Congress a report on the conservation progress of the lesser prairie-chicken under the Range-Wide Plan and all related—

(1) Candidate Conservation Agreements and Candidate Conservation Agreements with Assurances;

(2) Federal conservation programs administered by the Director of the United States Fish and Wildlife Service, the Director of the Bureau of Land Management, and the Secretary of Agriculture;

(3) State conservation programs; and

(4) private conservation efforts.

SEC. _____. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle (*Nicrophorus americanus*) may not be listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 4009. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. GUARANTEEING DUE PROCESS FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) SHORT TITLE.—This section may be cited as the ''Due Process Guarantee Act''.

(b) PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

(1) LIMITATION ON DETENTION.—

(A) IN GENERAL.—Section 4001(a) of title 18, United States Code, is amended—

(i) by striking ''No citizen'' and inserting the following:

''(1) No citizen or lawful permanent resident of the United States''; and

(ii) by adding at the end the following:

''(2) Any Act of Congress that authorizes an imprisonment or detention described in paragraph (1) shall be consistent with the Constitution and expressly authorize such imprisonment or detention.''.

(B) APPLICABILITY.—Nothing in section 4001(a)(2) of title 18, United States Code, as added by subparagraph (A)(i), may be construed to limit, narrow, abolish, or revoke any detention authority conferred by statute, declaration of war, authorization to use military force, or similar authority effective before the date of the enactment of this Act.

(2) RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, as amended by paragraph (1), is further amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following:

''(b)(1) No United States citizen or lawful permanent resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.

''(2) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(3) Paragraph (2) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Due Process Guarantee Act.

''(4) Nothing in this section may be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 4010. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 XII, insert the following:

Subtitle ____—Military Humanitarian Operations

SEC. ___. SHORT TITLE.

This subtitle may be cited as the ''Military Humanitarian Operations Act of 2021''.

SEC. ___. MILITARY HUMANITARIAN OPERATION DEFINED.

(a) IN GENERAL.—In this subtitle, the term ''military humanitarian operation'' means a military operation involving the deployment of members or weapons systems of the United States Armed Forces where hostile activities are reasonably anticipated and with the aim of preventing or responding to a humanitarian catastrophe, including its regional consequences, or addressing a threat posed to international peace and security. The term includes—

(1) operations undertaken pursuant to the principle of the ''responsibility to protect'' as referenced in United Nations Security Council Resolution 1674 (2006);

(2) operations specifically authorized by the United Nations Security Council, or other international organizations; and

(3) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(b) OPERATIONS NOT INCLUDED.—The term ''military humanitarian operation'' does not mean a military operation undertaken for the following purposes:

(1) Responding to or repelling attacks, or preventing imminent attacks, on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(2) Direct acts of reprisal for attacks on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(3) Invoking the inherent right to individual or collective self-defense in accordance with Article 51 of the Charter of the United Nations.

(4) Military missions to rescue United States citizens or military or diplomatic personnel abroad.

(5) Humanitarian missions in response to natural disasters where no civil unrest or combat with hostile forces is reasonably anticipated, and where such operation is for not more than 30 days.

(6) Actions to maintain maritime freedom of navigation, including actions aimed at combating piracy.

(7) Training exercises conducted by the United States Armed Forces abroad where no combat with hostile forces is reasonably anticipated.

SEC. ___. REQUIREMENT FOR CONGRESSIONAL AUTHORIZATION.

The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country for a military humanitarian operation not previously authorized by statute unless—

(1) the President submits to Congress a formal request for authorization to use members of the Armed Forces for the military humanitarian operation; and

(2) Congress enacts a specific authorization for such use of forces.

SEC. ___. SEVERABILITY.

If any provision of this subtitle is held to be unconstitutional, the remainder of the subtitle shall not be affected.

SA 4011. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. WAIVER OF COASTWISE ENDORSEMENT REQUIREMENTS.

Section 12112 of title 46, United States Code, is amended by adding at the end the following:

''(c) WAIVERS IN CASES OF PRODUCT CARRIER SCARCITY OR UNAVAILABILITY.—

''(1) IN GENERAL.—The head of an agency shall, upon request, temporarily waive the requirements of subsection (a), including the requirement to satisfy section 12103, if the person requesting that waiver reasonably demonstrates to the head of an agency that—

''(A) there is no product carrier, with respect to a specified good, that meets such requirements, exists, and is available to carry such good; and

''(B) the person made a good faith effort to locate a product carrier that complies with such requirements.

''(2) DURATION.—Any waiver issued under paragraph (1) shall be limited in duration, and shall expire by a specified date that is not less than 30 days after the date on which the waiver is issued.

''(3) EXTENSION.—Upon request, if the circumstances under which a waiver was issued under paragraph (1) have not substantially changed, the head of an agency shall, without delay, grant one or more extensions to a waiver issued under paragraph (1), for periods of not less than 15 days each.

''(4) DEADLINE FOR WAIVER RESPONSE.—

''(A) RESPONSE DEADLINE.—Not later than 60 days after receiving a request for a waiver under paragraph (1), the head of an agency shall approve or deny such request.

''(B) FINDINGS IN SUPPORT OF DENIED WAIVER.—If the head of an agency denies such a request, the head of an agency shall, not later than 14 days after denying the request, submit to the requester a report that includes the findings that served as the basis for denying the request.

''(C) REQUEST DEEMED GRANTED.—If the head of an agency has neither granted nor denied the request before the response deadline described in subparagraph (A), the request shall be deemed granted on the date that is 61 days after the date on which the head of an agency received the request. A waiver that is deemed granted under this subparagraph shall be valid for a period of 30 days.

''(5) NOTICE TO CONGRESS.—

''(A) IN GENERAL.—The head of an agency shall notify Congress—

''(i) of any request for a temporary waiver under this subsection, not later than 48 hours after receiving such request; and

''(ii) of the issuance of any such waiver, not later than 48 hours after such issuance.

''(B) CONTENTS.—The head of an agency shall include in each notification under subparagraph (A)(ii) a detailed explanation of the reasons the waiver is necessary.

''(6) DEFINITIONS.—In this subsection:

''(A) PRODUCT CARRIER.—The term 'product carrier', with respect to a good, means a vessel constructed or adapted primarily to carry such good in bulk in the cargo spaces.

''(B) HEAD OF AN AGENCY.—The term ''head of an agency'' means an individual, or such individual acting in that capacity, who is responsible for the administration of the navigation or vessel inspection laws.''.

SA 4012. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 12___. PROHIBITION ON USE OF FUNDS TO PROVIDE ASSISTANCE TO VETTED SYRIAN OPPOSITION.

None of the funds authorized to be appropriated by this Act may be obligated or expended for activities under section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3541), as most recently amended by section 1222 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SA 4013. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. REPEAL OF LIMITATION ON AWARDING CONTRACTS TO ENTITIES OPERATING COMMERCIAL TERRESTRIAL COMMUNICATION NETWORKS THAT CAUSE HARMFUL INTERFERENCE WITH THE GLOBAL POSITIONING SYSTEM.

Section 1662 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is repealed.

SA 4014. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. 10___. ELIGIBILITY OF CERTAIN INDIVIDUALS WHO SERVED WITH SPECIAL GUERRILLA UNITS OR IRREGULAR FORCES IN LAOS FOR INTERMENT IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(a)(10) of title 38, United States Code, is amended—

(1) by striking the period at the end and inserting ''; or''; and

(2) by adding at the end the following new subparagraph:

''(B) who—

''(i) the Secretary determines served honorably with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces at any time during the period beginning on February 28, 1961, and ending on May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall have effect as if included in the enactment of section 251(a) of title II of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018 (division J of Public Law 115–141; 132 Stat. 824).

SA 4015. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. MODIFICATION OF AUTHORIZATION OF USE OF WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS RELATED TO REVITALIZATION AND RECAPITALIZATION OF DEFENSE INDUSTRIAL BASE FACILITIES.

Section 2208(u)(2)(B) of title 10, United States Code, is amended by striking ''specified in subsection (a)(2)'' and all that follows through the period at the end and inserting ''shall be $11,000,000 instead of any dollar limitation specified in section 2805 of this title.''.

SA 4016. Mr. KELLY (for himself, Mrs. FEINSTEIN, Mr. WYDEN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. _____ BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION MODERNIZATION.

(a) CLARIFYING AMENDMENTS TO DEFINITIONS.—Section 1403 of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4702) is amended—

(1) by striking paragraph (5) and inserting the following:

''(5) The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Marianas, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.''; and

(2) in paragraph (6) by inserting '', a resident of a State,'' after ''national of the United States''.

(b) BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION AWARDS.—

(1) Section 1405(a) of the Barry Goldwater Scholarship and Excellence in Education Program (20 U.S.C. 4704(a)) is amended—

(A) in the subsection heading, by striking ''AWARD OF SCHOLARSHIPS AND FELLOWSHIPS'' and inserting ''AWARD OF SCHOLARSHIPS, FELLOWSHIPS, AND RESEARCH INTERNSHIPS'';

(B) in paragraph (1)—

(i) by striking ''scholarships and fellowships'' and inserting ''scholarships, fellowships, and research internships''each place the term appears; and

(ii) by striking ''science and mathematics'' and inserting ''the natural sciences, engineering, and mathematics'';

(C) in paragraph (2), by striking ''mathematics and the natural sciences'' and inserting ''the natural sciences, engineering, and mathematics'';

(D) in paragraph (3), by striking ''mathematics and the natural sciences'' and inserting ''the natural sciences, engineering, and mathematics'';

(E) by redesignating paragraph (4) as paragraph (5);

(F) in paragraph (5), as so redesignated, by striking ''scholarships and fellowships'' and inserting ''scholarships, fellowships, and research internships''; and

(G) by inserting after paragraph (3) the following:

''(4) Research internships shall be awarded to outstanding undergraduate students who intend to pursue careers in the natural sciences, engineering, and mathematics, which shall be prioritized for students attending community colleges.''.

(2) Section 1405(b) of the Barry Goldwater Scholarship and Excellence in Education Program (20 U.S.C. 4704(b)) is amended by adding at the end the following: ''Recipients of research internships under this title shall be known as 'Barry Goldwater Interns'.''

(c) STIPENDS.—Section 1406 of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4705) is amended by adding at the end the following: ''Each person awarded a research internship under this title shall receive a stipend as may be prescribed by the Board, which shall not exceed the maximum stipend amount awarded for a scholarship or fellowship.''

(d) SCHOLARSHIP AND RESEARCH INTERNSHIP CONDITIONS.—Section 1407 of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4706) is amended—

(1) in the section heading, by inserting ''**AND RESEARCH INTERNSHIP**'' after ''**SCHOLARSHIP**'';

(2) in subsection (a), by striking the subsection heading and inserting ''SCHOLARSHIP CONDITIONS'';

(3) in subsection (b), by striking the subsection heading and inserting ''REPORTS ON SCHOLARSHIPS''; and

(4) by inserting at the end the following:

''(c) RESEARCH INTERNSHIP CONDITIONS.—A person awarded a research internship under this title may receive payments authorized under this title only during such periods as the Foundation finds that the person is maintaining satisfactory proficiency and is not engaging in gainful employment other than employment approved by the Foundation pursuant to regulations of the Board.

''(d) REPORTS ON RESEARCH INTERNSHIPS.—The Foundation may require reports containing such information in such form and to be filed at such times as the Foundation determines to be necessary from any person awarded a research internship under this title. Such reports may be accompanied by a certificate from an appropriate official at the institution of higher education or internship employer, approved by the Foundation, stating that such person is maintaining satisfactory progress in the internship, and is not engaged in gainful employment, except as otherwise provided in subsection (c).''.

(e) SUSTAINABLE INVESTMENTS OF FUNDS.—Section 1408 of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4707) is amended—

(1) in subsection (a), by striking ''subsection (d)'' and inserting ''subsection (f)'';

(2) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (b) the following:

''(c) INVESTMENT IN SECURITIES.—Notwithstanding subsection (b), the Secretary of the Treasury may invest not more than 40 percent of the fund's assets in securities other than public debt securities of the United States, if—

''(1) the Secretary receives a determination from the Board that such investments are necessary to enable the Foundation to carry out the purposes of this title; and

''(2) the securities in which such funds are invested are traded in established United States markets.

''(d) CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Board to increase the number of scholarships provided under section 1405, or to increase the amount of the stipend authorized by section 1406, as the Board considers appropriate and is otherwise consistent with the requirements of this title.''.

(f) ADMINISTRATIVE PROVISIONS.—Section 1411(a) of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4710(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) appoint and fix the rates of basic pay of such personnel (in addition to the Executive Secretary appointed under section 1410) as may be necessary to carry out the provisions of this chapter, without regard to the provisions in chapter 33 of title 5, United States Code, governing appointment in the competitive service or the provisions of chapter 51 and subchapter III of chapter 53 of such title, except that—

''(A) a rate of basic pay set under this paragraph may not exceed the maximum rate provided for employees in grade GS–15 of the General Schedule under section 5332 of title 5, United States Code; and

''(B) the employee shall be entitled to the applicable locality-based comparability payment under section 5304 of title 5, United States Code, subject to the applicable limitation established under subsection (g) of such section;'';

(2) in paragraph (2) by striking ''grade GS–18 under section 5332 of such title'' and inserting ''level IV of the Executive Schedule'';

(3) in paragraph (7), by striking ''and'' at the end;

(4) by redesignating paragraph (8) as paragraph (10); and

(5) by inserting after paragraph (7) the following:

''(8) expend not more than 5 percent of the Foundation's annual operating budget on programs that, in addition to or in conjunction with the Foundation's scholarship financial awards, support the development of Barry Goldwater Scholars and Barry Goldwater interns throughout their professional careers;

''(9) expend not more than 5 percent of the Foundation's annual operating budget to pay the costs associated with fundraising activities, including public and private gatherings; and''.

SA 4017. Mr. KELLY (for himself, Mr. CRAMER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KAINE, Mr. BROWN, Mr. LUJÁN, Mr. BLUMENTHAL, and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 744. MANDATORY REFERRAL OF MEMBERS OF THE ARMED FORCES FOR MENTAL HEALTH EVALUATION.

(a) IN GENERAL.—Section 1090a of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) PROCESS APPLICABLE TO MEMBER DISCLOSURE.—The regulations required by subsection (a) shall—

''(1) establish a phrase that enables a member of the armed forces to trigger a referral of the member by a commanding officer or supervisor for a mental health evaluation;

''(2) require a commanding officer or supervisor to make such referral as soon as practicable following disclosure by the member to the commanding officer or supervisor of the phrase established under paragraph (1); and

''(3) ensure that the process under this subsection protects the confidentiality of the member in a manner similar to the confidentiality provided for members making restricted reports under section 1565b(b) of this title.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended, in the second sentence, by striking ''subsections (b), (c), and (d)'' and inserting ''this section''.

SA 4018. Mr. KELLY (for himself, Ms. MURKOWSKI, Mr. TESTER, Mr. PORTMAN, Ms. WARREN, Ms. ROSEN, Ms. BALDWIN, Mr. BLUNT, Mr. BLUMENTHAL, and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 704. IMPROVEMENTS TO DEPENDENT COVERAGE UNDER TRICARE YOUNG ADULT PROGRAM.

(a) EXPANSION OF ELIGIBILITY.—Subsection (b) of section 1110b of title 10, United States Code, is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(b) ELIMINATION OF SEPARATE PREMIUM FOR A YOUNG ADULT.—Such section is further amended by striking subsection (c).

(c) CONFORMING AMENDMENT.—Section 1075(c)(3) of title 10, United States Code, is amended by striking ''section 1076d, 1076e, or 1110b'' and inserting ''section 1076d or 1076e''.

SA 4019. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, add the following:

SEC. 503. EXTENSION OF TRANSITION PERIOD RELATING TO MODIFICATIONS TO RULES FOR RETIREMENT OR SEPARATION FOR COMMISSIONED OFFICERS WHO REACH 62 YEARS OF AGE.

(a) IN GENERAL.—Section 1251(e)(2) of title 10, United States Code, is amended by striking ''the date of the enactment of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021'' and inserting ''December 31, 2022''.

(b) RETROACTIVE EFFECT.—

(1) IN GENERAL.—The amendment made by subsection (a) takes effect on January 1, 2021, as if included in the enactment of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(2) TREATMENT OF SEPARATIONS BETWEEN JANUARY 1, 2021, AND DATE OF ENACTMENT.—A commissioned officer who is separated under paragraph (1) of section 1251(e) of title 10, United States Code, on or after January 1, 2021, and before the date of the enactment of this Act, and who qualifies under paragraph (2) of that section, as amended by subsection (a), for retirement and retired pay, shall be—

(A) transferred to retired status; and

(B) paid retired pay computed under section 1401 of title 10, United States Code, for each month that begins after the date of separation.

SA 4020. Mrs. GILLIBRAND (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, insert the following:

SEC. 583. MODIFICATION OF RESPONSE PROCEDURES FOR INCIDENTS OF SERIOUS HARM TO CHILDREN INVOLVING MILITARY DEPENDENTS ON MILITARY INSTALLATIONS.

Section 549B of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in subsection (b)(2)(A), by striking ''problematic'' and all that follows and inserting the following: ''such incidents that are reported to an appropriate office, as determined by the Secretary, or investigated by a military criminal investigative organization.''; and

(2) in subsection (c)—

(A) in the subsection heading, by striking ''REPORTED TO FAMILY ADVOCACY PROGRAMS'';

(B) by amending paragraph (1) to read as follows:

''(1) RESPONSE GROUPS.—

''(A) INCIDENT DETERMINATION COMMITTEE MEMBERSHIP.—The Secretary of Defense shall ensure that the voting membership of each Incident Determination Committee on a

military installation includes medical personnel with the knowledge and expertise required to determine whether a reported incident of serious harm to a child meets the criteria of the Department of Defense for child abuse described in subsection (a)(2)(A).

''(B) SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM.—The Secretary of Defense shall establish guidance for each Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team on a military installation to address reported incidents of serious harmful behaviors between children and youth described in subsection (a)(2)(C).'';

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by inserting ''RELATING TO CHILD ABUSE AND ADULT CRIMES AGAINST CHILDREN'';

(II) by striking ''covered incidents of serious harm to children'' and inserting ''incidents of child abuse described in subsection (a)(2)(A) and crimes described in subsection (a)(2)(B)'';

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) DEVELOPMENT OF STANDARDIZED PROCESS RELATING TO SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH.—The Secretary of Defense shall develop a standardized process by which a military department screens incidents of serious harmful behavior between children and youth described in subsection (a)(2)(C) to determine whether to convene a Serious Harmful Behavior Between Children and Youth Multidisciplinary Team.''; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking ''process developed pursuant to subparagraph (A)'' and inserting ''processes developed pursuant to subparagraphs (A) and (B)''; and

(D) in paragraph (7)—

(i) by striking ''INCIDENT'' and all that follows through ''the term'' and inserting the following: ''DEFINITIONS.—In this subsection:

''(A) INCIDENT DETERMINATION COMMITTEE.—The term'';

(ii) by inserting after ''child abuse'' the following: ''described in subsection (a)(2)(A) and crimes described in subsection (a)(2)(B)''; and

(iii) by adding at the end the following new subparagraph:

''(B) SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM.—The term 'Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team' means a coordinated community response team on a military installation—

''(i) composed of members with the requisite experience, qualifications, and skills to address serious harmful behaviors between children and youth described in subsection (a)(2)(C) from a developmentally appropriate and trauma-informed perspective; and

''(ii) with objectives that include development of procedures for information sharing, collaborative and coordinated response, restorative resolution, effective investigations and assessments, evidence-based clinical interventions and rehabilitation, and prevention of serious harmful behaviors between children and youth.''.

SA 4021. Ms. ERNST (for herself, Ms. HASSAN, Mr. GRASSLEY, Mr. CRAMER, Mrs. FEINSTEIN, Mr. BURR, Mr. TILLIS, Mr. RISCH, Mrs. GILLIBRAND, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10____. NATIONAL GLOBAL WAR ON TERRORISM MEMORIAL.

(a) AUTHORIZATION.—Notwithstanding section 8908(c) of title 40, United States Code, the Global War on Terrorism Memorial Foundation shall establish a National Global War on Terrorism Memorial within the Reserve.

(b) LOCATION.—The Memorial may be located at one of the following sites:

(1) Potential Site 1—Constitution Gardens, Prime Candidate Site 10 in The Memorials and Museums Master Plan.

(2) Potential Site 2—JFK Hockey Fields, Prime Candidate Site 18 in The Memorials and Museums Master Plan.

(3) Potential Site 3—West Potomac Park, Candidate Site 70 in The Memorials and Museums Master Plan.

(c) COMMEMORATIVE WORKS ACT.—Except as otherwise provided by subsections (a) and (b), chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall apply to the Memorial.

(d) DEFINITIONS.—In this section:

(1) MEMORIAL.—The term ''Memorial'' means the National Global War on Terrorism Memorial authorized under subsection (a).

(2) RESERVE.—The term ''Reserve'' has the meaning given that term in 8902(a)(3) of title 40, United States Code.

SA 4022. Mrs. SHAHEEN (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 704. TREATMENT FOR EATING DISORDERS FOR MEMBERS OF THE ARMED FORCES AND DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) FINDINGS.—Congress finds the following:

(1) Eating disorders affect approximately 30,000,000 individuals in the United States, or nine percent of the population, during their lifetime, including individuals from every age, gender, body size, race, ethnicity, and socioeconomic status.

(2) Eating disorders are severe, biologically based mental illnesses caused by a complex interaction of genetic, biological, social, behavioral, and psychological factors.

(3) Eating disorders result in the second highest case fatality rate of any psychiatric illness, with one death every 52 minutes as a direct result of an eating disorder due to serious medical comorbidities and suicide.

(4) Untreated eating disorders cost the economy of the United States $64,700,000,000 annually, with individuals and their families experiencing an economic loss of $23,500,000,000 annually.

(5) A study from the Armed Forces Health Surveillance Branch found that diagnoses of eating disorders among military personnel increased by 26 percent from 2013 to 2016.

(6) Although accurate estimates are challenging due to underreporting, the prevalence of eating disorders among members of the Armed Forces is two to three times higher than in the civilian population.

(7) The Defense Health Board found that women members of the Armed Forces on active duty experience high rates of eating disorders, which can adversely affect the readiness and health of such members.

(8) Risk factors for eating disorders among members of the Armed Forces include pressure to maintain weight and fitness standards, trauma, sexual harassment, weight stigmatization, and post-traumatic stress disorder.

(9) Family members of members of the Armed Forces have a higher prevalence of eating disorders than the general population, with 21 percent of children and 26 percent of spouses of members of the Armed Forces found to be at risk of developing an eating disorder.

(10) Research demonstrates a strong correlation in the risk of developing an eating disorder between a military spouse and their adolescent child. An adolescent female dependent of a member of the Armed Forces is more likely to be at risk for an eating disorder if their nonmilitary parent is at risk for an eating disorder.

(b) TREATMENT FOR EATING DISORDERS FOR DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES.—Section 1079 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(18) Treatment for an eating disorder may be provided in accordance with subsection (r).''; and

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

''(r)(1) The provision of health care services for an eating disorder under subsection (a)(18) shall include treatment at facilities providing the following services:

''(A) Inpatient services, including residential services.

''(B) Outpatient services for in-person and telehealth care, including—

''(i) Partial hospitalization services; and

''(ii) Intensive outpatient services.

''(2) A dependent may be provided health care services for an eating disorder under subsection (a)(18) without regard to the age of the dependent, except with respect to residential services under paragraph (1)(A), which may be provided only to a dependent who is not eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

''(3) In this section, the term 'eating disorder' has the meaning given the term 'feeding and eating disorders' in the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (or successor edition), published by the American Psychiatric Association.''.

(c) IDENTIFICATION AND TREATMENT OF EATING DISORDERS FOR MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Section 1090 of title 10, United States Code, is amended—

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

''(a) IDENTIFICATION AND TREATMENT OF EATING DISORDERS AND DRUG AND ALCOHOL DEPENDENCE.—The Secretary of Defense'';

(B) by inserting ''have an eating disorder or'' before ''are dependent on drugs or alcohol'';

(C) by adding at the end the following new subsections:

''(b) FACILITIES AVAILABLE TO INDIVIDUALS WITH EATING DISORDERS.—For purposes of

this section, necessary facilities described in subsection (a) shall include the facilities described in section 1079(r)(1) of this title.

''(c) EATING DISORDER DEFINED.—In this section, the term 'eating disorder' has the meaning given that term in section 1079(r)(3) of this title.''; and

(D) in the section heading, by inserting ''**eating disorders and**'' after ''**treating**''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by striking the item relating to section 1090 and inserting the following new item:

''1090. Identifying and treating eating disorders and drug and alcohol dependence.''.

(d) CLINICAL PRACTICE CRITERIA AND GUIDELINES ON THE IDENTIFICATION AND TREATMENT OF EATING DISORDERS.—

(1) IN GENERAL.— Not later than two years after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with specialized stakeholders, shall jointly develop, publish, and disseminate clinical practice criteria and guidelines on the identification and treatment of eating disorders.

(2) INCLUSION OF RECOMMENDATIONS AND GUIDELINES.—The criteria and guidelines developed, published, and disseminated under paragraph (1) shall include—

(A) recommendations and guidelines established by, and any guidance from, the Substance Abuse and Mental Health Services Administration, the Centers for Disease Control and Prevention, and the National Institute of Mental Health; and

(B) clinical practice guidelines developed by specialized nonprofit professional associations.

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

SA 4023. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, add the following:

SEC. 744. INCLUSION OF EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AS COMPONENT OF PERIODIC HEALTH ASSESSMENTS.

(a) PERIODIC HEALTH ASSESSMENT.—Each Secretary concerned shall ensure that any periodic health assessment provided to a member of the Armed Forces includes an assessment of whether the member has been—

(1) based or stationed at a military installation identified by the Secretary concerned as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

(2) exposed to such substances, including by assessing any information in the health record of the member.

(b) SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

''(i) based or stationed at a military installation identified by the Secretary concerned as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

''(ii) exposed to such substances, including by assessing any information in the health record of the member.''.

(c) DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) An assessment of whether the member was—

''(i) based or stationed at a military installation identified by the Secretary concerned as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

''(ii) exposed to such substances, including by assessing any information in the health record of the member.''.

(d) PROVISION OF BLOOD TESTING TO DETERMINE EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.—

(1) IN GENERAL.—If a covered evaluation of a member of the Armed Forces results in a positive determination of potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances, the Secretary concerned shall provide to that member, during the covered evaluation, blood testing to determine and document potential exposure to such substances.

(2) INCLUSION IN HEALTH RECORD.—The results of a blood test of a member of the Armed Forces conducted under subparagraph (A) shall be included in the health record of the member.

(e) DEFINITIONS.—In this section:

(1) COVERED EVALUATION.—The term ''covered evaluation'' means—

(A) a periodic health assessment conducted in accordance with subsection (a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by subsection (b); or

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by subsection (c).

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given such term in section 101 of title 10, United States Code.

SA 4024. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. PERMANENCY OF SBIR AND STTR PROGRAMS.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking ''TERMINATION'' and inserting ''SBIR PROGRAM AUTHORIZATION''; and

(2) by striking ''terminate on September 30, 2022'' and inserting ''be in effect for each fiscal year''.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking ''through fiscal year 2022''.

SA 4025. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. ANNUITY SUPPLEMENT.

Section 8421a(c) of title 5, United States Code, is amended—

(1) by striking ''as an air traffic'' and inserting the following: ''as an—

''(1) air traffic'';

(2) in paragraph (1), as so designated, by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 47124 of title 49.''.

SA 4026. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. EMERGING TECHNOLOGY LEADS.

(a) DEFINITIONS.—In this section:

(1) COVERED INDIVIDUAL.—The term ''covered individual'' means—

(A) an individual serving in a Senior Executive Service position, as that term is defined in section 3132(a) of title 5, United States Code;

(B) an individual who—

(i) is serving in a position to which section 5376 of title 5, United States Code, applies; and

(ii) has a significant amount of seniority and experience, as determined by the head of the applicable covered Federal agency; or

(C) another individual who is the equivalent of an individual described in subparagraph (A) or (B), as determined by the head of the applicable covered Federal agency.

(2) COVERED FEDERAL AGENCY.—The term ''covered Federal agency'' means—

(A) an agency listed in section 901(b) of title 31, United States Code; or

(B) an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(b) APPOINTMENT OR DESIGNATION.—Each covered Federal agency that is also substantially engaged in the development, application, or oversight of emerging technologies shall consider appointing or designating a

covered individual as an emerging technology lead to advise the agency on the responsible use of emerging technologies, including artificial intelligence, provide expertise on responsible policies and practices, collaborate with interagency coordinating bodies, and provide input for procurement policies.

(c) INFORMING CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall inform Congress of each covered Federal agency in which a covered individual has been appointed or designated as an emerging technology lead under subsection (b) and provide Congress with a description of the authorities and responsibilities of the covered individuals so appointed.

SA 4027. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. _____. TECHNOLOGY COMPETITIVENESS COUNCIL.

The Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.) is amended by adding at the end the following:

"TITLE VII—TECHNOLOGY COMPETITIVENESS COUNCIL

"SEC. 701. ESTABLISHMENT OF COUNCIL.

''The President shall establish within the Executive Office of the President a Technology Competitiveness Council (in this title, referred to as the 'Council').

"SEC. 702. MEMBERSHIP OF COUNCIL.

''(a) IN GENERAL.—The Council shall be composed of the following members:

''(1) The Vice President.
''(2) The Secretary of State.
''(3) The Secretary of the Treasury.
''(4) The Secretary of Defense.
''(5) The Attorney General.
''(6) The Secretary of Commerce.
''(7) The Secretary of Energy.
''(8) The Secretary of Homeland Security.
''(9) The Director of the Office of Management and Budget.
''(10) The Assistant to the President for Technology Competitiveness.
''(11) The Assistant to the President for National Security Affairs.
''(12) The Assistant to the President for Science and Technology.
''(13) The Assistant to the President for Economic Policy.
''(14) The Assistant to the President for Domestic Policy.
''(15) The United States Trade Representative.
''(16) The Chairman of the Joint Chiefs of Staff.
''(17) The Director of National Intelligence.
''(18) The heads of such other executive departments and agencies and other senior officials within the Executive Office of the President as the Chairperson of the Council considers appropriate.

''(b) CHAIRPERSON.—The Chairperson of the Council shall be the Vice President.

"SEC. 703. OPERATION OF COUNCIL.

''(a) RESPONSIBILITIES OF CHAIR.—The Chairperson of the Council—

''(1) shall convene and preside over meetings of the Council and shall determine the agenda for the Council;

''(2) may authorize the establishment of such committees of the Council, including an executive committee, and of such working groups, composed of senior designees of the Council members and of other officials, as the Chairperson deems necessary or appropriate for the efficient conduct of Council functions; and

''(3) shall report to the President on the activities and recommendations of the Council and shall advise the Council as appropriate regarding the President's directions with respect to the Council's activities and national technology policy generally.

''(b) ADMINISTRATION.—

''(1) STAFF.—The Council may hire a staff, which shall be headed by the Assistant to the President for Technology Competitiveness.

''(2) SUPPORT.—

''(A) SUPPORT FROM OFFICE OF ADMINISTRATION.—The Office of Administration in the Executive Office of the President shall provide the Council with such personnel, funding, and administrative support, as directed by the Chair or, upon the Chair's direction, the Assistant to the President for Technology Competitiveness, subject to the availability of appropriations.

''(B) SUPPORT FROM OTHER AGENCIES.—Subject to the availability of appropriations, members of the Council who are heads of Federal agencies shall make resources, including personnel and office support, available to the Council as reasonably requested by the Chairperson or, upon the Chairperson's direction, the Assistant to the President for Technology Competitiveness.

''(3) INFORMATION AND ASSISTANCE.—The heads of Federal agencies shall provide to the Council such information and assistance as the Chairperson may request to carry out the functions described in section 704.

''(4) COORDINATION WITH NATIONAL SECURITY COUNCIL.—The Council shall coordinate with the National Security Council on technology policy and strategy matters relating primarily to national security to ensure that the activities of the Council are carried out in a manner that is consistent with the responsibilities and authorities of the National Security Council.

"SEC. 704. FUNCTIONS OF COUNCIL.

''The Council shall be responsible for the following:

''(1) Developing recommendations for the President on United States technology competitiveness and technology-related issues, advising and assisting the President in development and implementation of national technology policy and strategy, and performing such other duties as the President may prescribe.

''(2) Developing and overseeing the implementation of a National Technology Strategy required by section 601 of the Intelligence Authorization Act for Fiscal Year 2022.

''(3) Serving as a forum for balancing national security, economic, and technology considerations of United States departments and agencies as they pertain to technology research, development, commercial interests, and national security applications.

''(4) Coordinating policies across Federal departments and agencies relating to United States competitiveness in critical and emerging technologies and ensuring that policies designed to promote United States leadership and protect existing competitive advantages in technologies of strategic importance to the United States are integrated and mutually reinforcing.

''(5) Synchronizing budgets and strategies, in consultation with the Director of the Office of Management and Budget, in accordance with the National Technology Strategy required by section 601 of the Intelligence Authorization Act for Fiscal Year 2022.''.

SA 4028. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. NATIONAL DIGITAL RESERVE CORPS.

(a) IN GENERAL.—Subpart I of part III of title 5, United States Code, is amended by adding at the end the following:

"CHAPTER 103—NATIONAL DIGITAL RESERVE CORPS

"SEC. 10301. DEFINITIONS.

''In this chapter:

''(1) ACTIVE RESERVIST.—The term 'active reservist' means a reservist occupying a position to which the reservist has been appointed under section 10303(c)(2).

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(3) INACTIVE RESERVIST.—The term 'inactive reservist' means a reservist who is not serving in an appointment under section 10303(c)(2).

''(4) PROGRAM.—The term 'Program' means the program established under section 10302(a).

''(5) RESERVIST.—The term 'reservist' means an individual who is a member of the National Digital Reserve Corps.

"SEC. 10302. ESTABLISHMENT.

''(a) ESTABLISHMENT.—There is established in the General Services Administration a program, to be known as the 'National Digital Reserve Corps', to establish, manage, and assign a reserve of individuals with relevant skills and credentials to help address the digital and cybersecurity needs of Executive agencies.

''(b) IMPLEMENTATION.—

''(1) GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Administrator shall issue guidance with respect to the Program, which shall include procedures for coordinating with Executive agencies to—

''(A) identify digital and cybersecurity needs that may be addressed by the National Digital Reserve Corps; and

''(B) assign active reservists to address the needs identified under subparagraph (A).

''(2) RECRUITMENT AND INITIAL ASSIGNMENTS.—Not later than 180 days after the date of enactment of this section, the Administrator shall begin—

''(A) recruiting individuals to serve as reservists; and

''(B) assigning active reservists under the Program.

"SEC. 10303. ORGANIZATION.

''(a) ADMINISTRATION.—

''(1) IN GENERAL.—The National Digital Reserve Corps shall be administered by the Administrator.

''(2) RESPONSIBILITIES.—In carrying out the Program, the Administrator shall—

''(A) establish standards for serving as a reservist, including educational attainment, professional qualifications, and background checks;

''(B) ensure the standards established under subparagraph (A) are met;

''(C) recruit individuals to the National Digital Reserve Corps;

''(D) activate and deactivate reservists as necessary;

''(E) coordinate with Executive agencies to—

''(i) determine the digital and cybersecurity needs that reservists shall be assigned to address;

''(ii) ensure that reservists have access, resources, and equipment required to address the digital and cybersecurity needs that those reservists are assigned to address; and

''(iii) analyze potential assignments for reservists to determine outcomes, develop anticipated assignment timelines, and identify Executive agency partners;

''(F) ensure that reservists acquire and maintain appropriate suitability and security eligibility and access; and

''(G) determine what additional resources, if any, are required to successfully implement the Program.

''(b) NATIONAL DIGITAL RESERVE CORPS PARTICIPATION.—

''(1) SERVICE OBLIGATION AGREEMENT.—

''(A) IN GENERAL.—An individual may serve as a reservist only if the individual enters into a written agreement with the Administrator to serve as a reservist.

''(B) CONTENTS.—An agreement described in subparagraph (A) shall—

''(i) require the individual seeking to become a reservist to serve as a reservist for a 3-year period, during which that individual shall serve not less than 30 days per year as an active reservist; and

''(ii) set forth all other rights and obligations of the individual and the Administrator with respect to the service of the individual described in clause (i) as a reservist.

''(2) EMPLOYEE STATUS AND COMPENSATION.—

''(A) EMPLOYEE STATUS.—An inactive reservist shall not be considered to be an employee for any purpose solely on the basis of being a reservist.

''(B) COMPENSATION.—The Administrator shall determine the appropriate compensation for an individual serving as an active reservist, except that the maximum rate of basic pay may not exceed the maximum rate of basic pay payable for a position at GS-15 of the General Schedule (including any applicable locality-based comparability payment under section 5304 or similar provision of law).

''(3) USERRA EMPLOYMENT AND REEMPLOYMENT RIGHTS.—

''(A) IN GENERAL.—The protections, rights, benefits, and obligations under chapter 43 of title 38 shall apply to active reservists appointed under subsection (c)(2) to—

''(i) perform service to the General Services Administration under section 10304; or

''(ii) train for service described in clause (i) under section 10305.

''(B) NOTICE OF ABSENCE FROM POSITION OF EMPLOYMENT.—

''(i) IN GENERAL.—Preclusion of giving notice of service by necessity of service under subsection (c)(2) to perform service to the General Services Administration under section 10304, or to train for such service under section 10305, shall be deemed preclusion by 'military necessity' for purposes of section 4312(b) of title 38 pertaining to giving notice of absence from a position of employment.

''(ii) DETERMINATION.—A determination of a necessity described in clause (i) shall be made by the Administrator and shall not be subject to review in any judicial or administrative proceeding.

''(4) PENALTIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), a reservist who fails to accept an appointment under subsection (c)(2), or who fails to carry out the duties assigned to the reservist under such an appointment, shall, after notice and an opportunity to be heard—

''(i) cease to be a reservist; and

''(ii) be fined an amount equal to the sum of—

''(I) the amounts, if any, paid under section 10305 with respect to training expenses for the reservist; and

''(II) the difference between—

''(aa) the amount of compensation the reservist would have received under paragraph (2) if the reservist completed the entire term of service as a reservist agreed to in the agreement described in paragraph (1); and

''(bb) the amount of compensation the reservist has received under the agreement described in item (aa).

''(B) EXCEPTION.—With respect to the failure of a reservist to accept an appointment under subsection (c)(2), or to carry out the duties assigned to the reservist under such an appointment—

''(i) subparagraph (A) shall not apply if the failure was due to the continuation, recurrence, or onset of a serious health condition or any other circumstance beyond the control of the reservist; and

''(ii) the Administrator may waive the application of subparagraph (A), in whole or in part, if the Administrator determines that applying subparagraph (A) with respect to the failure would be against equity and good conscience and not in the best interest of the United States.

''(c) APPOINTMENT AUTHORITY.—

''(1) CORPS LEADERSHIP.—The Administrator may appoint qualified candidates to positions in the competitive service in the General Service Administration for which the primary duties are related to the management or administration of the National Digital Reserve Corps, as determined by the Administrator.

''(2) CORPS RESERVISTS.—

''(A) IN GENERAL.—The Administrator may appoint, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303 and 3328), qualified reservists to temporary positions in the competitive service to—

''(i) assign those reservists under section 10304; and

''(ii) otherwise carry out the Program.

''(B) APPOINTMENT LIMITS.—

''(i) IN GENERAL.—The Administrator may not appoint an individual under this paragraph if, during the 1-year period preceding the date on which the appointment is made, the individual has been an officer or employee in the executive or legislative branch of the United States Government, or of any independent establishment, for not fewer than 130 days.

''(ii) AUTOMATIC APPOINTMENT TERMINATION.—The appointment of an individual under this paragraph shall terminate if the individual has been employed as an officer or employee in the executive or legislative branch of the United States Government, or of any independent establishment, for 130 days during the most recent 365-day period.

''(C) EMPLOYEE STATUS.—An individual appointed under this paragraph shall be considered a special Government employee, as that term is defined in section 202(a) of title 18.

''(D) ADDITIONAL EMPLOYEES.—Individuals appointed under this paragraph shall be in addition to any employees of the General Services Administration, the duties of whom relate to the digital or cybersecurity needs of the General Services Administration.

''SEC. 10304. ASSIGNMENTS.

''(a) IN GENERAL.—The Administrator may assign active reservists to address the digital and cybersecurity needs of Executive agencies, including cybersecurity services, digital education and training, data triage, acquisition assistance, guidance on digital projects, development of technical solutions, and bridging public needs and private sector capabilities.

''(b) ASSIGNMENT-SPECIFIC ACCESS, RESOURCES, SUPPLIES, OR EQUIPMENT.—The head of an Executive agency shall, to the extent practicable, provide each active reservist assigned to address a digital or cybersecurity need of that Executive agency under subsection (a) with any specialized access, resources, supplies, or equipment required to address that digital or cybersecurity need.

''(c) DURATION.—The assignment of an individual under subsection (a) shall terminate on the earlier of—

''(1) a date determined by the Administrator;

''(2) the date on which the Administrator receives notification of the decision of the head of the Executive agency, the digital or cybersecurity needs of which the individual is assigned to address under subsection (a), that the assignment should terminate; or

''(3) the date on which the assigned individual ceases to be an active reservist.

''(d) COMPLIANCE.—The Administrator shall ensure that assignments under subsection (a) are consistent with an applicable Federal ethics rules and Federal appropriations laws.

''SEC. 10305. RESERVIST CONTINUING EDUCATION.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator may pay for reservists to acquire training and receive continuing education, including attending conferences and seminars and obtaining certifications, that will enable reservists to more effectively meet the digital and cybersecurity needs of Executive agencies.

''(b) APPLICATION.—The Administrator shall establish a process for reservists to apply for the payment of reasonable expenses relating to the training or continuing education described in subsection (a).

''(c) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report on the expenditures made under this section.

''SEC. 10306. CONGRESSIONAL REPORTS.

''Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report on the Program, including—

''(1) the number of reservists under the Program;

''(2) a list of Executive agencies that have submitted requests for support under the Program;

''(3) the nature and status of the requests described in paragraph (2); and

''(4) with respect to each request described in paragraph (2) with respect to which active reservists have been assigned, and for which work by the National Digital Reserve Corps has concluded, an evaluation of that work (including the results of that work) by—

''(A) the Executive agency that submitted the request; and

''(B) the reservists assigned to the request.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subpart I of part III of title 5, United States Code, is amended by inserting after the item related to chapter 102 the following:

''103. National Digital Reserve Corps 10303''.

(c) CONFORMING AMENDMENTS.—

(1) SERVICE DEFINITIONS.—Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13), by inserting '', a period for which a person is absent from a position of employment to perform service to the General Services Administration as an active reservist of the National Reserve Digital Corps under section 10304 of title 5, or inactive reservist training for such service under section 10305 of title 5,'' before '', and a period''; and

(B) in the second paragraph (16), by inserting '', active reservists of the National Reserve Digital Corps who are appointed into General Services Administration service under section 10303(c)(2) of title 5, or inactive reservist training for such service under section 10305 of title 5,'' before '', and any other category''.

(2) REEMPLOYMENT SERVICE NOTICE REQUIREMENT.—Section 4312(b) of title 38, United States Code, is amended by striking ''A determination of military necessity'' and all that follows and inserting the following: ''A determination of military necessity for the purposes of this subsection—

''(1) shall be made—

''(A) except as provided under subparagraph (B), (C), or (D), pursuant to regulations prescribed by the Secretary of Defense;

''(B) for persons performing service to the Federal Emergency Management Agency under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165f) and as intermittent personnel under section 306(b)(1) of such Act, by the Administrator of the Federal Emergency Management Agency, as described in sections 327(j)(2) and 306(d)(2), respectively, of such Act;

''(C) for intermittent disaster-response appointees of the National Disaster Medical System, by the Secretary of Health and Human Services, as described in section 2812(d)(3)(B) of the Public Health Service Act (42 U.S.C. 300hh–11(d)(3)(B)); and

''(D) for active reservists of the National Reserve Digital Corps performing service to the General Services Administration under section 10304 of title 5, or inactive reservist training for such service under section 10305 of title 5, by the Administrator of General Services, as described in section 10303(b)(3)(B) of title 5; and

''(2) shall not be subject to judicial review.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator of General Services $30,000,000, to remain available until fiscal year 2023, to carry out the program established under section 10302(a) of title 5, United States Code, as added by subsection (a).

SA 4029. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. TASK FORCE ON ARTIFICIAL INTELLIGENCE GOVERNANCE AND OVERSIGHT.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall appoint a task force to assess the privacy, civil rights, and civil liberties implications of artificial intelligence (referred to in this section as the ''AI Task Force'').

(b) MEMBERSHIP OF TASK FORCE.—

(1) IN GENERAL.—The AI Task Force shall include—

(A) the Director of the Office of Management and Budget or his or her designee;

(B) the Director of the National Institute of Standards and Technology or his or her designee;

(C) the Director of the Office of Science and Technology Policy or his or her designee;

(D) the Deputy Director for Technology at the National Science and Technology Foundation;

(E) the Secretary of Health and Human Services or his or her designee;

(F) the Secretary of Transportation or his or her designee;

(G) the Secretary of Housing and Urban Development or his or her designee;

(H) the Comptroller General of the United States or his or her designee;

(I) the Chairman of the Federal Trade Commission or his or her designee;

(J) the Chairperson of the Equal Employment Opportunity Commission or his or her designee;

(K) the Chair of the Council of Inspectors General on Integrity and Efficiency or his or her designee;

(L) the Principal Deputy Assistant Attorney General for the Civil Rights Division of the Department of Justice or his or her designee;

(M) the chief privacy and civil liberties officers for the following agencies:

(i) the Department of State;

(ii) the Department of the Treasury;

(iii) the Department of Defense;

(iv) the Department of Justice;

(v) the Department of Health and Human Services;

(vi) the Department of Homeland Security;

(vii) the Department of Commerce;

(viii) the Department of Labor;

(ix) the Department of Education; and

(x) the Office of the Director of National Intelligence;

(N) the Chair of the Privacy and Civil Liberties Oversight Board;

(O) the Chair of the National Artificial Intelligence Advisory Committee's Subcommittee on Artificial Intelligence and Law Enforcement;

(P) any other governmental representative determined necessary by the President; and

(Q) not fewer than 6, but not more than 10, representatives from civil society, including organizational leaders with expertise in technology, privacy, civil liberties, and civil rights, representatives from industry, and representatives from academia, as appointed by the President.

(2) TASK FORCE CHAIR AND VICE CHAIR.—The President shall designate a Chair and Vice Chair of the AI Task Force from among its members.

(c) DUTIES.—The AI Task Force shall carry out the following duties:

(1) Identifying policy and legal gaps and making recommendations to ensure that uses of artificial intelligence (referred to in this section as ''AI'') and associated data in United States Government operations comport with freedom of expression, equal protection, privacy, and due process.

(2) Assessing existing policy, regulatory, and legal gaps for current AI applications, and associated data, and making recommendations for—

(A) legislative and regulatory reforms on the development and fielding of AI and associated data, to include Federal Government use and management of biometric identification technologies, government procurement of commercial AI products, Federal data privacy standards, Federal antidiscrimination laws, Federal disparate impact standards, AI validation and auditing, and AI risk and impact assessment reporting;

(B) institutional changes to ensure sustained assessment and recurring guidance on privacy and civil liberties implications of AI applications, emerging technologies, and associated data; and

(C) the utility of a new Federal entity to regulate and provide government-wide oversight of AI use by the Federal Government, including—

(i) the review of Federal funds used for the procurement and development of AI; and

(ii) the enforcement of Federal law for commercial AI products used in government.

(3) Conducting an assessment and making recommendations to Congress and to the President to ensure that the development and fielding of artificial intelligence by the Federal Government provides protections for the privacy, civil liberties, and civil rights of individuals in the United States in a manner that is appropriately balanced against critical law enforcement and national security needs.

(4) Recommending baseline standards for Federal Government use of biometric identification technologies, including facial recognition, voiceprint, gait recognition, and keyboard entry technologies.

(5) Recommending baseline standards for the protection and integrity of data in the custody of the Federal Government.

(6) Recommending proposals to address any gaps in Federal law or regulation with respect to facial recognition technologies in order to enhance protections of privacy, civil liberties, and civil rights of individuals in the United States.

(7) Recommending best practices and contractual requirements to strengthen protections for privacy, information security, fairness, nondiscrimination, auditability, and accountability in artificial intelligence systems and technologies and associated data procured by the Federal Government.

(8) Considering updates to and reforms of Government data privacy and retention requirements to address implications to privacy, civil liberties, and civil rights.

(9) Assessing ongoing efforts to regulate commercial development and fielding of artificial intelligence and associated data in light of privacy, civil liberties, and civil rights implications, and as appropriate, considering and recommending institutional or organizational changes to facilitate applicable regulation.

(10) Assessing the utility of establishing a new organization within the Federal Government to provide ongoing governance for and oversight over the fielding of artificial intelligence technologies by Federal agencies as technological capabilities evolve over time.

(d) ORGANIZATIONAL CONSIDERATIONS.—In conducting the assessments required by paragraphs (2) and (3) of subsection (c), the AI Task Force shall consider—

(1) the organizational placement, structure, composition, authorities, and resources that a new organization would require to provide ongoing guidance and baseline standards for—

(A) the Federal Government's development, acquisition, and fielding of artificial intelligence systems to ensure they comport with privacy, civil liberties, and civil rights and civil liberties law, including guardrails for their use; and

(B) providing transparency to oversight entities and the public regarding the Federal Government's use of artificial systems and the performance of those systems;

(2) the existing interagency and intra-agency efforts to address AI oversight;

(3) the need for and scope of national security carve outs, and any limitations or protections that should be built into any such carve outs; and

(4) the research, development, and application of new technologies to mitigate privacy and civil liberties risks inherent in artificial intelligence systems.

(e) POWERS OF THE TASK FORCE.—

(1) HEARINGS.—The Task Force may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the AI Task Force considers appropriate.

(2) POWERS OF MEMBERS AND AGENTS.—Any member of the AI Task Force may, upon authorization by the AI Task Force, take any action that the AI Task Force is authorized to take under this section.

(3) OBTAINING OFFICIAL DATA.—Subject to applicable privacy laws and relevant regulations, the AI Task Force may secure directly from any department or agency of the United States information and data necessary to enable it to carry out this section. Upon written request of the Chair of the AI Task Force, the head or acting representative of that department or agency shall furnish the requested information to the AI Task Force not later than 30 days after receipt of the request.

(f) OPERATING RULES AND PROCEDURE.—

(1) INITIAL MEETING.—The AI Task Force shall meet not later than 30 days after the date on which a majority of the members of the AI Task Force have been appointed.

(2) VOTING.—Each member of the AI Task Force shall have 1 vote.

(3) RECOMMENDATIONS.—The AI Task Force shall adopt recommendations only upon a majority vote.

(4) QUORUM.—A majority of the members of the AI Task Force shall constitute a quorum, but a lesser number of members may hold meetings, gather information, and review draft reports from staff.

(g) STAFF.—

(1) PERSONNEL.—The chairperson of the AI Task Force may appoint staff to inform, support, and enable AI Task Force members in the fulfillment of their responsibilities. A staff member may not be a local, State, or Federal elected official or be affiliated with or employed by, such an elected official during the duration of the AI Task Force.

(2) DETAILEES.—The head of any Federal department or agency may detail, on a non-reimbursable basis, any of the personnel of that department or agency to the AI Task Force to assist the AI Task Force in carrying out its purposes and functions.

(3) SECURITY CLEARANCES FOR MEMBERS AND STAFF.—The appropriate Federal departments or agencies shall cooperate with the AI Task Force in expeditiously providing to the AI Task Force members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person may be provided with access to classified information under this section without the appropriate security clearances.

(4) EXPERT CONSULTANTS.—As needed, the AI Task Force may commission intermittent research or other information from experts and provide stipends for engagement consistent with relevant statutes and regulations.

(h) ASSISTANCE FROM PRIVATE SECTOR.—

(1) PRIVATE ENGAGEMENT.—The Chair of the AI Task Force may engage with representatives from a private sector organization for the purpose of carrying out the mission of the AI Task Force, and any such engagement shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(2) TEMPORARY ASSIGNMENT OF PERSONNEL.—The Chair of the AI Task Force, with the agreement of a private sector organization, may arrange for the temporary assignment of employees of the organization to the Task Force in accordance with paragraphs (1) and (4) of subsection (g).

(3) DURATION.—An assignment under this subsection may, at any time and for any reason, be terminated by the Chair or the private sector organization concerned and shall be for a total period of not more than 18 months.

(i) APPLICATION OF ETHICS RULES.—An employee of a private sector organization assigned under subsection (h)—

(1) shall be deemed to be a special government employee for purposes of Federal law, including chapter 11 of title 18, United States Code, and the Ethics in Government Act of 1978 (5 U.S.C. App.); and

(2) notwithstanding section 202(a) of title 18, United States Code, may be assigned to the Task Force for a period of not longer than 18 months.

(3) NO FINANCIAL LIABILITY.—Any agreement subject to this subsection shall require the private sector organization concerned to be responsible for all costs associated with the assignment of an employee under subsection (h).

(j) REPORTING.—

(1) INTERIM REPORT TO CONGRESS.—Not later than 1 year after the establishment of the AI Task Force, the AI Task Force shall prepare and submit an interim report to Congress and the President containing the AI Task Force's legislative and regulatory recommendations.

(2) UPDATES.—The AI Task Force shall provide periodic updates to the President and to Congress.

(3) FINAL REPORT.—Not later than 18 months after the establishment of the AI Task Force, the AI Task Force shall prepare and submit a final report to the President and to Congress containing its assessment on organizational considerations, to include any recommendations for organizational changes.

(k) OTHER EMERGING TECHNOLOGIES.—At any time before the submission of the final report under subsection (j)(3), the AI Task Force may recommend to Congress the creation of a similar task force focused on another emerging technology.

(l) SUNSET.—The AI Task Force shall terminate on the date that is 18 months after the establishment of the AI Task Force.

SA 4030. Ms. ROSEN (for herself, Ms. CORTEZ MASTO, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title III, add the following:

SEC. 318. MODIFICATION TO BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO EXTREME WEATHER.

Section 328(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 221 note) is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by inserting ''of'' after ''result''; and

(B) by striking the period at the end and inserting ''; and''; and

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

''(3) a calculation of the annual costs to the Department for assistance provided to—

''(A) the Federal Emergency Management Agency or Federal land management agencies—

''(i) pursuant to requests for such assistance; and

''(ii) approved under the National Interagency Fire Center; and

''(B) any State, territory, or possession under title 10 or title 32, United States Code, regarding extreme weather.''.

SA 4031. Ms. ROSEN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, add the following:

SEC. 596. ACCESS TO TOUR OF DUTY SYSTEM.

(a) ACCESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall ensure, subject to paragraph (2), that a member of the reserve components of the Army may access the Tour of Duty system using a personal internet-enabled device.

(2) EXCEPTION.—The Secretary of the Army may restrict access to the Tour of Duty system on personal internet-enabled devices if the Secretary determines such restriction is necessary to ensure the security and integrity of information systems and data of the United States.

(b) TOUR OF DUTY SYSTEM DEFINED.—In this section, the term ''Tour of Duty system'' means the online system of listings for opportunities to serve on active duty for members of the reserve components of the Army and through which such a member may apply for such an opportunity, known as ''Tour of Duty'', or any successor to such system.

SA 4032. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1023. AWARD OF CONTRACTS FOR OVERHAUL, REPAIR, AND MAINTENANCE OF NAVAL VESSELS IN AREAS OUTSIDE THE HOMEPORT OF THE VESSEL CONCERNED TO MEET SURGE CAPACITY NEEDS.

Section 8669a of title 10, United States Code, is amended—

(1) in subsection (c)(2), by inserting '', except such paragraph shall not apply to the

award of a contract under subsection (d)'' after ''law''; and

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

''(d) In order to meet surge capacity needs, the Secretary of the Navy may solicit proposals and award one or more contracts for the overhaul, repair, or maintenance of one or more naval vessels involving work to be performed in an area outside the area of the homeport of the vessel or vessels concerned.''.

SA 4033. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 X, insert the following:

SEC. _____. COREY ADAMS GREEN ALERT SYSTEMS TECHNICAL ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) GREEN ALERT.—The term ''Green Alert'' means an alert issued through the Green Alert communications network, relating to a missing veteran.

(2) MISSING VETERAN.—The term ''missing veteran'' means an individual who—

(A) is reported to, or identified by, a law enforcement agency as a missing person;

(B) is a veteran; and

(C) meets the requirements to be designated as a missing veteran, as determined by the State in which the individual is reported or identified as a missing person.

(3) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(4) VETERAN.—The term ''veteran'' means an individual who is a current or former member of the Armed Forces, including an individual who is currently serving or formerly served in a reserve component (including the National Guard).

(b) FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall provide financial and technical assistance to a State that has established or has under consideration legislation to establish a Green Alert or other system specifically dedicated to locating missing veterans, to help ensure the effective use of those systems to successfully find and recover missing veterans.

(c) CONTENT OF ASSISTANCE.—Such assistance shall include—

(1) helping the State develop, revise, or update criteria for issuing such alerts, including on when to issue such alerts, training to provide to law enforcement on interacting with veterans and provide recommendations on how best to protect the privacy, dignity, and independence of veterans who are the subject of such alerts;

(2) providing assistance to the State on protecting the privacy of veterans, including sensitive medical information, as such alerts are issued;

(3) designating officials to serve or participate on any advisory committees established by the State or local governments to provide oversight of Green Alert systems dedicated to finding missing veterans;

(4) for those veterans recovered by such systems, helping ensure such veterans are connected to any services provided by the Department of Veterans Affairs or the Department of Defense to which they are entitled as a result of their service in the Armed Forces, including housing and health care;

(5) providing public education on these systems to military or veteran communities in such States, including on facilities of the Department of Veterans Affairs or the Department of Defense located in such States;

(6) supporting efforts to train State and local law enforcement who issue such alerts and search for missing veterans on the unique needs of veterans; and

(7) ensuring officials of the Department of Veterans Affairs or the Department of Defense in such States are aware of Green Alerts, understand how they work, and integrate them with any plan for locating missing veterans at a base or facility of the Department of Veterans Affairs or the Department of Defense.

(d) USE OF EXISTING MECHANISMS.—To the maximum extent possible, the Secretary of Defense and the Secretary of Veterans Affairs shall use existing mechanisms, including advisory committees and programs, to meet the requirements of this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for fiscal year 2022 to carry out this section.

(f) OFFSET.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby decreased by $2,000,000, with the amount of the decrease to be taken from the availability of amounts for the Office of Secretary of Defense.

SA 4034. Ms. BALDWIN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 the funding table in section 4101, after the item relating to PLS ESP, insert a new item relating to ''Hvy Expanded Mobile Tactical Truck Ext Serv'' with ''109,000'' in the Senate Authorized column.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate Authorized column and insert ''8,989,492''.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate Authorized column and insert ''144,163,529''.

In the funding table in section 4301 relating to Afghan National Army, in the item relating to Sustainment, strike the amount in the Senate Authorized column and insert ''944,668''.

In the funding table in section 4301, in the item relating to Subtotal Afghan National Army, strike the amount in the Senate Authorized column and insert ''1,001,234''.

In the funding table in section 4301, in the item relating to Total Afghan Security Forces Fund, strike the amount in the Senate Authorized column and insert ''3,218,810''.

In the funding table in section 4301, in the item relating to Total Operation and Maintenance, strike the amount in the Senate Authorized column and insert ''260,462,205''.

SA 4035. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle F—Made in America Shipbuilding Act of 2021

SEC. 861. SHORT TITLE.

This subtitle may be cited as the ''Made in America Shipbuilding Act of 2021''.

SEC. 862. DOMESTIC SHIPBUILDING REQUIREMENT.

(a) IN GENERAL.—The head of an executive agency may not enter into a contract related to the acquisition, construction, or conversion of a vessel unless the vessel is to be constructed or converted in the United States.

(b) EXECUTIVE AGENCY DEFINED.—In this section, the term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

SEC. 863. DOMESTIC SOURCING REQUIREMENT FOR SHIPBOARD COMPONENTS.

(a) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 4715. Domestic sourcing requirement for shipboard components

''(a) REQUIREMENT FOR UNITED STATES MANUFACTURE.—

''(1) LIMITATION ON PROCUREMENTS.—The head of an executive agency may procure any of the following components for vessels only if the items are manufactured in the United States:

''(A) IN GENERAL.—The following components for vessels:

''(i) Air circuit breakers.

''(ii) Welded shipboard anchor and mooring chain with a diameter of four inches or less.

''(iii) Auxiliary equipment, including pumps, for all shipboard services.

''(iv) Propulsion system components, including main propulsion engines, hybrid drive systems, propulsion shafting, engine crankshafts, reduction gears, and propellers.

''(v) Shipboard cranes.

''(vi) Spreaders for shipboard cranes.

''(vii) Power Distribution equipment, Energy Store Systems, energy storage/magazine equipment.

''(viii) Auxiliary propulsion units and systems, including bow and tunnel thrusters, waterjets, dynamic positioning systems, and hybrid propulsion systems.

''(ix) Ship service and emergency power generation equipment (prime movers and generators).

''(x) Military Qualified Wire and Cable and derived products.

''(xi) Specialized Valves for pneumatic, fuel, firefighting, countermeasure wash down, and chilled water systems.

''(xii) Low voltage (LV) and high voltage (HV) switchgear.

''(xiii) Power converters.

''(xiv) Power inverters.

''(xv) Frequency converters.

''(xvi) Aircraft Electrical Starting Stations (AESS).

''(xvii) Degaussing systems.

''(xviii) Static Automatic Bus Transfer Switches (SABTs).

''(xix) Inertial navigation systems and gyrocompass.

''(xx) Capstans.

''(xxi) Winches.

''(xxii) Hoists.

''(xxiii) Outboard motors.

''(xxiv) Windlasses.

''(B) OTHER COMPONENTS.—The following components of vessels, to the extent they are unique to marine applications: gyrocompasses, electronic navigation chart systems, steering controls, pumps, propulsion and machinery control systems, and totally enclosed lifeboats.

''(C) VALVES AND MACHINE TOOLS.—Items in the following categories:

''(i) Powered and non-powered valves in Federal Supply Classes 4810 and 4820 used in piping for naval surface ships and submarines.

''(ii) Machine tools in the Federal Supply Classes for metal-working machinery numbered 3405, 3408, 3410 through 3419, 3426, 3433, 3438, 3441 through 3443, 3445, 3446, 3448, 3449, 3460, and 3461.

''(2) APPLICABILITY TO CERTAIN ITEMS.—Paragraph (1) does not apply to a procurement of spare or repair parts needed to support components for vessels produced or manufactured outside the United States.

''(3) WAIVER AUTHORITY.—The head of an executive agency may waive the limitation in paragraph (1) with respect to the procurement of an item listed in that paragraph if the head of the agency determines 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) Application of the limitation would result in the existence of only one domestic source for the item.

''(D) Application of the limitation is not in the national security interests of the United States.

''(4) IMPLEMENTATION OF WAIVER AUTHORITY.—

''(A) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the waiver authority under paragraph (3).

''(B) PUBLICATION.—Not later than 30 days after exercising the waiver authority under paragraph (3), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the waiver, including a detailed justification for the waiver.

''(5) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has used a waiver described in this section in the fiscal year shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the total amount of waivers used and detailed information regarding and justification for the waiver.

''(b) COMPONENTS CONTAINING SPECIALTY METALS.—

''(1) LIMITATION ON PROCUREMENTS.—The head of an executive agency may not enter into a contract for the procurement of end items or components for ships that contain a specialty metal not melted or produced in the United States.

''(2) AVAILABILITY EXCEPTION.—

''(A) IN GENERAL.—Paragraph (1) does not apply to the extent that the head of an executive agency determines that compliant specialty metal of satisfactory quality and sufficient quantity, and in the required form, cannot be procured as and when needed. For purposes of the preceding sentence, the term 'compliant specialty metal' means specialty metal melted or produced in the United States.

''(B) APPLICABILITY.—This paragraph applies to prime contracts and subcontracts at any tier under such contracts.

''(3) EXCEPTION FOR CERTAIN ACQUISITIONS.—Paragraph (1) does not apply to the following:

''(A) Acquisitions outside the United States in support of combat operations or in support of contingency operations.

''(B) Acquisitions for which the use of procedures other than competitive procedures has been approved on the basis of section 3304(c) of this title, relating to unusual and compelling urgency of need.

''(4) EXCEPTION RELATING TO AGREEMENTS WITH FOREIGN GOVERNMENTS.—Paragraph (1) does not preclude the acquisition of a specialty metal if—

''(A) the acquisition is necessary—

''(i) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

''(ii) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; and

''(B) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of title 10.

''(5) EXCEPTION FOR SMALL PURCHASES.—Paragraph (1) does not apply to acquisitions in amounts not greater than the simplified acquisition threshold referred to in section 134 of this title.

''(6) EXCEPTION FOR PURCHASES OF ELECTRONIC COMPONENTS.—Paragraph (1) does not apply to acquisitions of electronic components, unless the head of the agency, with the concurrence of the Secretary of Defense and upon the recommendation of the Strategic Materials Protection Board pursuant to section 187 of title 10, determines that the domestic availability of a particular electronic component is critical to national security.

''(7) APPLICABILITY TO ACQUISITIONS OF COMMERCIAL ITEMS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), this section applies to acquisitions of commercial items, notwithstanding sections 1906 and 1907 of this title.

''(B) EXCEPTIONS.—This section does not apply to contracts or subcontracts for the acquisition of commercially available off-the-shelf items, as defined in section 104 of this title, other than—

''(i) contracts or subcontracts for the acquisition of specialty metals, including mill products, such as bar, billet, slab, wire, plate and sheet, that have not been incorporated into end items, subsystems, assemblies, or components;

''(ii) contracts or subcontracts for the acquisition of forgings or castings of specialty metals, unless such forgings or castings are incorporated into commercially available off-the-shelf end items, subsystems, or assemblies;

''(iii) contracts or subcontracts for commercially available high performance magnets unless such high performance magnets are incorporated into commercially available off-the-shelf end items or subsystems; and

''(iv) contracts or subcontracts for commercially available off-the-shelf fasteners, unless such fasteners are—

''(I) incorporated into commercially available off-the-shelf end items, subsystems, assemblies, or components; or

''(II) purchased as provided in subparagraph (C).

''(C) INAPPLICABILITY TO CERTAIN FASTENERS.—This subsection does not apply to fasteners that are commercial items that are purchased under a contract or subcontract with a manufacturer of such fasteners, if the manufacturer has certified that it will purchase, during the relevant calendar year, an amount of domestically melted specialty metal, in the required form, for use in the production of such fasteners for sale to executive agencies and other customers, that is not less than 50 percent of the total amount of the specialty metal that it will purchase to carry out the production of such fasteners.

''(8) EXCEPTIONS FOR PURCHASES OF SPECIALTY METALS BELOW MINIMUM THRESHOLD.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the head of an executive agency may accept delivery of an item containing specialty metals that were not melted in the United States if the total amount of noncompliant specialty metals in the item does not exceed 2 percent of the total weight of specialty metals in the item.

''(B) EXCEPTION.—This paragraph does not apply to high performance magnets.

''(9) STREAMLINED COMPLIANCE FOR COMMERCIAL DERIVATIVE MILITARY ARTICLES.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an item acquired under a prime contract if the head of an executive agency determines that—

''(i) the item is a commercial derivative military article; and

''(ii) the contractor certifies that the contractor and its subcontractors have entered into a contractual agreement, or agreements, to purchase an amount of domestically melted specialty metal in the required form, for use during the period of contract performance in the production of the commercial derivative military article and the related commercial article, that is not less than the greater of—

''(I) an amount equivalent to 120 percent of the amount of specialty metal that is required to carry out the production of the commercial derivative military article (including the work performed under each subcontract); or

''(II) an amount equivalent to 50 percent of the amount of specialty metal that is purchased by the contractor and its subcontractors for use during such period in the production of the commercial derivative military article and the related commercial article.

''(B) DETERMINATION OF AMOUNT OF SPECIALTY METAL REQUIRED.—For the purposes of this paragraph, the amount of specialty metal that is required to carry out the production of the commercial derivative military article includes specialty metal contained in any item, including commercially available off-the-shelf items, incorporated into such commercial derivative military article.

''(10) NATIONAL SECURITY WAIVER.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the head of an executive agency may accept the delivery of an end item containing noncompliant materials if the head of the executive agency determines in writing that acceptance of such end item is necessary to the national security interests of the United States.

''(B) REQUIREMENTS.—A written determination under subparagraph (A)—

''(i) shall specify the quantity of end items to which the waiver applies and the time period over which the waiver applies; and

''(ii) shall be provided to Congress prior to making such a determination (except that in

the case of an urgent national security requirement, such certification may be provided to Congress up to 7 days after it is made).

''(C) KNOWING OR WILLFUL NONCOMPLIANCE.—

''(i) DETERMINATION.—In any case in which the head of an executive agency makes a determination under subparagraph (A), the head of the executive agency shall determine whether or not the noncompliance was knowing and willful.

''(ii) NOT KNOWING OR WILLFUL NONCOMPLIANCE.—If the head of the executive agency determines that the noncompliance was not knowing or willful, the head of the executive agency shall ensure that the contractor or subcontractor responsible for the noncompliance develops and implements an effective plan to ensure future compliance.

''(iii) KNOWING OR WILLFUL NONCOMPLIANCE.—If the head of the executive agency determines that the noncompliance was knowing or willful, the head of the executive agency shall—

''(I) require the development and implementation of a plan to ensure future compliance; and

''(II) consider suspending or debarring the contractor or subcontractor until such time as the contractor or subcontractor has effectively addressed the issues that lead to such noncompliance.

''(11) SPECIALTY METAL DEFINED.—In this subsection, the term 'specialty metal' means any of the following:

''(A) Steel—

''(i) with a maximum alloy content exceeding one or more of the following limits: manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or

''(ii) containing more than 0.25 percent of any of the following elements: aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, or vanadium.

''(B) Metal alloys consisting of nickel, iron-nickel, and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 percent.

''(C) Titanium and titanium alloys.

''(D) Zirconium and zirconium base alloys.

''(12) ADDITIONAL DEFINITIONS.—In this subsection:

''(A) The term 'United States' includes possessions of the United States.

''(B) The term 'component' has the meaning provided in section 105 of this title.

''(C) The term 'acquisition' has the meaning provided in section 131 of this title.

''(D) The term 'required form'—

''(i) shall not apply to end items or to their components at any tier; and

''(ii) means in the form of mill product, such as bar, billet, wire, slab, plate or sheet, and in the grade appropriate for the production of—

''(I) a finished end item delivered to the executive agency; or

''(II) a finished component assembled into an end item delivered to the executive agency.

''(E) The term 'commercially available off-the-shelf' has the meaning provided in section 104 of this title.

''(F) The term 'assemblies' means items forming a portion of a system or subsystem that can be provisioned and replaced as an entity and which incorporates multiple, replaceable parts.

''(G) The term 'commercial derivative military article' means an item procured by the Department of Defense that is or will be produced using the same production facilities, a common supply chain, and the same or similar production processes that are used for the production of articles predominantly used by the general public or by nongovernmental entities for purposes other than governmental purposes.

''(H) The term 'subsystem' means a functional grouping of items that combine to perform a major function within an end item, such as electrical power, attitude control, and propulsion.

''(I) The term 'end item' means the final production product when assembled or completed, and ready for issue, delivery, or deployment.

''(J) The term 'subcontract' includes a subcontract at any tier.

''(c) USE OF UNITED STATES STEEL, IRON, ALUMINUM, AND MANUFACTURED PRODUCTS.—

''(1) IN GENERAL.—The head of an executive agency may not enter into a contract related to the construction of a vessel unless the steel, iron, aluminum, and manufactured products to be used in the construction of the vessel are produced in the United States.

''(2) EXCEPTIONS.—The provisions of paragraph (1) shall not apply where the head of an executive agency finds—

''(A) that their application would be inconsistent with the public interest;

''(B) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(C) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

''(3) IMPLEMENTATION OF EXCEPTIONS.—

''(A) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the authority to make a finding described in paragraph (2).

''(B) PUBLICATION.—Not later than 30 days after making a finding described in paragraph (2), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the finding, including a detailed justification for the exception.

''(4) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has made an exception finding described in paragraph (2) in the fiscal year shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the total amount of exceptions used and detailed information regarding and justification for the exceptions.

''(5) CALCULATION OF COMPONENT COST.—For purposes of this subsection, in calculating components' costs, labor costs involved in final assembly shall not be included in the calculation.

''(6) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

''(A) affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

''(B) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States,

that person shall be debarred from contracting with the Federal Government for a period of not less than 5 years.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 4714 the following new item:

''4715. Domestic sourcing requirement for shipboard components.''.

SEC. 864. CONFORMING AMENDMENTS RELATED TO DEPARTMENT OF DEFENSE PROVISIONS.

(a) USE OF UNITED STATES STEEL, IRON, ALUMINUM, AND MANUFACTURED PRODUCTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2339d. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding

''(a) IN GENERAL.—The head of an agency may not enter into a contract related to the construction of a vessel unless the steel, iron, aluminum, and manufactured products to be used in the construction of the vessel are produced in the United States.

''(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply where the head of the agency finds—

''(1) that their application would be inconsistent with the public interest;

''(2) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(3) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

''(c) IMPLEMENTATION OF EXCEPTIONS.—

''(1) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the authority to make a finding described in subsection (b).

''(2) PUBLICATION.—Not later than 30 days after making a finding described in subsection (b), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the finding, including a detailed justification for the exception.

''(d) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has made an exception finding described in subsection (b) in the fiscal year shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total amount of exceptions used and detailed information regarding and justification for the exceptions.

''(e) CALCULATION OF COMPONENT COST.—For purposes of this section, in calculating components' costs, labor costs involved in final assembly shall not be included in the calculation.

''(f) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

''(1) affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

''(2) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States, that person shall be debarred from contracting with the Federal Government for a period of not less than 5 years.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2339c the following new item:

''2339d. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding.''.

(3) FUTURE TRANSFER.—

(A) TRANSFER AND REDESIGNATION.—Section 2339d of title 10, United States Code, as added by paragraph (1), is transferred to subchapter II of chapter 385 of such title, added after section 4864, as transferred and redesignated by section 1870(c)(2) of the William M.

(Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), and redesignated as section 4865.

(B) CLERICAL AMENDMENTS.—

(i) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of subchapter II of chapter 385 of title 10, United States Code, as added by section 1870(c)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended by inserting after the item related to section 4864 the following new item:

''4865. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding.''.

(ii) ORIGIN CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 137 of title 10, United States Code, as amended by paragraph (1), is further amended by striking the item relating to section 2339d.

(D) EFFECTIVE DATE.—The transfer, redesignation, and amendments made by this paragraph shall take effect immediately after title XVIII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) takes effect.

(E) REFERENCES; SAVINGS PROVISION; RULE OF CONSTRUCTION.—Sections 1883 through 1885 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) shall apply with respect to the transfers, redesignations, and amendments made under this subsection as if such transfers, redesignations, and amendments were made under title XVIII of such Act.

(b) MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.—

(1) IN GENERAL.—Section 2534(a)(3)(A) of title 10, United States Code, is amended by adding at the end the following new clauses:

''(i) Air circuit breakers.

''(ii) Welded shipboard anchor and mooring chain with a diameter of four inches or less.

''(iii) Auxiliary equipment, including pumps, for all shipboard services.

''(iv) Propulsion system components, including main propulsion engines, hybrid drive systems, propulsion shafting, engine crankshafts, reduction gears, and propellers.

''(v) Shipboard cranes.

''(vi) Spreaders for shipboard cranes.

''(vii) Power Distribution equipment, Energy Store Systems, energy storage/magazine equipment.

''(viii) Auxiliary propulsion units and systems, including bow and tunnel thrusters, waterjets, dynamic positioning systems, and hybrid propulsion systems.

''(ix) Ship service and emergency power generation equipment (prime movers and generators).

''(x) Military Qualified Wire and Cable and derived products.

''(xi) Specialized Valves for pneumatic, fuel, firefighting, countermeasure wash down, and chilled water systems.

''(xii) Low voltage (LV) and high voltage (HV) switchgear.

''(xiii) Power converters.

''(xiv) Power inverters.

''(xv) Frequency converters.

''(xvi) Aircraft Electrical Starting Stations (AESS).

''(xvii) Degaussing systems.

''(xviii) Static Automatic Bus Transfer Switches (SABTs).

''(xix) Inertial navigation systems and gyrocompass.

''(xx) Capstans.

''(xxi) Winches.

''(xxii) Hoists.

''(xxiii) Outboard motors.

''(xxiv) Windlasses.''.

(2) APPLICABILITY OF PREVIOUSLY SUNSETTED PROVISIONS.—Subsection (c)(2)(C) of section 2534 of title 10, United States Code, is amended by striking ''shall cease to be effective on October 1, 1996'' and inserting ''shall be in effect during—

''(i) the period beginning on the date of the enactment of this paragraph and ending on October 1, 1996; and

''(ii) the period beginning on the date of the enactment of the Made in America Shipbuilding Act of 2021.''.

SEC. 865. APPLICABILITY.

The requirements under this subtitle and the amendments made by this subtitle—

(1) apply to contracts entered into on or after the date of the enactment of this Act; and

(2) do not apply to—

(A) contracts entered into before the date of the enactment of this Act; or

(B) options included as part of such contracts as of such date of enactment.

SA 4036. Ms. BALDWIN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, add the following:

SEC. 596. WHISTLEBLOWER PROTECTIONS FOR MEMBERS OF THE RESERVE COMPONENTS.

Section 1034(j) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this section, the following new paragraph:

''(1) The term 'member of the armed forces' is defined as an officer or enlisted member of the armed forces on active duty, or an officer or enlisted member of a reserve component of the armed forces, regardless of duty status, as those terms are defined in section 101 of title 10, United States Code.''.

SA 4037. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title IV, add the following:

SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEMBERS PERFORMING ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY TOWARDS AUTHORIZED END STRENGTHS.

Section 115(b)(2)(B) of title 10, United States Code, is amended by striking ''1095 days in the previous 1460 days'' and inserting ''1825 days in the previous 2190 days''.

SA 4038. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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:

SEC. 1043. HONORING THE LAST SURVIVING MEDAL OF HONOR RECIPIENT OF WORLD WAR II.

(a) USE OF ROTUNDA.—The individual who is the last surviving recipient of the Medal of Honor for acts performed during World War II shall be permitted to lie in state in the rotunda of the Capitol upon death, if the individual (or the next of kin of the individual) so elects.

(b) IMPLEMENTATION.—The Architect of the Capitol, under the direction of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take the necessary steps to implement subsection (a).

SA 4039. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title III, add the following:

SEC. 318. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) The term 'State-owned National Guard facility' means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.''.

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting ''and at State-owned National Guard facilities'' before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

''(D) Each State-owned National Guard facility being used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.''.

SA 4040. Ms. MURKOWSKI submitted an amendment intended to be proposed

to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 857. AIR FORCE STRATEGY FOR ACQUISITION OF COMBAT RESCUE AIRCRAFT AND EQUIPMENT.

The Secretary of the Air Force shall submit to the congressional defense committees a strategy for the Department of the Air Force for the acquisition of combat rescue aircraft and equipment that aligns with the stated capability and capacity requirements of the Air Force to meet the national defense strategy (required under section 113(g) of title 10, United States Code) and Arctic Strategy of the Department of the Air Force.

SA 4041. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1516. CONTINUATION OF THE INTERNATIONAL SPACE STATION.

(a) PRESENCE IN LOW-EARTH ORBIT.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;

(B) the International Space Station is a strategic national security asset vital to the continued space exploration and scientific advancements of the United States; and

(C) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(2) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) MAINTAINING A NATIONAL LABORATORY IN SPACE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 70905 of title 51, United States Code)—

(i) benefits the scientific community and promotes commerce in space;

(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as ''NASA'') and other Federal agencies, the private sector, and research groups and universities;

(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(iv) advances human knowledge and international cooperation;

(B) after the International Space Station is decommissioned, the United States should maintain a national microgravity laboratory in space;

(C) in maintaining a national microgravity laboratory described in subparagraph (B), the United States should make appropriate accommodations for different types of ownership and operational structures for the International Space Station and future space stations;

(D) the national microgravity laboratory described in subparagraph (B) should be maintained beyond the date on which the International Space Station is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(E) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(2) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory federally funded research and development center to undertake the work related to the study and utilization of in-space conditions.

(c) CONTINUATION OF AUTHORITY.—

(1) IN GENERAL.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(2) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(3) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(4) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(A) in the section heading, by striking ''**2024**'' and inserting ''**2030**''; and

(B) by striking ''2024'' each place it appears and inserting ''2030''.

(d) TRANSITION PLAN REPORTS.—Section 50111(c)(2) of title 51, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''2023'' and inserting ''2028''; and

(2) in subparagraph (J), by striking ''2028'' and inserting ''2030''.

(e) DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

SA 4042. Ms. ROSEN (for herself, Mr. SASSE, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. NATIONAL CYBER EXERCISE PROGRAM.

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following new section:

''SEC. 2220A. NATIONAL CYBER EXERCISE PROGRAM.

''(a) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—There is established in the Agency the National Cyber Exercise Program (referred to in this section as the 'Exercise Program') to evaluate the National Cyber Incident Response Plan, and other related plans and strategies.

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—The Exercise Program shall be—

''(i) based on current risk assessments, including credible threats, vulnerabilities, and consequences;

''(ii) designed, to the extent practicable, to simulate the partial or complete incapacitation of a government or critical infrastructure network resulting from a cyber incident;

''(iii) designed to provide for the systematic evaluation of cyber readiness and enhance operational understanding of the cyber incident response system and relevant information sharing agreements; and

''(iv) designed to promptly develop after-action reports and plans that can quickly incorporate lessons learned into future operations.

''(B) MODEL EXERCISE SELECTION.—The Exercise Program shall—

''(i) include a selection of model exercises that government and private entities can readily adapt for use; and

''(ii) aid such governments and private entities with the design, implementation, and evaluation of exercises that—

''(I) conform to the requirements described in subparagraph (A);

''(II) are consistent with any applicable national, State, local, or Tribal strategy or plan; and

''(III) provide for systematic evaluation of readiness.

''(3) CONSULTATION.—In carrying out the Exercise Program, the Director may consult with appropriate representatives from Sector Risk Management Agencies, the Office of the National Cyber Director, cybersecurity

research stakeholders, and Sector Coordinating Councils.

''(b) DEFINITIONS.—In this section:

''(1) STATE.—The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

''(2) PRIVATE ENTITY.—The term 'private entity' has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority or responsibilities of the Administrator of the Federal Emergency Management Agency pursuant to section 648 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2217 the following:

''Sec. 2220A. National Cyber Exercise Program.''.

SA 4043. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VIII, add the following:

SEC. 838. MODIFICATION OF PROHIBITION ON ACQUISITION OF CERTAIN SENSITIVE MATERIALS.

(a) EXTENSION OF PROHIBITION TO MINED, REFINED, AND SEPARATED MATERIALS.—Subsection (a)(1) of section 2533c of title 10, United States Code, is amended by striking ''melted or produced'' and inserting ''mined, refined, separated, melted, or produced''.

(b) COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEM EXCEPTION.—Subsection (c)(3)(A)(i) of such section is amended by striking ''50 percent or more tungsten'' and inserting ''50 percent or more covered material''.

SA 4044. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 XII, insert the following:

SEC. 12___. UNITED STATES-ISRAEL DIRECTED ENERGY CAPABILITIES COOPERATION.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary of Defense, upon request by the Minister of Defense of Israel and with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities on a joint basis with Israel to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel.

(2) PROTECTION OF SENSITIVE INFORMATION AND NATIONAL SECURITY INTERESTS.—Any activity carried out under paragraph (1) shall be conducted in a manner that appropriately protects sensitive information, the national security interests of the United States, and the national security interests of Israel.

(3) REPORT.—The activities described in paragraph (1) may be carried out [only] after the date on which the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding the sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that such memorandum of agreement—

(i) requires the sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on the expenditure of funds, if any, by the Government of Israel, including a description of the use of such funds, the dates on which such funds were expended, and an identification of entities that expended such funds.

(b) SUPPORT FOR ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary of Defense is authorized to provide maintenance and sustainment support to Israel for the activities authorized under subsection (a)(1), including support for the installation of equipment necessary to carry out such activities.

(2) REPORT.—The support described in paragraph (1) may not be provided until 15 days after the date on which the Secretary of Defense submits to the appropriate committees of Congress a report setting forth a detailed description of the support to be provided.

(3) MATCHING CONTRIBUTION.—The support described in paragraph (1) may not be provided unless the Secretary of Defense certifies to the appropriate committees of Congress that the Government of Israel will contribute to such support—

(A) an amount equal to not less than the amount of support to be so provided; or

(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) LEAD AGENCY.—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

(d) ANNUAL REPORT.—Not less frequently than annually, the Secretary of Defense shall submit to the appropriate committees of Congress a report that contains a copy of the [two] most recent semiannual reports provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(3)(B)(iii).

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4045. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1516. ADDITIONAL FUNDING FOR EDGEONE.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by $7,000,000, with the amount of the increase to be available for Enterprise Ground Services (PE 1206770SF).

(b) AVAILABILITY.—The amount available under subsection (a) shall be available for ongoing implementation of EdgeONE within the Enterprise Ground Services.

SA 4046. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. REPORT ON EFFORTS TO EXPAND DISTRIBUTION OF ENTERPRISE SOFTWARE INITIATIVE BLANKET PURCHASE AGREEMENTS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the efforts of the Secretary to expand the distribution of enterprise software initiative (ESI) blanket purchase agreements (BPAs).

SA 4047. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, insert the following:

SEC. 576. PROHIBITION ON LIMITING OF CERTAIN PARENTAL GUARDIANSHIP RIGHTS OF CADETS AND MIDSHIPMEN.

(a) PROHIBITION.—

(1) IN GENERAL.—The Secretary of Defense, the Secretary of Homeland Security, and the Secretary of Transportation, in consultation

with the Secretaries of the military departments and the Superintendent of each military service academy, as appropriate, shall prescribe in regulations policies ensuring that the parental guardianship rights of cadets and midshipmen are protected consistent with individual and academic responsibilities.

(2) PROTECTION OF PARENTAL GUARDIANSHIP RIGHTS.—The regulations prescribed under paragraph (1) shall provide that—

(A) a cadet or midshipman of a military service academy may not be required to give up his or her parental guardianship rights in the event of a pregnancy occurring after the beginning of the cadet's or midshipman's first day of academic courses;

(B) except as provided under paragraph (3), military service academy may not involuntarily disenroll a cadet or midshipman who becomes pregnant or fathers a child while enrolled at the academy; and

(C) a cadet or midshipman who becomes pregnant while enrolled at a military service academy shall be allowed to take unpaid medical leave for up to one year and return to the academy to resume classes afterward.

(3) RESPONSIBILITIES OF PARENTS ENROLLED AT MILITARY SERVICE ACADEMIES.—The regulations prescribed under paragraph (1) shall require cadets and midshipmen with dependents to establish a family care plan with appropriate academy leadership. The family care plan shall include the following provisions:

(A) The care plan must include a full-time provider responsible for the dependent who is not enrolled at the military service academy, as another parent or guardian of the dependent or a family member of the cadet or midshipman. The full-time care provider must have either full power-of-attorney authority or guardianship rights in order to prevent situations where the cadet or midshipman is pulled away from his or her duties and responsibilities at the military service academy. The cadet or midshipman may not rely on base facilities or child-care services, and must be able to function as any other cadet, including residing in academy dormitories.

(B) Except as provided under paragraphs (4) and (5)(B)(i), the cadet or midshipman may not receive additional compensation, benefits, or concessions from the military service academy on account of having a dependent, to include money, leave, or liberty. The dependent or dependents of the midshipman or cadet is entitled any benefits and entitlements provided by law or policy to dependents of members of the Armed Forces.

(C) A cadet or midshipman with a dependent may not be excused on account of such dependent from standard classes, training, traveling, fitness requirements, or any other responsibilities inherent to attending a military service academy.

(D) If both parents of a dependent are cadets or midshipmen, they must agree on the family care plan or face expulsion with no incurred obligations.

(E) If at any point the family care plan is no longer viable or negatively interferes with the cadet or midshipman's academic or training requirements, the cadet or midshipman may apply for disenrollment.

(4) OPTIONS FOR PREGNANT CADETS AND MIDSHIPMEN.—The regulations prescribed under paragraph (1) shall provide that females becoming pregnant while enrolled at a military service academy shall have, at a minimum, the following options:

(A) At the conclusion of the current semester or when otherwise deemed medically appropriate, taking unpaid medical leave from the military service academy for up to one year followed by a return to full cadet or midshipman status (if remaining otherwise qualified).

(B) Seek a transfer to a university with a Reserve Officer Training Program for military service under the military department concerned.

(C) Full release from the military service academy and any service related obligations.

(D) Enlistment in active-duty service, with all of the attendant benefits.

(5) TREATMENT OF MALES FATHERING A CHILD WHILE ENROLLED AT MILITARY SERVICE ACADEMIES.—The regulations prescribed under paragraph (1) shall provide that males fathering a child while enrolled at a military service academy—

(A) shall not be required to give up parental rights; and

(B) shall not acquire any benefits or leave considerations as a result of fathering a child, except that—

(i) academy leadership shall establish policies to allow cadets and midshipmen at least one week of leave to attend the birth, which must be used in conjunction with the birth; and

(ii) in the event the male father becomes the sole financial provider for a dependent, the academy shall provide the father the same options available to a cadet or midshipman who becomes a mother while enrolled, including remaining enrolled in accordance with a family care plan established pursuant to paragraph (3) or selecting one of the options outlined in subparagraphs (B) and (C) of paragraph (4).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring or providing for the changing of admission requirements at any of the military service academies.

(c) MILITARY SERVICE ACADEMY DEFINED.—In this section, the term ''military service academy'' means the following:

(1) The United States Military Academy, West Point, New York.

(2) The United States Naval Academy, Annapolis, Maryland.

(3) The United States Air Force Academy, Colorado Springs, Colorado.

(4) The United States Coast Guard Academy, New London, Connecticut.

(5) The United States Merchant Marine Academy, Kings Point, New York.

SA 4048. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 XII, insert the following:

SEC. 12___. ENSURING INTEGRITY OF OVERSEAS FUEL SUPPLIES.

(a) IN GENERAL.—Before awarding a contract to an entity for the supply of fuel to any overseas location in which the United States is engaged in contingency operations, the Secretary of Defense shall ensure that—

(1) to the extent practicable, any supplier of fuel that would otherwise be responsible for providing such a supply of fuel has not been disqualified from supplying fuel on the basis of an unsupported denial of access to a facility or equipment by the host country government; and

(2) the entity complies with subsection (b).

(b) REQUIREMENT.—An entity offering to supply fuel to any overseas location of the Department of Defense shall—

(1) certify that—

(A) it has not been suspended or debarred from receiving Federal Government contracts; and

(B) the fuel to be provided, in whole or in part, or any derivative of such fuel, is not sourced from a country or region prohibited from selling petroleum to the United States, such as Iran or Venezuela;

(2) provide such records as are necessary to verify compliance with such anticorruption statutes and regulations as the Secretary considers necessary, including, without limitation—

(A) the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–1 et seq.);

(B) the International Traffic in Arms Regulations contained in subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations);

(C) the Export Administration Regulations contained in subchapter C of chapter VII of title 15, Code of Federal Regulations (or successor regulations); and

(D) such regulations as may be promulgated by the Office of Foreign Assets Control; and

(3) disclose—

(A) any relevant communications between the entity and relevant individuals, organizations, or governments that directly or indirectly control physical access to the location of the contract performance; and

(B) any employees or consultants of the entity that worked for the Department of Defense in any contracting or policymaking position during the 10-year period immediately preceding the award.

(c) PROVISION OF FUEL AS A LOGISTICS SERVICE.—Subsection (c)(3) of section 880 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (41 U.S.C. 3701 note) is amended by inserting '', including bulk fuel supply and delivery,'' after ''logistics services,''.

(d) REPORT.—Not later than 180 days after the date on which a contract exceeding $50,000,000 is awarded for the supply of fuel to any overseas location in which the United States is engaged in contingency operations, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report that includes—

(1) an assessment of the price per gallon for fuel under the contract, together with an assessment of the price per gallon for fuel paid by other organizations in the same country or region of such country; and

(2) an assessment of the ability of the contracted entity to comply with sanctions on Iran and monitor for violations of such sanctions.

SA 4049. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 126, line 8, strike ''foam'' and insert ''solution''.

SA 4050. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to

the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title III, add the following:

SEC. 318. PARTICIPATION BY DEPARTMENT OF DEFENSE IN POLLUTANT BANKING AND WATER QUALITY TRADING PROGRAMS.

(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program approved in accordance with the Water Quality Trading Policy dated January 13, 2003, set forth by the Office of Water of the Environmental Protection Agency, or any successor administrative guidance or regulation.

(b) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.

(c) DISCHARGE OF POLLUTANTS DEFINED.—In this section, the term ''discharge of pollutants'' has the meaning given that term in section 502(12) of the Federal Water Pollution Control Act (33 U.S.C. 1362(12)) (commonly referred to as the ''Clean Water Act'').

SA 4051. Mr. CRUZ (for himself and Mr. MARSHALL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 V, add the following:

SEC. 596. ANNUAL REPORT ON RELIGIOUS EXEMPTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the granting of religious exemptions to members of the Armed Forces during the previous fiscal year.

(b) ELEMENTS.—The report required under subsection (a) shall include the following information, disaggregated by religion and by military service:

(1) The number of requests for religious exemptions that were received by the Department of Defense.

(2) The number of such requested exemptions that were granted.

(3) The number of such requested exemptions that were denied.

SA 4052. Mr. CRUZ (for himself, Mr. MARSHALL, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 VII, insert the following:

SEC. 7___. MEDICAL EXEMPTION FOR COVID–19 VACCINE REQUIREMENT FOR MEMBERS OF THE ARMED FORCES WITH NATURAL IMMUNITY.

The Secretary of Defense shall offer to any member of the Armed Forces who has previously contracted COVID–19 and has natural immunity a medical exemption for any requirement that the member receive a vaccine for COVID–19.

SA 4053. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 XII, insert the following:

SEC. 12___. STATUS OF TAIWAN UNDER THE ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3(b)(2), by inserting ''the Government of Taiwan,'' before ''or the Government of New Zealand'';

(2) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b)(1), 36(b)(2), 36(b)(6), 36(c)(2)(A), 36(c)(5), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting ''Taiwan,'' before ''or New Zealand'' each place it appears; and

(3) in sections 21(h)(1)(A) and 21(h)(2), by inserting ''Taiwan,'' before ''or Israel'' each place it appears.

SA 4054. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. ADDITIONAL PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS.

(a) IN GENERAL.—Section 4871 of title 10, United States Code, is amended—

(1) in subsection (a), by amending paragraph (1) to read as follows:

''(1) procure any covered material melted or produced in any covered nation or by any covered company, or any end item that contains a covered material manufactured in any covered nation or by any covered company; or''; and

(2) in subsection (d)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (2) through (3), respectively; and

(B) by inserting before paragraph (2), as redesignated, the following:

''(1) COVERED COMPANY.—The term 'covered company' means—

''(A) any company or joint venture registered outside the United States—

''(i) that is partially or fully owned by any state-owned entity from a covered nation; or

''(ii) 10 percent of the ownership of which is by 1 or more private investors from any covered nation;

''(B) any company or joint venture registered inside the United States—

''(i) is partially or fully owned by a state-owned entity from a covered nation; or

''(ii) after the date of the enactment of this Act, has entered into an agreement or a condition with the Committee on Foreign Investment in the United States under subsection (l)(3)(A) of section 4565 of title 50, United States Code, that does not specifically refer to this section and provide that the company shall be eligible to supply covered products under this section; or

''(C) any other company that the President determines to be a threat to the security of supply of any covered material.''.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate such regulations as may be necessary to carry out this section.

SA 4055. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 II, insert the following:

SEC. _____. ADDITIONAL FUNDING FOR STEEL PERFORMANCE INITIATIVE.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by $10,000,000, with the amount of the increase to be available for Defense Wide RDT&E/DLA (PE 0603680S).

(b) AVAILABILITY.—The amount available under paragraph (1) shall be available to support the Steel Performance Initiative.

SA 4056. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. IMPROVEMENT OF EXISTING FACILITIES AND SERVICES FOR MILITARY WORKING DOGS.

(a) IN GENERAL.—The Secretary of Defense shall improve existing facilities and services for military working dogs.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense $20,000,000 to carry out subsection (a).

SA 4057. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 B of title VII, add the following:

SEC. 728. IMPROVEMENTS TO PROCESSES TO REDUCE FINANCIAL HARM CAUSED TO CIVILIANS FOR CARE PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) CLARIFICATION OF FEE WAIVER PROCESS.—Section 1079b of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b) WAIVER OF FEES.—Each commander (or director, as applicable) of a military medical treatment facility shall issue a waiver for a fee that would otherwise be charged under the procedures implemented under subsection (a) to a civilian provided medical care at the facility who is not a covered beneficiary if the provision of such care enhances the knowledge, skills, and abilities of health care providers, as determined by the respective commander or director.''; and

(2) by redesignating subsection (c) as subsection (d).

(b) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—

(1) IN GENERAL.—Such section is further amended by inserting after subsection (b), as amended by subsection (a), the following:

''(c) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—(1)(A) If a civilian specified in subsection (a) is covered by a third-party payer, insurance, medical service, or health plan (as those terms are defined in section 1095(h) of this title and in this subsection referred to as a 'Payer') at the time care covered by this section is provided, the civilian is only responsible to pay for any services not covered by their Payer, copays, coinsurance, deductibles, or nominal fees.

''(B)(i) The Secretary of Defense may bill only the Payer for care provided to a civilian described in subparagraph (A).

''(ii) Payment received by the Secretary from the Payer of a civilian for care covered by this section that is provided to the civilian shall be considered payment in full for such care.

''(2) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1), is underinsured, or has a remaining balance and is at risk of financial harm, the Secretary of Defense shall reduce each fee that would otherwise be charged to the civilian under this section according to a sliding fee discount program.

''(3) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1) or (2), the Secretary of Defense shall implement an additional catastrophic waiver to prevent financial harm.

''(4) The modified payment plan under this subsection may not be administered by a Federal agency other than the Department of Defense.''.

(2) EFFECTIVE DATE FOR PAYMENT PLAN.—The Secretary of Defense shall implement the payment plan established under subsection (c) of section 1079b of title 10, United States Code, as added by paragraph (1), not later than 180 days after the date of the enactment of this Act.

SA 4058. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2836. MODIFICATION OF INFRASTRUCTURE TO EXPEDITE THE DEPLOYMENT BY RAIL OF HEAVY ARMORED DIVISIONS AND ASSOCIATED EQUIPMENT FROM INSTALLATIONS OF THE ARMY TO NAVAL PORTS.

(a) IN GENERAL.—The Secretary of Defense shall modify or improve the infrastructure necessary to expedite the deployment by rail of heavy armored divisions and associated equipment from installations of the Army in the United States to naval ports in support of a large-scale conflict with a near-peer adversary to ensure that installations of the Army that house armored divisions have a rail facility with multiple spurs to allow for the expedited deployment of troops and equipment.

(b) USE OF AMOUNTS.—The Secretary may expend not more than $150,000,000 to carry out the requirement under subsection (a).

SA 4059. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. AUTHORIZATION OF AMOUNTS TO THE DEPARTMENT OF DEFENSE TO BE USED TO CONDUCT ANNUAL AND PERIODIC INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE TRAINING ALONG THE LAND AND WATER BORDERS OF THE UNITED STATES.

(a) AUTHORIZATION OF AMOUNTS.—

(1) JOINT TASK FORCE NORTH.—The amount authorized to be appropriated to the Department of Defense for fiscal year 2022 for operation and maintenance for the Joint Task Force North is hereby increased by $25,000,000.

(2) JOINT INTERAGENCY TASK FORCE SOUTH.—The amount authorized to be appropriated to the Department of Defense for fiscal year 2022 for operation and maintenance for the Joint Interagency Task Force South is hereby increased by $25,000,000.

(b) USE OF AMOUNTS.—

(1) IN GENERAL.—The amounts of the increases under paragraphs (1) and (2) of subsection (a) shall be used by aviation units from the Army, Navy, and Air Force to conduct annual and periodic intelligence, surveillance, and reconnaissance training along the land and water borders of the United States.

(2) USE OF CAMERA FEEDS.—In conducting training under paragraph (1), aviation units described in such paragraph shall provide the feed from any cameras or sensors used on the aircraft during the training to the Commissioner of U.S. Customs and Border Protection.

SA 4060. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF REAL ESTATE PURCHASES OR LEASES NEAR MILITARY INSTALLATIONS OR MILITARY AIRSPACE.

(a) INCLUSION IN DEFINITION OF COVERED TRANSACTION.—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) any transaction described in subparagraph (B)(vi) that is proposed, pending, or completed on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.''; and

(2) in subparagraph (B), by adding at the end the following:

''(vi) Notwithstanding clause (ii) or subparagraph (C), the purchase or lease by, or a concession to, a foreign person of private or public real estate—

''(I) that is located in the United States and within—

''(aa) 100 miles of a military installation (as defined in section 2801(c)(4) of title 10, United States Code); or

''(bb) 50 miles of—

''(AA) a military training route (as defined in section 183a(h) of title 10, United States Code);

''(BB) airspace designated as special use airspace under part 73 of title 14, Code of Federal Regulations (or a successor regulation), and managed by the Department of Defense;

''(CC) a controlled firing area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)) used by the Department of Defense; or

''(DD) a military operations area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)); and

''(II) if the foreign person is owned or controlled by, is acting for or on behalf of, or receives subsidies from—

''(aa) the Government of the Russian Federation;

''(bb) the Government of the People's Republic of China;

''(cc) the Government of the Islamic Republic of Iran; or

''(dd) the Government of the Democratic People's Republic of Korea.''.

(b) MANDATORY UNILATERAL INITIATION OF REVIEWS.—Section 721(b)(1)(D) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(D)) is amended—

(1) in clause (iii), by redesignating subclauses (I), (II), and (III) as items (aa), (bb), and (cc), respectively, and by moving such items, as so redesignated, 2 ems to the right;

(2) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and by moving such subclauses, as so redesignated, 2 ems to the right; and

(3) by striking ''Subject to'' and inserting the following:

''(i) IN GENERAL.—Subject to''; and

(4) by adding at the end the following:

''(ii) MANDATORY UNILATERAL INITIATION OF CERTAIN TRANSACTIONS.—The Committee shall initiate a review under subparagraph (A) of a covered transaction described in subsection (a)(4)(B)(vi).''.

(c) CERTIFICATIONS TO CONGRESS.—Section 721(b)(3)(C)(iii) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(3)(C)(iii)) is amended—

(1) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(2) in subclause (V), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(VI) with respect to covered transactions described in subsection (a)(4)(B)(vi), to the members of the Senate from the State in which the military installation, military training route, special use airspace, controlled firing area, or military operations area is located, and the member from the Congressional District in which such installation, route, airspace, or area is located.''.

(d) LIMITATION ON APPROVAL OF ENERGY PROJECTS RELATED TO REVIEWS CONDUCTED BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

(1) REVIEW BY SECRETARY OF DEFENSE.—Section 183a of title 10, United States Code, is amended—

(A) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(B) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT OF THE UNITED STATES.—(1) If, during the period during which the Department of Defense is reviewing an application for an energy project filed with the Secretary of Transportation under section 44718 of title 49, the purchase, lease, or concession of real property on which the project is planned to be located is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), the Secretary of Defense—

''(A) may not complete review of the project until the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

''(B) shall notify the Secretary of Transportation of the delay.

''(2) If the Committee on Foreign Investment in the United States determines that the purchase, lease, or concession of real property on which an energy project described in paragraph (1) is planned to be located threatens to impair the national security of the United States and refers the purchase, lease, or concession to the President for further action under section 721(d) of the Defense Production Act of 1950 (50 U.S.C. 4565(d)), the Secretary of Defense shall—

''(A) find under subsection (e)(1) that the project would result in an unacceptable risk to the national security of the United States; and

''(B) transmit that finding to the Secretary of Transportation for inclusion in the report required under section 44718(b)(2) of title 49.''.

(2) REVIEW BY SECRETARY OF TRANSPORTATION.—Section 44718 of title 49, United States Code, is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following new subsection:

''(h) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT OF THE UNITED STATES.—The Secretary of Transportation may not issue a determination pursuant to this section with respect to a proposed structure to be located on real property the purchase, lease, or concession of which is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) until—

''(1) the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

''(2) the Secretary of Defense—

''(A) issues a finding under section 183a(e) of title 10; or

''(B) advises the Secretary of Transportation that no finding under section 183a(e) of title 10 will be forthcoming.''.

SA 4061. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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 XIV, add the following:

SEC. 1424. BRIEFING ON ABILITY OF DEPARTMENT OF DEFENSE TO RECOVER RARE EARTH MATERIALS FROM END-OF-LIFE ITEMS.

Not later than October 1, 2022, the Under Secretary of Defense for Acquisition and Sustainment shall brief the Committees on Armed Services of the Senate and the House of Representatives on the ability of the Department of Defense—

(1) to identify end-of-life items that contain rare earth materials;

(2) to sell or barter such items to rare earth recycling manufacturers; and

(3) to ensure that recovered rare earth materials and other critical materials are retained in the United States.

SA 4062. Mr. OSSOFF (for himself, Mr. TILLIS, Mr. SCOTT of South Carolina, Mr. KING, Ms. CORTEZ MASTO, Mr. KELLY, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. ___. DR. DAVID SATCHER CYBERSECURITY EDUCATION GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ENROLLMENT OF NEEDY STUDENTS.—The term ''enrollment of needy students'' has the meaning given the term in section 312(d) of the Higher Education Act of 1965 (20 U.S.C. 1058(d)).

(2) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically Black college or university'' has the meaning given the term ''part B institution'' as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(4) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(b) AUTHORIZATION OF GRANTS.—

(1) IN GENERAL.—The Secretary shall—

(A) award grants to assist institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, and minority-serving institutions, to establish or expand cybersecurity programs, to build and upgrade institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities, and to support such institutions on the path to producing qualified entrants in the cybersecurity workforce or becoming a National Center of Academic Excellence in Cybersecurity; and

(B) award grants to build capacity at institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, and minority-serving institutions, to expand cybersecurity education opportunities, cybersecurity technology and programs, cybersecurity research, and cybersecurity partnerships with public and private entities.

(2) RESERVATION.—The Secretary shall award not less than 50 percent of the amount available for grants under this section to historically Black colleges and universities and minority-serving institutions.

(3) COORDINATION.—The Secretary shall carry out this section in coordination with the National Initiative for Cybersecurity Education at the National Institute of Standards and Technology.

(4) SUNSET.—The Secretary's authority to award grants under paragraph (1) shall terminate on the date that is 5 years after the date the Secretary first awards a grant under paragraph (1).

(5) AMOUNTS TO REMAIN AVAILABLE.—Notwithstanding section 1552 of title 31, United States Code, or any other provision of law, funds available to the Secretary for obligation for a grant under this section shall remain available for expenditure for 100 days after the last day of the performance period of such grant.

(c) APPLICATIONS.—An eligible institution seeking a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including a statement of how the institution will use the funds awarded through the grant to expand cybersecurity education opportunities at the eligible institution.

(d) ACTIVITIES.—An eligible institution that receives a grant under this section may use the funds awarded through such grant for increasing research, education, technical, partnership, and innovation capacity, including for—

(1) building and upgrading institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities;

(2) building and upgrading institutional capacity to provide hands-on research and training experiences for undergraduate and graduate students; and

(3) outreach and recruitment to ensure students are aware of such new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities.

(e) REPORTING REQUIREMENTS.—Not later than—

(1) 1 year after the date of enactment of this Act, and annually thereafter until the Secretary submits the report under paragraph (2), the Secretary shall prepare and submit to Congress a report on the status and progress of implementation of the grant program under this section, including on the number and nature of institutions participating, the number and nature of students served by institutions receiving grants, the level of funding provided to grant recipients, the types of activities being funded by the grants program, and plans for future implementation and development; and

(2) 5 years after the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report on the status of cybersecurity education programming and capacity-building at institutions receiving grants under this section, including changes in the scale and scope of these programs, associated facilities, or in accreditation status, and on the educational and employment outcomes of students participating in cybersecurity programs that have received support under this section.

(f) PERFORMANCE METRICS.—The Secretary of Homeland Security shall establish performance metrics for grants awarded under this section.

SA 4063. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.

Section 109 of title 23, United States Code, is amended—

(1) in subsection (l)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and all that follows through ''In determining'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(l) ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.—

''(1) DEFINITIONS.—In this subsection:

''(A) INDIAN LAND.—The term 'Indian land' means—

''(i) land located within the boundaries of—

''(I) an Indian reservation, pueblo, or rancheria; or

''(II) a former reservation within Oklahoma; and

''(ii) land not located within the boundaries of an Indian reservation, pueblo, or rancheria—

''(I) the title to which is held in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

''(II) the title to which is held by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

''(III) the title to which is held by a dependent Indian community.

''(B) RIGHT-OF-WAY.—The term 'right-of-way' means any real property, or interest therein, acquired, dedicated, or reserved for the construction, operation, and maintenance of a highway.

''(C) UTILITY FACILITY.—

''(i) IN GENERAL.—The term 'utility facility' means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, that directly or indirectly serves the public.

''(ii) INCLUSIONS.—The term 'utility facility' includes—

''(I) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) broadband infrastructure and conduit.

''(2) ACCOMMODATION.—In determining''; and

(C) by adding at the end the following:

''(3) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodating a utility facility described in paragraph (1)(C)(ii) within a right-of-way on a Federal-aid highway.

''(4) EXCLUSION.—Paragraph (3) shall not apply to a utility facility on Indian land.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to alter or affect—

''(A) the regulatory classification of broadband services or facilities under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(B) any prohibition on commercial activity under section 111(a).''; and

(2) by adding at the end the following:

''(s) VEGETATION MANAGEMENT.—States are encouraged to implement, or to enter into partnerships to implement, vegetation management practices, such as increased mowing heights and planting native grasses and pollinator-friendly habitats, along a right-of-way on a Federal-aid highway, if the implementation of those practices—

''(1) is in the public interest; and

''(2) will not impair the highway or interfere with the free and safe flow of traffic.''.

SA 4064. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2836. REPORT ON CAPACITY OF CHILD DEVELOPMENT CENTERS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written report providing an update on the capacity of child development centers of the Department of Defense.

(b) ELEMENTS.—Each report submitted under subsection (a) shall—

(1) provide data on the capacity of child development centers through the Department, including infrastructure, staffing, waitlists, and resources, set forth in the aggregate and by installation and Armed Force;

(2) highlight, by installation, whether demand by members of the Armed Forces for child care is or is not being met by existing capacity at such centers; and

(3) determine whether plans and adequate funding authority exist to remedy any identified shortfall in child care capacity for the Department of Defense.

SA 4065. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. 1064. OUTREACH TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES REGARDING DEFENSE INNOVATION UNIT PROGRAMS THAT PROMOTE ENTREPRENEURSHIP AND INNOVATION AT INSTITUTIONS OF HIGHER EDUCATION.

(a) PILOT PROGRAM.—The Undersecretary of Defense for Research and Engineering shall establish activities, including outreach and technical assistance, to better connect historically Black colleges and universities to the programs of the Defense Innovation Unit and its associated programs that promote entrepreneurship and innovation at these institutions.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the activities conducted under subsection (a), including the results of outreach efforts, the success of expanding Defense Innovation Unit programs to historically Black colleges and universities, the barriers to expansion, and recommendations for how the Department of Defense and the Federal Government can support such institutions to successfully participate in Defense Innovation Unit partnerships and programs.

SA 4066. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1054. REPORT ON GEOGRAPHIC EXPANSION OF DEFENSE INNOVATION UNIT ACTIVITIES.

Not later than one year after enactment of this Act, the Secretary of Defense shall provide a report to Congress on courses of action to expand the geographic reach of Defense Innovation Unit activities to new or underserved regions, including the southeastern United States, with particular emphasis on areas with—

(1) access to partnership opportunities at institutions of higher education that conduct significant Federally-funded research in science, technology, and medicine;

(2) access to a vibrant private commercial sector; and

(3) proximity to a significant number of major Department of Defense installations.

SA 4067. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 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. _____. REPORT ON CYBER EDUCATION DIVERSITY INITIATIVE.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees a report on the Cyber Education Diversity Initiative.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A discussion of the scope, scale, and effect of the Cyber Education Diversity Initiative.

(2) Details of the number and nature of institutions participating in the initiative;

(3) Details regarding the funds expended in support of the initiative;

(4) An initial evaluation of the effect of the initiative on cyber education and career opportunities for minority and low-income students.

(c) TIMING OF SUBMITTAL.—The report submitted under subsection (a) shall be submitted concurrent with the submittal of the budget of the President under section 1105(a) of title 31, United States Code, for fiscal year 2023.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Mr. President, I have 5 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, October 28, 2021, at 9:30 a.m. to conduct a hearing on nominations.

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, October 28, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, October 28, 2021, at 9 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, October 28, 2021, at 10:15 a.m., to conduct a hearing.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, October 28, 2021, at 9:30 a.m., to conduct a hearing.

ORDERS FOR MONDAY, NOVEMBER 1, 2021

Mr. KAINE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, November 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Davidson nomination; further, that at 5:30 p.m., the Senate vote on the confirmations of the Robinson and Heytens nominations in the order listed; finally, that if any nominations are confirmed during Monday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ADJOURNMENT UNTIL MONDAY, NOVEMBER 1, 2021, AT 3 P.M.

Mr. KAINE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Monday, November 1, 2021, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

ALAN DAVIDSON, OF MARYLAND, TO BE ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION, VICE DAVID J. REDL.

FEDERAL COMMUNICATIONS COMMISSION

JESSICA ROSENWORCEL, OF CONNECTICUT, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2020. (REAPPOINTMENT)

GIGI B. SOHN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2021, VICE AJIT VARADARAJ PAI, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROBERT OTTO BURCIAGA VALDEZ, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE RICHARD G. FRANK.

DEPARTMENT OF STATE

CHRISTOPHER R. HILL, OF RHODE ISLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SERBIA.

DEPARTMENT OF COMMERCE

KATHERINE VIDAL, OF CALIFORNIA, TO BE UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE, VICE ANDREI IANCU.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be rear admiral (lower half)

CAPT. FRANKLIN H. SCHAEFER
CAPT. TIFFANY G. DANKO

CONFIRMATIONS

Executive nominations confirmed by the Senate October 28, 2021:

DEPARTMENT OF JUSTICE

CHRISTOPHER H. SCHROEDER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL.

MATTHEW G. OLSEN, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

THE JUDICIARY

OMAR ANTONIO WILLIAMS, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT.

DEPARTMENT OF JUSTICE

HAMPTON Y. DELLINGER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL.

MATTHEW M. GRAVES, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS.

EXECUTIVE OFFICE OF THE PRESIDENT

RAHUL GUPTA, OF WEST VIRGINIA, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY.

DEPARTMENT OF JUSTICE

ELIZABETH PRELOGAR, OF IDAHO, TO BE SOLICITOR GENERAL OF THE UNITED STATES.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 309 (B):

To be rear admiral (upper half)

REAR ADM. JAMES M. KELLY

DEPARTMENT OF VETERANS AFFAIRS

GUY T. KIYOKAWA, OF HAWAII, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (ENTERPRISE INTEGRATION).

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 9039:

To be major general

BRIG. GEN. RANDALL E. KITCHENS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. WILLIAM S. LYNN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES W. BIERMAN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL E. LANGLEY

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MARCUS H. THOMAS

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. DOUGLAS A. PAUL

IN THE AIR FORCE

AIR FORCE NOMINATION OF GLORIA A. EZE, TO BE MAJOR.

AIR FORCE NOMINATION OF TRAVIS J. BURNS, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF CHRISTIAN M. BERGTHOLDT, TO BE COLONEL.

AIR FORCE NOMINATION OF TRACY M. SHAMBURGER, TO BE COLONEL.

AIR FORCE NOMINATION OF LIBERTAD MELENDEZ, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH DERRICK H. DUNLAP AND ENDING WITH ROSILYN C. WOODARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 5, 2021.

ARMY NOMINATION OF MICHELLE S. MCCARROLL, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARCUS S. SNOW, TO BE COLONEL.

ARMY NOMINATION OF AUGUSTINE A. DIMOH, TO BE MAJOR.

ARMY NOMINATION OF JULIA O. COXEN, TO BE COLONEL.

ARMY NOMINATION OF BENJAMIN J. NETERER, TO BE MAJOR.

ARMY NOMINATION OF JOSEPH G. NUNEZ, TO BE MAJOR.

ARMY NOMINATION OF KERT L. ST. JOHN, TO BE MAJOR.

ARMY NOMINATION OF MARK J. ZIEGLER, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH SCOTT J. ANDERSON AND ENDING WITH JASON J. THORNTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 19, 2021.

ARMY NOMINATIONS BEGINNING WITH PAUL J. E. AUCHINCLOSS AND ENDING WITH D015356, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 19, 2021.

ARMY NOMINATIONS BEGINNING WITH NADINE M. ALONZO AND ENDING WITH D015627, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 19, 2021.

ARMY NOMINATIONS BEGINNING WITH MARK ACOPAN AND ENDING WITH TIMOTHY R. YOURK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 19, 2021.

ARMY NOMINATION OF MAHEALANI N. MCFARLAND, TO BE MAJOR.

ARMY NOMINATION OF D014273, TO BE LIEUTENANT COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JOSEPH J. ENDREOLA, TO BE MAJOR.

MARINE CORPS NOMINATION OF JOHN C. MORGAN, TO BE LIEUTENANT COLONEL .

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH DYLAN L. AAKER AND ENDING WITH ALISON M. ZYCHLEWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 19, 2021.

NAVY NOMINATION OF HAROLD S. ZALD, TO BE CAPTAIN.

NAVY NOMINATION OF PAUL J. WISNIEWSKI, TO BE CAPTAIN.

IN THE SPACE FORCE

SPACE FORCE NOMINATION OF BRIAN P. MOORE, TO BE LIEUTENANT COLONEL.

SPACE FORCE NOMINATIONS BEGINNING WITH CHRISTINA N. GILLETTE AND ENDING WITH D S. ROGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 4, 2021.

SPACE FORCE NOMINATIONS BEGINNING WITH JAMES W. CROSSLEY AND ENDING WITH BRENDON P. SMERESKY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 4, 2021.

SPACE FORCE NOMINATION OF HALDANE C. GILLETTE, TO BE LIEUTENANT COLONEL.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH JASON C. ALEKSAK AND ENDING WITH CHRISTOPHER L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2021.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH NINOSHKA ABREU GUERRA AND ENDING WITH STEFANIE NICOLE YACUBOVICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 19, 2021.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROSEMARY GALLANT AND ENDING WITH ERIC WOLFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 19, 2021.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ELIZABETH R. BAIOCCHI AND ENDING WITH WILLIAM K. MAKANEOLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 9, 2021.