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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Eternal Redeemer, answer us in seasons of trouble. Send us Your help from Your sacred hills. Our souls long for You, for we find strength and joy in Your presence. Lord, increase our faith, and teach us to trust You even during life's storms.

When our Senators endure dark nights of the soul, enable them to find strength in Your presence. May they claim Your promise that You will never leave or forsake them and that nothing can separate them from Your love. Help them seek in every undertaking to know and do Your will.

We pray in Your sovereign 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, July 20, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. LUJÁN 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 to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Gregory Brian Williams, of Delaware, to be United States District Judge for the District of Delaware.

RECOGNITION OF THE MINORITY LEADER

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

DISCLOSE ACT

Mr. MCCONNELL. Mr. President, today, with our country facing an inflation crisis, a violent crime crisis, and a functionally open southern border, our Democratic colleagues are choosing to focus on chilling Americans' First Amendment rights and enabling more harassment of citizens for their private views.

Way back in 1958, the NAACP fought Alabama's attorney general, a segregationist Democrat, all the way to the Supreme Court to defend the bedrock American liberty of associational privacy—associational privacy. Here is what Justice Harlan said for the majority back then:

Inviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs.

As the majority opinion put it, this was ''hardly a novel exception,'' even back in 1958. And yet, for most of my career, I have had to push back against Democrats' repeated attempts to unlearn this fundamental constitutional lesson. I have repeatedly defended Americans' right to join together and to voice their opinions.

Prior to McCain-Feingold, almost all money in politics ran through candidates and party committees. I warned that placing unconstitutional restrictions on speech in that bill was like putting a rock on Jell-O—it wouldn't quash political speech; it would just displace it. And the Supreme Court has consistently reaffirmed that point in case after case, upholding free speech.

Our Democratic colleagues' obsession with regulating political speech is what created the environment they now disprove of. It is what drove support for McCain-Feingold, and it is what spawned this perennial bill in 2010.

Democrats want to pass a law that puts discourse in the hands of the mob. But needless to say, they haven't always been very concerned with compelling disclosure using laws on the books.

Existing law already requires disclosure of donations to PACs and other outside groups with the intention of influencing Federal elections. But even as our colleagues have introduced successive versions of the DISCLOSE Act, enterprising activist liberals have taken it upon themselves to name and shame conservatives by ''outing'' their

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

private contributions illegally. It was practically administration policy during the Obama-Biden IRS.

And for those keeping score, Washington Democrats never seemed as eager to publicize the donor rolls of groups whose political views they happen to share. Somehow, donor privacy for organizations pursuing liberal causes is sacrosanct, but donor privacy for groups with conservative beliefs is a threat to democracy.

Somehow working for outside groups is practically a prerequisite for a West Wing job under a Democratic President, but association with groups Democrats don't like is a one-way ticket to picketing and harassment. Sixty-four years ago, the Supreme Court said the link between freedom of association and the freedom of speech was ''beyond debate.'' But today's Democratic Party wants to make sure the threat to associational privacy is every bit as real—as real—as it was in 1958.

The stakes are so clear; even liberal groups like the ACLU have joined the NAACP and Senate Republicans in continuing to sound the alarm—ACLU, NAACP, and Senate Republicans aligned, sounding the alarm. They have been working together to fight State-level public disclosure laws all the way to the Supreme Court.

Last year, the Court sided with those advocates to strike down predatory disclosure practices out in California. Earlier this month, the Ninth Circuit did the same to an unconstitutionally vague disclosure law out in Montana.

Meanwhile, the Federal judiciary itself is contending with particularly outrageous threats from the radical left to the privacy and security of the judges themselves and their families.

The same liberal groups stoking mob intimidation outside the homes of Supreme Court Justices are the ones most eager to put out private citizens' political speech records.

The same Democrats who refused to condemn naked threats against public officials earlier this summer once again want to expand the Federal Government's power to threaten private citizens. That is not a trade the American people or their Constitution can afford to make.

ENERGY AND FOREIGN POLICY

Mr. President, now on another matter, right now, Washington Democrats are frustrated by the pace of the radical green transformation they envision for our country. They are having trouble getting enough Senators to agree to make the most reliable and abundant forms of American energy more expensive for working Americans.

Energy prices are rising faster than at any point since 1980. Gasoline is nearly 60 percent more expensive than it was last summer. Natural gas is up nearly 40 percent in the same timeframe.

Washington Democrats have surveyed this scene and decided it is the perfect time—perfect time—to hike taxes on American energy, reviving a failed tax from the 1980s on American oil refineries and exporters and—listen to this—increasing it by nearly 60 percent, new sky-high fees on American natural gas producers and more pain at the pump for working families. It is an insane proposition.

But there does appear to be an exception. If you are not among the 75 percent of Americans who say inflation has caused you financial hardship, and you happen to have a spare $80,000 lying around, Washington Democrats want to give you a green energy tax credit if you buy an electric vehicle made with Chinese supply chains. This is what Washington Democrats are trying to do with their one-party control of government, and they are hoping President Biden will declare a national emergency to help them do it faster.

Well, unfortunately for the far left, the President is occupied with a climate conundrum of his own. On the campaign trail, Candidate Biden left no room for doubt that he had bought his party's radical climate dogma, whole hog. This is what he said back then:

I guarantee you we are going to end fossil fuel.

''End fossil fuel.'' Sure enough, his first year in office was an all-out assault on American energy, just like green activists drew it up—day 1 bans on energy exploration; canceling a safe, efficient pipeline that was set to create American jobs; and ghoulish, reanimated regulations from the War on Coal.

But unlike the radical base that is frustrated their ideas aren't moving faster, the Biden administration now appears to be concerned that their assault on American energy has actually worked too quickly.

Americans have seen gas prices double on this President's watch. Sky-high diesel is driving other prices up all across the country, and big majorities of Americans don't like what Democrats are doing about it. But rather than call off the onslaught and clear the way for a return to domestic energy dominance, the Biden administration has dispatched officials to beg other countries to take over America's share of the market for reliable energy that the President has purposely abandoned. They have literally chosen places like Venezuela over States like Pennsylvania or Texas or Alaska.

Then, on a trip to oil-rich Saudi Arabia, President Biden announced that ''I'm doing all I can to increase [oil] supply for the United States of America.''

The President who promised he would ''end fossil fuels'' thinks that finding more energy for American families means flying to the Middle East and asking politely instead of unleashing our own production right here at home.

And for the record, U.S. producers extract oil and gas in a far, far more environmentally friendly manner than many of their competitors overseas. So if the priority is reducing our environmental impact, outsourcing seems more than a little bit shortsighted.

So, Mr. President, if the Biden administration really is serious about helping American consumers, then they will stop waging war on American producers. If they are serious, they will call off Democrats' plan to tax reliable American energy into extinction.

For the sake of working families who are struggling to fill their gas tanks and keep the lights on, I hope they get serious sometime soon.

NATO

Mr. President, on yet another matter, yesterday, a day after the House overwhelmingly passed a resolution welcoming Finland and Sweden's application to join NATO, the Senate Foreign Relations Committee discharged the treaty protocols required to ratify their accession, without objection. I am grateful to Ranking Member RISCH, Chairman MENENDEZ, and our colleagues on the committee for taking this swift, bipartisan action. The Senate is now one step closer to fulfilling its role in a historic process that will further strengthen the most successful military alliance the world has ever seen.

Bringing these strong, modern countries into NATO will not just strengthen the alliance; it will make America more secure. I hope the Democratic leader will waste no time—none—in bringing these protocols before the full Senate.

I have been a strong advocate for American global leadership and our transatlantic partnerships throughout my career. They have made possible the unprecedented era of peace and prosperity Americans have experienced in my lifetime.

NATO is at its best when allies share the burden of our collective security, when we all have skin in the game. NATO allies recognized in 2014, after prodding by American Presidents from both parties, that they needed to invest more in capabilities to keep pace with growing threats.

During the previous administration, current member states made progress toward the 2-percent pledge. Finland, for its part, already spends 2 percent of its GDP on defense, and Sweden has the same target in its sights. For years, both countries have participated actively in NATO exercises. They have cultivated professional fighting forces, invested in cutting-edge interoperable technologies, and built robust military-industrial bases with strong connections to our own.

I know from my own conversation with the leaders of Finland and Sweden that they are sober about the threats we face, committed to building their own defense capabilities, and serious about their responsibilities to contribute to our collective security. Together, they have set an example that many current treaty allies would do well to follow.

With Finland and Sweden at the table, I look forward to important deliberations about the capabilities we need as an alliance and the steps we must urgently take to defend ourselves against growing threats from Russia, China, and other adversaries.

Mr. President, I know from my visits with our Swedish and Finnish friends that they hope for rapid accession to NATO. They are ready to get to work alongside us as allies. With war raging on the European continent, I share their sense of urgency, and I urge the Democratic leader to call up the necessary Senate votes without further delay.

But that can't be the Senate's last word on how America and our allies face down a dangerous world. We also need to take urgent action on the National Defense Authorization Act. Russia is laying siege to a sovereign neighbor. China is flexing a rapidly modernizing military. Reckless pariah states like Iran and North Korea are doubling down on developing dangerous weapons. It is past time—past time—to take America's own defense requirements more seriously.

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

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

RESPECT FOR MARRIAGE ACT

Mr. SCHUMER. Mr. President, before I begin, I want to say something about the House-passed Respect for Marriage Act, which would enshrine marriage equality into Federal law, which I fully and strongly support.

This legislation is so important. I was really impressed by how much bipartisan support it got in the House. It passed 267 to 157. Forty-seven Republicans—about a quarter, a little less than a quarter of their caucus; maybe a fifth—voted for the bill. The legislation is so important.

I spoke to Senator BALDWIN, who is one of the leaders of this legislation in the Senate, this morning, and she is talking to Republicans to see where the support is. I want to bring this bill to the floor, and we are working to get the necessary Senate Republican support to ensure it would pass.

CHIPS ACT

Madam President, now on the chips bill, last night, the Senate passed a critical threshold on our way to passing major legislation to lower costs, increase manufacturing, strengthen supply chains, and preserve American competitiveness in the 21st century.

I want everyone to note the final margin of last night's vote: 64 to 34. That is a clear signal that after a lot of hard work and after a lot of compromise from both sides, the path is clear for this chips-plus bill to reach final passage. This has been bipartisan work in the Senate at its best, just as we saw previously with bills ranging from gun safety to hate crimes, to infrastructure, to VAWA and so much more.

I thank my colleagues on both sides of the aisle for voting in favor of moving forward on this critical bill.

For the information of all, today I plan to file cloture on this legislation, which after last night's vote includes incentives for domestic microchip production, including ITC; support for our wireless communication supply chain, ORAN; and the science package, which includes many of the provisions I authored in the Endless Frontier Act in partnership with Senator YOUNG 2 years ago. It has been a long struggle to get these vital pieces of legislation moving forward, and now they are.

I hope we can get this legislation approved as soon as possible because now it is clear it has enough support to pass this Chamber.

For all the many good things the bill does, the most important is that this legislation will help our country fight inflation in the long run. People are asking about inflation, as they should. This bill will help. America's chip shortage, exacerbated by the pandemic, has sent tremors across the entire economy and caused prices for all sorts of electronic goods to go up and up and up, and not only for electronic goods—cars, appliances, phones. But with this bill, we can make America a major chip producer once again, which will help ease pressures on our supply chains, strengthen our national security, and generate another wave of American economic activity for years to come.

Thanks to last night's robust vote, we will also move forward on the science provisions that many of us have worked on very hard to pass into law. We will increase funding for the National Science Foundation and invest billions to develop new tech hubs around the country in areas that haven't had the benefit of new tech employment. This will all help America lead the way in developing technologies of tomorrow. Many more dollars than ever before are going into the cutting-edge technologies—AI, advanced manufacturing, renewable energy, quantum computing, cyber security, 5G, and so much more. When we invest in the science here, we create millions of new, good-paying jobs and ensure that America will be the leader in these cutting-edge issues, which will dominate the 21st-century economy.

For the sake of lowering costs, for the sake of American jobs, and for the sake of our national security interests, let's pass this bill as soon as we can. And that is my intention.

PRESCRIPTION DRUG COSTS

Madam President, now on prescription drugs and healthcare, from one corner to the other, another issue of inflation is the high cost of drugs. At every pharmacy counter and doctor's office, grocery store, and kitchen table, the issue that remains front of mind for American families is the cost of living. While finally we are beginning to see relief as some gas prices are falling, inflation undeniably continues to strain families not just in America but around the world.

In one crucial area of life, high costs are simply unsustainable: the cost of healthcare and prescription drugs. The nexus of the high cost and the necessity of these drugs to keep us healthy and keep us living is a pincer that pinches so many Americans in a very harmful way.

But this week, the Senate will formally present our case to the Parliamentarian on a number of long-sought reforms to our Nation's healthcare system that will lower costs for tens of millions of Americans.

Under our proposals, for the first time ever, we will empower Medicare to negotiate the prices of prescription drugs in Parts B and D. We will cap out-of-pocket expenses for Part D precision drugs at $2,000 a year, giving millions of Americans—many of whom have serious health problems and need these drugs—the support they desperately need so they can afford these drugs. Two thousand a year—that is it. The days of seniors paying tens of thousands of dollars per year or forgoing medicine altogether will soon be over. And we will prevent healthcare premiums from spiking for tens of millions of people.

In addition, there is an inflation rider, so that once the company announces the price of a new drug, they can't just double it and double it and double it year after year, even after they have recouped their investment in the bill.

Lowering costs of prescription drugs, capping out-of-pocket expenses, keeping premiums low—these are the top priorities for the American people. Ask any American on the street, and it is a near guarantee they will agree that rising drug costs is a serious problem. So we have to address the issue head-on.

Now, of course, Democrats will keep working on other major challenges that face our Nation. Our work on climate change is not done. We are going to work with President Biden's administration to fight climate change and protect our planet for the next generation. This is an existential threat to the globe, and we are going to keep fighting.

So, in the coming weeks, our caucus is going to be exceedingly busy as we finalize a reconciliation bill that can pass with the full support of our caucus. We still have a lot of work to do. Nobody says it is going to be simple or easy, but lowering the costs of healthcare and prescription drugs will make an enormous difference in the lives of the American people. Let's get it done and give Americans a much needed and long-awaited break.

TUCKER CARLSON

Mr. President, finally, on Tucker Carlson, FOX News. Last night, FOX

News host Tucker Carlson began his prime time show with another deranged rant on the conspiracy theory known as the ''great replacement.'' This racist theory, which asserts that a conspiracy exists to replace White Americans with immigrants and people of color, motivated a White supremacist to gun down 10 Black Americans in a grocery store in my home State of New York, in Buffalo, just over 2 months ago.

Here is what Mr. CARLson said last night, among many deranged things. These are his words:

Sometime around 1965, our leaders stopped trying to make the United States a hospitable place for American citizens, their constituents, to have their own families. . . . They just imported new people. That's literally what happened.

Can you believe someone said that on a national network and the network does nothing about it?

There is only one way to describe what Mr. CARLson is doing: He is stoking racial resentment among his viewers. It is deranged. It is dangerous. It is racist.

Not long ago, views like ''replacement theory'' were only found in the darkest places in disturbed minds. Now someone as prominent as Carlson is spreading night after night to an audience that often tops 3 million viewers. And it is not an isolated incident. According to one measure by the New York Times, Mr. CARLson has spewed rhetoric that echoes ''replacement theory'' at least 400 times on his show since 2016—400 times. This is not a one-off, what he just did last night.

The more that MAGA radicals like Carlson spread ''replacement theory,'' it is not out of the question that racially motivated violence will further ignite the country. FOX News should be ashamed that they are enabling these racist views and giving them an enormous platform on their network. It is dangerous and un-American for one of the biggest news networks in the world to amplify conspiracy theories that are eerily similar to those cited by the Buffalo shooter.

I urge Carlson to stop spreading ''replacement theory'' or else risk seeing more tragedies like the one we saw in Buffalo last month.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. THUNE. Mr. President, one of the most important bills that we take up every year is the National Defense Authorization Act, or NDAA, legislation authorizing funding for our military men and women and the defense of our country.

The Senate Armed Services Committee passed this year's bipartisan bill a month ago, and we have less than 2 months of floor time left in the fiscal year.

The Senate Democrats' focus this month is on a last-ditch effort to pass some version of their Build Back Better tax-and-spending spree in hopes, I have to assume, of eking out a few more votes in November. Apparently, the National Defense Authorization Act will just have to wait.

As it does every year, this year's NDAA authorizes funding for critical military priorities. The fiscal year 2023 NDAA continues the modernization efforts begun several years ago in the wake of the 2018 National Defense Strategy Commission report, which warned that our Nation's readiness had eroded to the point where we might struggle to win a war against a major power like Russia or China.

It authorizes funding to improve quality of life for our military members and their families, which is not only something we owe these men and women who sacrifice so much for us but is also essential for recruiting and retaining members of our all-volunteer force. It authorizes funding to enhance our nuclear deterrence, a key priority with continued nuclear threats from traditional powers like Russia and rogue states like Iran and North Korea.

And it continues our strong support for Ukraine. Ukraine no longer dominates every front page, but for 5 months now, Ukraine has been fighting a heroic war against Russian aggression. Thanks to support from allies in Europe and from our own country, Ukraine is still holding out. In a war that many experts thought could see Kyiv fall within a matter of days, Ukraine is approaching day 150 of resisting Vladimir Putin's Soviet-style aggression. In fact, Ukraine continues to strike painful blows against the Russian military, which has now turned to Iran for military support.

Later today, Olena Zelenska, wife of Ukrainian President Zelenskyy, will be addressing Congress. She and her husband have been a beacon for Ukrainians during this brutal war; and President Zelenskyy's iron determination, his tireless leadership, and his unflagging commitment to his people inspire all those who love freedom.

Ukraine is, in many ways, standing up for the whole free world right now, sending the message that Russia's unprovoked aggression will not be allowed to stand. And the least we and other free nations can do is ensure they have the resources they need to carry out their fight. Russia's war against Ukraine reminds us that nations that value freedom and security must stand together.

Finland and Sweden are looking to stand with other free nations by joining the NATO alliance. Vladimir Putin has turned the historic positions of neutrality in Finland and Sweden into robust public support to join the alliance, and both of these countries will strengthen the capabilities and geostrategic position of NATO.

Yesterday, the Senate Committee on Foreign Relations reported the treaty concerning their accession to NATO, and I hope the Senate and administration will soon complete their respective roles and approve Finland and Sweden's membership.

One priority for me in every National Defense Authorization Act is ensuring that the men and women of Ellsworth Air Force Base in South Dakota have everything they need to successfully carry out their mission. Right now, my priority is ensuring Ellsworth remains a responsive and lethal component of global strike command, with the B–1 bomber leveraging the Joint Air-to-Surface Standoff Missile and its Long Range Anti-Ship Missile derivative.

As we look to the future, I am working to ensure the base continues to receive full funding for the many equipment and support facilities that will be needed for the B–21 Raider mission at Ellsworth. I worked to ensure full funding for the first of these facilities in last year's NDAA, including a low-observable coating restoration facility, a wash rack and maintenance hangar, an expanded flight simulator facility, and more.

This year's NDAA continues that work with additional funding for the low-observable coating restoration facility, as well as funding for two additional construction projects—a weapons generation facility and a radio frequency facility—that will be needed to ensure Ellsworth is fully able to conduct the nuclear and stealth B–21 missions.

I have had the privilege of visiting the B–21 production site in Palmdale, CA. And while the program remains heavily classified, I can say the six planes under production are impressive feats of American engineering and that we are honored that South Dakota will be the first State to host the mission.

But it is not just about the hardware and cutting-edge systems. Our greatest asset is our people, including the pilots, the maintainers, and all of the men and women who have answered the call to serve. That is why I am focused on ensuring our men and women in uniform have not just the military support they need but the support they need for their families.

More military families will be moving into the Ellsworth area with the arrival of the B–21 mission—as many as 250 people per year, including 100 dependents. I am committed to ensuring that the infrastructure is in place to provide ample facilities for these families.

To that end, I worked to include in this year's NDAA an extension of an authority for the Secretary of Defense to adjust basic allowance for housing rates if an installation is experiencing a sudden increase in the number of servicemembers assigned there. This will ensure that families at Ellsworth

and elsewhere will have the resources they need to secure appropriate accommodations.

I am also working to ensure that the Douglas School District is able to integrate and support Air Force members' children and provide sufficient classroom space. This NDAA would provide $15 million in impact aid for schools experiencing force structure changes like the anticipated growth at Ellsworth with the arrival of the B–21 mission.

I am grateful to Senator ROUNDS for his assistance getting this through the committee's markup and to our State's at-large Representative, Congressman JOHNSON, for his work to get it included in the House-passed bill. This expanded program should be a good first step to help ensure that Douglas School District is able to expand to meet the needs of new Ellsworth families.

The House of Representatives, to its credit, voted on its version of the National Defense Authorization Act the other day. But, unfortunately, the House legislation's total funding authorization is lower than the Senate bill's number. That is a concern, not only because we have a lot of priorities to fund but because inflation is currently cutting into the military's spending power.

Inflation affects American families and businesses, but it also has a serious effect on our Nation's security. As prices soar across the economy, the military is able to do less with the dollars that it has and that can affect troop readiness and the military's ability to keep up with needed programs and purchases, from weapons to vehicles to aircraft and ships.

It is essential that the final House and Senate bill include the Senate's top-line funding number.

In his 1793 annual message to Congress, George Washington said:

> There is a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

In other words, ''Peace through strength.''

These words hold true in every age. The surest method of securing peace is ensuring we are prepared for war. As Russia's unprovoked attack on Ukraine reminds us, there will always be nations who threaten peace and freedom. And the surest way to prevent these powers from destroying freedom is to ensure that we present a powerful threat of our own, a credible deterrent that stops these nations and other bad actors from wanting to tangle with us. There is no more a certain way to invite war than to be unprepared to meet the bullies and the dictators of the world.

The National Defense Authorization Act is one of the most essential pieces of legislation we take up each year because it helps ensure that our Nation is equipped to defend itself and to deter aggression.

I hope that the Democratic leadership will consider deferring its tax-and-spending plans to take up this important national security legislation in the near future.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that in addition to myself, both Senators GRASSLEY and CARPER be permitted to speak for up to 10 minutes each before the scheduled vote.

The ACTING PRESIDENT pro tempore.

Without objection, it is so ordered.

TRIBUTE TO JEAN TOAL EISEN

Mrs. SHAHEEN. Mr. President, I come to the floor today as the current chair of the Senate Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies because I want to pay tribute to the clerk who has worked with me for the last 6 years but who has been in public service here for the Federal Government for 27 years, including 26 years of service in the U.S. Senate, and that is Jean Toal Eisen, who is going to be retiring from the Federal Government.

And Jean is here along with two other members of the staff of the CJS Subcommittee, Blaise Sheridan and Michael Bednarczyk, as well as three members of my staff, Ariel Marshall, Janelle DiLuccia, and Chad Kreikemeier, my chief of staff.

We are here because we think it is important, and I especially think it is important to recognize the people who make this body run. And it is people like Jean, who have dedicated their whole careers to this institution, who allow us to—who mean that we can, on occasion, get things done that make a huge difference for the people of this country.

And I know I speak for all the members of the Appropriations Committee and its staff when I say that Jean will be sorely missed.

Just last week, as I looked at the breathtaking images captured from NASA's James Webb telescope, I thought about Jean. It is no exaggeration to say that those images exist, in no small part, because of her work on this subcommittee. And they serve as a fitting capstone for her distinguished career.

And, of course, then I thought about other ways that Jean's influence will endure, ensuring millions of people will get access to broadband because of her work on the Infrastructure Investment and Jobs Act—and there were many late nights that she and other members of my staff and Senator COLLINS' staff worked with the Commerce Department to try and ensure we could get those broadband sections done—and then also helping survivors of domestic violence, sexual assault, and child abuse receive access to critical services because of Jean's successful efforts to release more resources from the Crime Victims Fund. In fact, every year that I have been chair of Commerce, Justice, and Science, because of Jean's efforts, we have maximized funding in the Office of Violence Against Women so that each year over year we have done better.

She has also been there to ensure that the next generation of STEM innovators and leaders get record investments in the National Science Foundation and NASA. And it is really appropriate that we are considering bipartisan chips innovation legislation on the floor this week, Jean's last in the Senate, because she played a central role drafting and negotiating this critical legislation that will bolster American manufacturing and protect our national security interests.

And though Jean will no longer be in the Senate, her legacy is already felt everywhere, and the American people are better for it. Jean's journey in the Senate began as a staff assistant for Senator Ernest Hollings of South Carolina, her home State Senator.

Later, she served on the staff of the Senate Committee on Commerce, Science, and Transportation as senior adviser and deputy policy director for Chairman Dan Inouye, before serving as deputy policy director at the U.S. Department of Commerce.

And since 2010, she has served on the CJS Subcommittee, and from 2014 to 2017, she was the deputy staff director of the Senate Committee on Appropriations for Chair Barbara Mikulski, who I know if she were here would also be on the floor to sing Jean's praises.

I have had the pleasure of having Jean as my clerk since 2017, when I took over the CJS Subcommittee as Vice Chair. And I think that words really can't capture Jean's personality, but I would be doing a disservice to this body if I didn't try to give a sense of why Jean is one of the most effective staffers on Capitol Hill.

And I think the first thing to know is that Jean always gives you the truth—whether you want to hear it or not. The second thing to know about her is that she always has a sense of humor, even when the going gets tough, and all of us who have been here through tough challenges know that maintaining a sense of humor is absolutely critical.

Her colleagues will remember her as incredibly knowledgeable, kind, and pragmatic because, at heart, Jean is a problem-solver. She understands that the U.S. Government is one of the most impressive institutions the world has ever seen, and she has dedicated her career to improving it.

Jean is also the proud mom of her daughter Pat, who is a rising sophomore at Longwood University and is, among other things, a saxophonist in the school's ''Stampede'' Athletic Pep Band.

Now that she is no longer drafting annual appropriations bills, we hope that Jean will have more quality time to spend with Pat, with her husband Pete, and with her many family members and friends and maybe even a little more time for hockey and gardening. Although if she is going to support hockey, she really needs to support the Bruins, so we are not sure how much time we want to give her for that.

But it gives me great joy to publicly thank Jean for her extraordinary work for this committee. Congratulations, Jean. Thank you for your decades of service to our country and your commitment to the U.S. Senate. Neither your expertise nor your good humor will soon be replaced, but your work will not be forgotten anytime soon.

I yield the floor.

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

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

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF GREGORY BRIAN WILLIAMS

Mr. CARPER. Mr. President, today I have the honor to rise in support of Greg Williams to serve as a judge on the U.S. District Court for the District of Delaware, one of the busiest and, we believe, most important district courts in our Nation.

Before delving into what makes Delaware's district court such an essential part of the American economy and what makes Greg Williams an exceptional nominee to serve, in the words of the American Bar Association, they deem him ''well qualified'' to be a Federal judge.

I want to share some background and the process that we use in Delaware for making recommendations to the Federal bench to the President.

A few years ago my friend—and I call him my wingman—Senator CHRIS COONS and I had the opportunity to make recommendations to the White House for two vacancies on this same court. There was, at the time, a President of a different party, and the majority here was on the other side, not on this side at that time.

Our process was simple then and was straightforward and borrowed heavily from the process that I used while serving as Governor of Delaware for 8 years. Throughout those 8 years when I was privileged to serve as Governor, we relied on a judicial nominating commission and charged them with a simple task. Basically, this was it: find the most qualified individuals, regardless of political party, make recommendations to the Governor for appointments to Delaware's many important State courts, including our State supreme court and the court of chancery.

We used a similar process for Federal district court vacancies. The process served Delaware well during those 8 years, and I believe that the process Senator COONS and I have used now serves our Nation well, too, regardless of which political party controls the White House or the Senate. It has yielded yet another extraordinary nominee. That nominee is Greg Williams, a partner at Fox Rothschild. Former president of the Delaware State Bar Association and President Biden's nominee to serve as the next judge on the U.S. District Court for Delaware.

But Greg is more than a lawyer, much more. He is a father, a husband, a son, and a brother. In fact, he is the youngest brother in his family of five, with four older sisters, and I know they help to keep him on the straight and narrow much like my older sister did with me.

Greg has been married to his high school sweetheart, Terina, for 27 years. Together, they have raised two children in Delaware that any one of us would be proud to call our own.

A Villanova Law School graduate, Greg has worked at one of top law firms in the Nation, Fox Rothschild, for the past 28 years.

Through hard work and commitment to excellence, in 2003, Greg became the first African-American attorney to have been hired as an associate and then be named as a partner at Fox Rothschild. Greg learned those values—hard work and commitment to excellence—in part as a member of the U.S. Army Reserves, where he served from 1986 to 1994—part of those years when I was his commander in chief as Governor of the State of Delaware.

After law school, Greg embarked on a successful legal career that has earned him the respect and admiration of Delaware's highly regarded legal community.

Greg has particular expertise in intellectual property and business litigation, which make him particularly well-suited for the Delaware District Court.

More than his professional qualifications, though, Greg is the personification of the Golden Rule, which calls on us to treat one another the way we want to be treated. And, as a result, he is also the personification of judicial temperament in that courtroom—and any courtroom, for that matter.

Like Senator COONS and me and many of our colleagues, Greg is a person of deep faith. He understands personally the words ''Golden Rule'' and what they mean. And if confirmed, I believe he will use that rule to guide him on the bench.

Let me close by saying this: We have all probably heard a saying that is oftentimes used in relationship to an undersized boxer—someone who punches above their weight.

The Delaware District Court is one of the busiest courts in our country. It handles an array of cases related to intellectual property law, patent law, bankruptcy law, and other specialized business cases that are critical to the functioning of our national economy.

Like our small State, this court punches above its weight, and our nominee Greg Williams not only has the credentials and the temperament, but the strong work ethic that are necessary for this court to continue to function as one of the most important district courts in our land.

I consider it a privilege to give him my strongest possible endorsement, and I encourage my colleagues to join Senator COONS and me today in supporting his nomination on the Senate floor.

And with that, I don't see if—I don't know that our colleague—here comes Senator COONS, here to speak on behalf of this nominee as well.

I will just say this: You know, we have judicial nominees come before us, not every day but often in this body. In some cases, the folks who are from the State where that nominee hails, they know them, have at least a passing knowledge of them, and have maybe met them.

We have known Greg Williams for almost a quarter of a century. He is not just one of the finest lawyers in our State; he is one of the finest human beings in our State.

It is an honor for me to join Senator COONS in suggesting his name to the President of this country. We are grateful the President actually submitted that name now to the U.S. Senate for our consideration.

And with that, I am going to yield the floor. I see we have Senator CASSIDY here. I don't know if he has the opportunity to—no, he is going to wait for a while.

I am going to just stop right here. Senator COONS stopped just briefly. I think he is going to be right back on the floor; and, hopefully, he will be able to pick up right where I—I will do the handoff to my colleague from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent for 1 minute of floor time to speak to the impending nomination.

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

Mr. COONS. Mr. President, I would like to thank my colleague and senior Senator, my friend, Mr. TOM CARPER, who allows me to be his wingman here on the floor of the Senate and in our home State of Delaware.

I just wanted to speak briefly to the outstanding qualifications of the nominee that will be before us in a moment, Greg Williams of Delaware.

As a member of the Delaware Bar, as a member of the Judiciary Committee, I have joined my senior Senator, friend, and colleague in advancing this nomination, both suggesting to the White House strongly that he would be an excellent next member of the important Federal bench in Delaware and

that he would represent our Nation well and contribute to our Federal judiciary, which is globally the gold standard for its capability, its independence, and its integrity.

Greg has practiced for decades in Delaware. He is one of the best respected, leading complex commercial litigators, and an experienced intellectual property litigator.

The District of Delaware is one of the busiest Federal courts in our entire country. Because of our unique place in American corporate law, because of the quality and the competence of our bench, we handle an enormous number of patent cases, a significant number of corporate cases.

I don't know if my colleague has mentioned one of the top-of-the-charts cases about to come to Delaware, but when you make a promise to purchase a company like—I don't know, hypothetically, Twitter—and then the deal comes apart, that ends up in a Delaware court called our chancery court. Our Federal District Court and our Federal Bankruptcy Courts handle significant litigation.

Greg is someone who also, as a family man, as a person of faith, as an outstanding leader in our community, as the past president of the bar association, as the past chairman of the judicial nominating commission on behalf of our Governor, he has served our community.

He brings his heart, his values, his intellect, and his skill to his service each and every day, and I am honored to join my senior Senator in speaking on his behalf on the floor. And I look forward to working with my colleagues across the aisle to ensure a swift confirmation vote today.

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 executive clerk proceeded to call the roll.

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

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

PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Mr. President, I am hearing a lot of news reports, and if they are correct, it sounds like the majority party has a very partisan bill that they want to call a drug pricing bill.

And I am also told that this is moving along because it looks like the Parliamentarian is currently reviewing that proposed legislation to see if it fits into the process of reconciliation.

If the majority party passes its partisan bill, it will be bad policy for patients and taxpayers, but that doesn't mean we don't have answers to the problems that they are trying to solve.

But first of all, let me say what the Senate-proposed legislation—what we know about it—would do. It would put taxpayers at risk for more spending. It would fail to enact any bipartisan accountability of Big Pharma and powerful middlemen that we call pharmacy benefit managers or PBMs for short.

Yes, a bipartisan bill limiting pharmaceutical increases is possible. And their bill has been developed in secret, with no markup or open debate.

Now, this partisan bill and this process are a far cry from bipartisan drug pricing ideas that I have developed over the past few years.

In the past 12 months alone, I have passed five bipartisan drug pricing bills out of committee that will lower prices and create more competition and hold Big Pharma and PBMs accountable.

In addition, I have a comprehensive bill to lower prescription drug prices that could pass the Senate with at least 60 votes. My bill is bipartisan; it has been negotiated; and it is comprehensive.

The bill is called the Prescription Drug Pricing Act. It is also known as Grassley-Wyden, but I want to be fair to Wyden. I am not sure that he would claim that he negotiated that bill, but I still like the bipartisan part of it.

The Senate should act today on this bipartisan bill to lower drug prices because this is what Grassley-Wyden would do: It would lower costs for seniors by $72 billion. It would save the taxpayers $95 billion. Those are CBO figures.

It establishes an out-of-pocket cap, eliminates the donut hole, and it redesigns Medicare Part D, that needs some redesigning after 19 years. This legislation will hold Big Pharma and powerful PBMs accountable.

Now, too often, cheaper alternatives like generics are available, but Big Pharma and these middlemen have an incentive to push the patient into higher-cost drugs, and patients pay the cost. My bill ends that incentive and is very pro-consumer.

A third point I want to make, it ends taxpayer subsidies to Big Pharma. It does it by capping annual price increases of Medicare Part B and D drugs at inflation. In other words, drug companies can't raise prices two or three times a year 5 to 10 percent—once a year at no more than CPI.

A Kaiser Foundation study found that half of the drugs in Medicare Part B and D increased higher than inflation over the period of time that Kaiser study covered. Over 600 drugs during the study increased 7.5 percent or more.

Another point of the bill: It establishes accountability and transparency. There are 25 major provisions to my bill to reform how the pharmaceutical industry operates.

Accountability in my bill includes, one, ending clawbacks that drive up costs at pharmacy counters for the patient. Second, ending ''spread pricing'' in Medicaid contracts that drive up taxpayers' costs. Three, requires sunshine on powerful PBM financial audits so the public knows the true net cost of a drug.

Everything with PBMs is opaque. You don't know what goes on between the manufacturer and the consumer.

And, four and lastly, requires sunshine on excessive drug price increases and sunshine on the launch price of a new high-cost drug.

Big Pharma and powerful middlemen benefit from the current system that we have today, and at the same time, patients and taxpayers suffer. My bill's bipartisan reform will change all of that.

Finally, the bill is bipartisan. I suppose Democrats get tired of me talking about a bipartisan bill when they are in the secrecy of their rooms drawing up their own bill.

We have 11 Republicans who supported this bill in the Finance Committee markup or are cosponsors of the bill. Thirteen Democrats supported this bill in markup. It was debated and negotiated in public.

But don't take my word for it, take it from some of my Democratic colleagues. A few months ago, the senior Senator from Delaware said this:

> Senator GRASSLEY did, I thought, a masterful job in drafting a bill with broad bipartisan support.

And the chairman of the Finance Committee and senior Senator from Oregon—and he is probably going to hate me for saying this, but I am going to quote him:

> Big Pharma was relentless in fighting what Senator GRASSLEY is talking about and has been for 2 years.

My bill will save seniors money, save taxpayers money, hold Big Pharma and powerful middlemen accountable, and enact necessary reform and sunshine; plus, it has bipartisan support.

So we can lower drug prices without having to resort to this partisan reconciliation process. The Grassley Prescription Drug Pricing Reduction Act is a solution. It is a product of a bipartisan, transparent process. Compare that to the secrecy of the Democratic reconciliation process.

I yield the floor.

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 senior assistant executive 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. 989, Gregory Brian Williams, of Delaware, to be United States District Judge for the District of Delaware.

Charles E. Schumer, Richard J. Durbin, Robert P. Casey, Jr., Sherrod Brown, Tammy Baldwin, Tina Smith, Jeanne Shaheen, Chris Van Hollen, Elizabeth Warren, Catherine Cortez Masto, Benjamin L. Cardin, Christopher Murphy, Maria Cantwell, Christopher A. Coons, Mazie K. Hirono, Jack Reed, Gary C. Peters, Tammy Duckworth.

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 Gregory Brian Williams, of Delaware, to be United States District Judge for the District of Delaware, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 262 Ex.]

YEAS—52

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

NAYS—43

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

NOT VOTING—5

Kennedy	Markey	Whitehouse
Leahy	Warren	

The PRESIDING OFFICER (Mr. WARNOCK). The yeas are 52, the nays are 43.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Maryland.

(The remarks of Mr. CARDIN pertaining to the introduction of S. Res. 713 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CHIPS ACT

Mr. WYDEN. Mr. President, our economy is as resilient as any in the world. At the same time, we know that it is important to always look to modernize key economic policies, particularly as it relates to fundamental questions of research and development and also production and manufacturing, in order to create high-skilled, high-wage jobs from sea to shining sea.

Now, I come from a State that is a leader in technological innovation, not just for our country but for the world. Oregonians know how important it is to invest and make sure that the United States stays at the forefront of technological breakthroughs.

The reality is, when it comes to chips, we have some important work to do, so I want to take just a few minutes to describe why it is so essential for the Congress to get this legislation done now.

First of all, our bill is going to bring down costs for consumers and businesses. Everybody knows there are chips in laptops, phones, and cars, but there are also chips in refrigerators and even vacuum cleaners, as we saw at Stark's in Southeast Portland recently.

From the time you pick your head up off your pillow until the time you go to bed at night, you are interacting with chips. That is what made it such an economic nightmare when the pandemic hit and the supply of semiconductors got cut short. Prices for a host of important goods went into the stratosphere. Some products weren't available at all. Factories in America went dark because they couldn't get component parts. Anybody who has had to buy a car in the last few years probably can tell you a horror story about the buying process.

This legislation is going to go a long way to increasing the production and manufacturing of chips in this country and bringing down consumer costs and addressing the shortages by increasing the supply here in America.

That leads to my second point. Investing in domestic chip production is going to create a huge, huge number of good-paying jobs. Oregonians know well that the jobs at these chipmakers can become an economic fuel for a whole region in the country. We need to guarantee that investment happens here in America instead of overseas.

Third, the bill is going to help shore up our national security and our economic security. With respect to the economy, when there aren't enough chips to keep our factories running and our shelves stocked, workers and the American economic system suffer.

And when the vast majority of chips are produced in just a few sites overseas, there is a big risk that the United States won't be able to get its hands on the chips needed to keep the American people safe in a conflict.

I am a member of the Senate Select Committee on Intelligence. I can't get involved in classified matters that I have some access to. But I want everybody in the Senate to know this is a top-tier national security issue. Producing more chips here at home means that our economy will be more resilient for the days ahead and our country will be safer and more secure.

One last comment in this short statement. The Senate passed a larger version of this bill last year, and it included a trade package that Senator CRAPO and I, our colleague from Idaho, worked together on. It focused on cracking down on China's worst trade abuses, including the horrendous practice of forced labor, including proposals that went after authoritarian censorship overseas and a growing danger of freedom of speech here in America.

I also sought to update the system for job training and workers' support, so key to our workers having access to high-skill, high-wage jobs. That trade package is not included in this slimmed-down version of the CHIPS legislation. I can promise, however, as chairman of the Finance Committee, we will keep working on these issues.

Cracking down on trade cheats, fighting for investments and jobs in America is at the top of the priority list for the Finance Committee. I look forward to continuing our work on those issues in the weeks and months ahead.

This legislation is long overdue. It is a serious, fresh commitment to innovation in America. I am proud that I was able to lead the effort in the Senate Finance Committee to focus on producing and manufacturing more semiconductors in America. It is hugely important for my State, which really does research and development for the entire country. But it is important for all Americans every single day because, from the time you get up in the morning until the time you go to bed at night, you are using these chips. This is, in my view, the first step of many that we have to take to promote more innovation and the path to creating high-skill and high-wage jobs in America.

Let's take the first step with this important legislation. Pass this bill. I urge my colleagues to vote for it later when we get to the final vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

INFLATION

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the economic crisis that this Nation is facing, all as a result of the actions of the Democrats and Joe Biden.

Right now, Joe Biden is on his way to Massachusetts. He is expected to announce, while he is there, even more restrictions on American energy. One New England Senator has lobbied him to go ''executive Beast Mode.'' The Senator might forget that we still have a Constitution. The Supreme Court just ruled that the President can't do that. The Constitution says Congress writes the laws and it is up to the President to enforce them.

I would also remind that Senator that Joe Biden just got back from a trip to the Middle East. That is where he went to beg the Saudis to produce and to sell us more oil. Joe Biden doesn't need to fly around the world to solve the energy crisis that he created. The solution is right here at home in America. We have some of the largest energy reserves in the world. We have the best energy workers. We have the highest standards. Yet Joe Biden won't let go of his stranglehold on American energy. Joe Biden would rather send our money and more and more money to the Middle East than let us use the energy we have sitting right here in the ground in the United States.

Joe Biden has created the worst energy crisis for our country in the last 40 years—4–0—40 years. Gas prices today in my home State of Wyoming and all across the country are more than $2 per gallon higher than they were the day Joe Biden took office.

The spot price of natural gas has tripled under Joe Biden and that means even higher prices are on the way. Natural gas powers half of the homes in America and the price of that natural gas has tripled under Joe Biden.

Last year, Joe Biden's energy policies cost the average American family more than $1,000. That was last year. This year it is going to be higher than that. Higher energy costs are driving up the costs of everything—almost everything—because energy is such a vital part of our nation's economy.

Higher energy costs have led to the worst inflation crisis in 40 years—worst inflation in 40 years. Under Joe Biden, inflation has hit record highs. In the previous administration, inflation was nearly nonexistent. But for 15 months in a row now, prices have gone up. And not just have prices gone up, they have gone up faster and faster than wages have gone up. With every passing month, working families can afford less than they could the month before.

This is Joe Biden's America. This is what he brought and the Democrats who supported him in position and policy after each, one after another.

This year, the average family will pay $100 a week more just to buy the same things they bought last year. Just to stay even, it is $100 a week more. That is over $5,000 for the year. One hundred dollars a week adds up very quickly. As a result, people are spending their savings because they are not making enough to keep up. They are falling behind. They are borrowing money just to get by.

The savings rate in the country has plummeted to the lowest level since the Great Recession of 2009. Credit card debts are at an alltime high because people can't afford things and are putting things on the credit cards. Personal debt is at an alltime high. Consumer confidence, on the other hand, is at an alltime low—thank you, Joe Biden and Democrats.

Working families are being pushed to the breaking point. That is what we have here in America today. All told, it is the summer of strain and stress and suffering for American families. It is all happening because of the dereliction of duty on the part of the United States and the Democrats in this very body. The American people just want to be able to actually have enough money in their wallet to fill their tank with gas and to go to the grocery store and buy a full week's worth of groceries and have enough left over at the end of the month to pay their bills. Yet under Joe Biden and the Democrats, who are in charge of both the House and the Senate, this is becoming nearly impossible in America today.

Democrats call this the cost of the ''liberal world order''—the liberal world order. Look what it is getting us. Believe it or not, that is exactly what the White House has said. That is their official policy on the cost of inflation and the cost of energy being so high: Tough; suck it up. ''Liberal world order.'' We are here now. I don't care what it costs you or what pain and suffering we put onto the families of this country.

Meanwhile, as the President is going to talk about his climate emergency in Massachusetts, baby formula is still out of stock in stores all across America. For 15 months, there has been nothing but bad news coming from this administration and the Democrats for the working families in this country.

Last week, working families got a one-two punch of even more bad news. First, they found out that, once again, inflation is at another 40-year high. They also found out it is not going away any time soon. On Thursday, we found out that what is called wholesale inflation—which is the inflation that our producers are experiencing—is even worse than the inflation for consumers.

These are the people who build our homes, who grow our food, keep the lights on. Higher costs for them mean higher costs are coming for all the rest of American families because, if inflation is higher for producers today, inflation for consumers tomorrow will be higher than it is today. It means there is no light at the end of the tunnel.

But that is not what Joe Biden is telling us. He has continued to say: Oh, inflation is transitory. Pay no attention to the fact you can't pay your bills, you can't buy enough food to feed your family, and you can't fill your car with gasoline. Tough. Pay no attention.

He said on Thursday that the inflation numbers we are using are ''out of date.'' He is out of date. Joe Biden is essentially saying inflation peaked before the Fourth of July. That is what he told the American people. Well, remember the last time Joe Biden said inflation peaked? That was last year in December he said it peaked. What has happened over the last 7 months to this country and to families? It is now July, and inflation has broken new records three more times in just the last 6 months.

Is he clueless? Does he believe what he is saying? And who is surrounding him at the White House? Joe Biden was wrong in December; he is wrong now. He has been wrong every step of the way, and yet Democrats blindly follow him right over the cliff.

First, he created the inflation crisis; then he denied it existed. Oh, then he said it was transitory. I think it was a year ago yesterday, he said it was transitory. Then at one point, the White House even said inflation was a good thing. It is not good for American families, not good for the men and women who go to work every day. Then Biden decided, let's start blaming everyone but ourselves.

At every step of this crisis, Joe Biden has told the public things that were simply not true. Joe Biden keeps trying to downplay the pain and the suffering going on all across the country. In fact, 1 year ago yesterday, Joe Biden said inflation would be temporary. He was wrong. The Democrats running Washington right now are completely out of touch—I mean, completely out of touch with the American people as Members of this body say: Yeah, Joe, go to Boston. Declare a climate emergency to claim a crisis.

There are a lot of crises in America today; climate is not one of them. There is an inflation crisis, an energy crisis, a border crisis, a crime crisis. There is a crisis in the White House of competence and credibility. But no, Joe Biden has other things on his mind—a climate crisis. Only 1 percent of Americans list that as a key item in their lives—only 3 percent of Democrats; only 3 percent of people under the age of 30. Everybody is focused on inflation. Joe Biden is going to Boston to talk about climate.

We have today, in this country, with the Democratic Party, a government of the elites, by the elites, for the elites. The Democratic Party has completely forgotten about the working men and women in America. For more proof of that, the Democrats are talking about more reckless taxing, more reckless spending.

When did the inflation crisis start? Right after the Democrats passed their last spending bill in March of last year when they put $2 trillion on America's credit card—party-line vote for massive government spending. They bailed out bankrupt blue States. The Democrats spent $2 trillion, triggered inflation, triggered a nightmare—a nightmare, I tell you—that has been robbing the American people of $100 every single week since then.

Democrats must have enjoyed their shopping spree because they spent the second half of last year trying to pass an even bigger, more reckless spending bill. Here they are again, trying it once again. It was reckless then; it is reckless now.

And the President's poll numbers continue to plummet because the American people say you are focused on the wrong thing, you are ignoring our needs.

You are abandoning the people. You have abandoned them, and that is why so few people think the country is heading in the right direction, and so many people are looking for a change. Democrats don't seem to care. They know they are about to face the voters in November and can see the handwriting on the wall, and they can hear the clock ticking.

The reason why inflation is out of control, at 40-year record highs, is because of the massive spending combined with the attacks by this administration and the Democrats in this body on American energy. That is what is causing the price of everything from gas to groceries to hit one record high after another.

The Democrats have spent us into record-high inflation. Now it seems that they want to tax us into a recession. The last thing the American people now need is more spending, more taxes, more debt. What we need is more American energy.

The way to get out of this crisis is to stop the reckless spending and increase the supply of American energy. We don't need to look halfway around the world for energy; we have it right here in this country. It is time for the President of the United States to stop begging, and it is time to start exploring for the energy right here in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

CLIMATE CHANGE

Mr. CARPER. Mr. President, I have had the privilege of serving with Senator BARRASSO. For any number of years, we were the coleads on the Environment and Public Works Committee. We actually found common ground on a whole lot of issues and disagreed on a number of them as well. But on a personal level, we have, I think, a very good friendship and have had for a number of years good collaboration on Environment and Public Works.

I disagree with almost everything he said—almost everything he said—and I am not a disagreeable person, but I always look for common ground, and I am sorry to say I didn't hear a whole lot from him today to do that.

The suggestion that somehow we shouldn't be concerned about climate change, the climate crisis that has visited our planet—a couple of points I just want to share. This is off the news yesterday, the day before, Monday, Tuesday of this week.

The United Kingdom broke its record for the highest recorded temperature multiple times on Monday, reaching 104.4 degrees Fahrenheit. In Great Britain, for the most part, they don't have air-conditioning. Record temperature—104.4 degrees just on Monday alone. There are airport runways in Great Britain that are melting—that is right, melting—because it is so hot.

The railways in the United States are buckling from the heat, with riders warned to stay home—to stay home.

Over 1,100 people have died in Spain and Portugal just in the last week from heat-related causes.

Wildfires in France have forced 30,000 people—that is about as many people as we have in Dover, DE, our State capital—30,000 people to evacuate. Organizers plan to pour tens of thousands of liters of water onto the Tour de France route—it is a huge, international bicycle competition—to prevent the road from melting in the heat.

More than 40 million people in the United States are under extreme heat warnings across the Great Plains and California. Around 60 million Americans will likely see temperatures at or above 100 degrees—not this year, not this month, this week. Nearly 60 percent of California is dealing with excessive drought, while 20 percent of Texas—it is 5 percent worse than last week—experiences exceptional drought, the most extreme level on the drought scale. Firefighters this week are currently battling 89—that is right, 89—large fires in 12 States in the United States.

That is just off the news pages of 2 days ago.

Amid calls to lower the price of gasoline, I rise to speak on the news this week regarding climate change.

There is no doubt that we are living in unprecedented times as a nation and as a planet. After an unprecedented pandemic ground our global economy to a halt, Americans have been struggling to return to ''normal.''

As we saw in the news earlier this year, unprecedented supply chain issues from the pandemic, along with Vladimir Putin's unprovoked invasion of Ukraine, have caused gas prices to rise until this month—until this month. We know that this in turn has fueled inflation and put economic strain on families and small businesses across our country.

President Biden has responded to this challenge with unprecedented action, rallying our global partners and releasing record amounts of oil from our Strategic Petroleum Reserve. The result has garnered less attention from the media. Over the past 34 days, gasoline prices have declined by more than half a dollar per gallon. I will say that again. Over the past 34 days, gasoline prices have declined by more than 50 cents per gallon—the fastest decline in over a decade. More than 20,000 gas stations across our country are now offering gas for under $4 per gallon. Leading economists expect this decline in gas prices to continue, maybe even to accelerate.

In addition, our Nation is on track to surpass our historic, prepandemic levels of oil production by 2023. I want to say that again. In addition, our Nation is on track to surpass our historic, prepandemic levels of oil production by 2023—next year.

Still, these are short-term solutions that leave Americans susceptible to higher gas prices. Why? It is the global market that largely determines gasoline prices. That means that as long as our economy runs mostly on fossil fuels, energy prices will continue to be volatile to the forces outside our Nation. We cannot drill our way out of this problem.

In the long run, the best way to ensure that American families have access to lower prices at the pump is by reducing our dependence on foreign oil and on fossil fuels. I want to say that again. In the long run, the best way we can ensure that American families have access to lower prices at the pump is by reducing our dependence on fossil fuels. Doing so isn't just critical for protecting Americans from high energy costs; it is necessary for addressing the existential threat of climate change.

Make no mistake, the climate crisis is here. It is here. It is in Europe. It is in Asia. It is in South America. It is in Africa. It is all over the world.

We see it in the form of unprecedented heat waves currently impacting millions of people across Europe, as I suggested, and our country too.

We see climate change in the form of unprecedented drought, driving wildfires across the Western United States that are bigger than my State. Currently, firefighters are battling, as I said, 89 large fires in 12 States, and it is only expected to get worse. According to the National Oceanic and Atmospheric Administration—we call them NOAA—the decades-long megadrought in the American West is not just persisting, it is intensifying and expanding east, worsening the threat of additional wildfires.

We see climate change in the form of rising sea levels that produce waves able to wipe out weddings in Hawaii just last weekend.

This event is a real-life consequence of what experts have already told us: Sea levels are rising faster than they have in more than 3,000 years and are expected to rise by an additional foot by 2050.

We know this firsthand in Delaware. Delaware is the first State. The lowest lying State in America is Delaware. Our State is sinking. The seas around us are rising.

Down in Louisiana, a big State in another part of the country, they are experiencing sea level rise as well. In the State of Louisiana, you know what, every 100 minutes—every 100 minutes—they lose a piece of land to the sea the size of a football field in Louisiana. I will say that again. Every 100 minutes in Louisiana, they lose a piece of land the size of a football field—every 100 minutes.

We see climate change in the form of sea levels rising all up and down the east coast, down to Florida, gulf coast, east coast, west coast, everywhere.

The extreme weather is costing us. According to an analysis of data from NOAA and the global reinsurance company Munich Re, severe weather caused more than $121 billion—billion with a ''b''—in property damage in the United States between 2017 and 2021—$121 billion. That is an average of about $940

per household and business and didn't take into account the property losses from the historic wildfires I have just been talking about.

We continue to see the destruction that accompanies climate change happen on a global scale as well, threatening the critical infrastructure we rely on for international trade. This week, I mentioned the recordbreaking temperatures they are seeing in England and in Europe and in Germany and other places.

Most tragic of all, these climate-induced events are putting people's lives at risk. Extreme heat is the leading cause of weather-related deaths in our country. According to NOAA, the 12 most costly extreme weather events in 2021 alone resulted in the deaths of nearly 700 people.

Addressing this crisis is the challenge of our time. It is directly tied to the prices we pay at the pump and in nearly every facet of our lives.

Instead of doubling down on policies that continue to fail American consumers and the planet, as some of our colleagues have been advocating for today, we should focus our attention on passing legislation that accelerates our transition to a clean energy future and leaves no community behind in the process. It is our ticket to a brighter future and one without recordbreaking heat waves, high gas prices, and unprecedented devastation.

Let me close with apologies to Stephen Stills. Stephen Stills is a great songwriter and singer with Buffalo Springfield, an iconic group. Long ago, he wrote a song that has these words. We have heard them a million times. It starts something like this:

There is something happening here, [just] what it is ain't exactly clear.

Those are his words, the opening line from one of the great songs of all time.

Well, with apologies to Stephen Stills, there is something happening here, and it is exactly clear what is causing it. It is a climate crisis. We have way too much carbon in the air. We are producing more. That is the bad news.

Here is the good news: We can do something about it. We can do something about it. Part of it is—I will just close with this—30 percent of our carbon emissions in this Nation come from our cars, trucks, and vans—30 percent. More and more, we are seeing automakers build cars, trucks, and vans that run not on gas and diesel but on electric. We are beginning to install literally thousands of charging stations all over the country to help provide an opportunity for people to charge their batteries and also to buy hydrogen, when we switch to hydrogen, for fuel cell vehicles. Those expansions and those investments will put literally hundreds of thousands of Americans—probably more than that—to work across the country, in every corner of the country, to enable us to reduce carbon emissions from our mobile fleet.

Instead of just burning coal and to some extent natural gas, we have the opportunity to create clean energy from advanced nuclear. I am a Navy guy, 27 years in the Navy all in. We have been doing nuclear energy in the Navy for 50 years. Do you know how many people have died in the Navy from exposure to radioactive materials? Zero. Fifty years—perfect record. We are now in the beginning of a new development and a new exploration in pursuit of nuclear energy using small modular nuclear reactors—a lot safer than the ones we have been building for years.

We are in a position now to have, literally, from Maine all the way down to Maryland, offshore wind that creates enormous amounts of carbon-free electricity that we can use to charge our cars, trucks, and vans and actually put a lot of people to work building those windmills and doing good things for our planet.

The climate crisis is here. The question is, What do we do about it? And there is an opportunity to meet it head-on. And it is not like you got to eat your broccoli. No, no, no. This is something we can do, and we could actually not just do good things for our planet, help us avert greater disasters in the days going forward, we could actually create a lot of economic opportunity, a lot of jobs and we can do that and we can do both. We need to do that. We need to do that.

I yield the floor to my friend from Texas. I think I will sit here and hear what he has to say.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, while my friend, the Senator from Delaware, is on the floor, in Texas we are known for oil and gas production, but the truth is, and what I think we really should be known for, is for an ''all of the above'' energy policy.

We produce more electricity from wind turbines than any other State in the country, and that is a surprise to a number of people.

But one reason for an ''all of the above'' energy policy is that during the current hot spell we are experiencing in Texas—I think we have had over 33 days of over 100-degree temperatures in my hometown of Austin, TX. It is hot. Some might say: Well, of course it is hot. It is July in Texas. But what has happened, we have seen this phenomenon where the wind is not producing nearly as much electricity because it is not blowing as hard as it might otherwise do.

So, again, I think if we can encourage an ''all of the above'' energy policy, then different segments of the energy picture can fill in at different times and satisfy our overall need.

I thought while my friend was speaking on that topic I would just mention that interesting lesson that we have learned here recently in Texas.

CHIPS ACT

Mr. President, last night, the Senate moved forward on the CHIPS Act. As colleagues have heard me talk about this before, this was actually filed in 2020.

Senator WARNER, the senior Senator from Virginia, a Democrat, and I, a Republican from Texas, introduced this bill more than 2 years ago.

The main concern was that our supply of microcircuits that run everything from our cell phones to our laptops, to F–35 Joint Strike Fighters—we depended on a vulnerable supply chain from Asia for those advanced semiconductors. The United States produces zero percent of the advanced semiconductors we need here in America.

And anybody who has tried to buy a car lately or even a washing machine or a laptop or a desktop computer knows that the supply chains of semiconductors, and thus these products, are severely constrained because our economy has taken off post-COVID–19, but the supply chains can't keep up with them and particularly the supply of these semiconductors. So that is why this bill is so important.

Over the last several days, I have worked with colleagues on both sides of the aisle to craft a dramatically slimmed-down version of the competitiveness bill we passed here in the Senate last summer.

The final text of the bill was not released before the procedural vote last night, which was a point of frustration for a number of colleagues, and I can certainly understand. Here they are, asked to vote on a procedural vehicle to get on this bill, and they don't know exactly what the bill is going to look like. And that was the reason some of them decided to vote no against the motion to proceed. I completely understand that.

But our colleagues will have time to review this bill in the coming days, and I hope that support for this legislation will continue to grow. After all, it is a matter of our economic and national security.

The global semiconductor shortage has claimed a lot of attention over the last couple of years because of the impact it has had on consumers, but these aren't existential threats; these are inconveniences because of these constrained supply chains.

If, for example, there was another pandemic or a natural disaster or if, Heaven forbid, the People's Republic of China decided to forcibly unify with Taiwan, this could potentially block access to all of the advanced semiconductors that we need in America, and this would be a dramatic negative effect.

First of all, it would create almost instantaneously a recession here in America. Thousands of people would be put out of work. But what I want to focus on are the national security consequences.

When we send our troops on any mission—by air, land, sea, or cyber—we need the very best equipment and technology available. And now more than

ever, this technology cannot function without semiconductors, without these chips.

Just one example is, look at the Javelin missiles that we are sending over to Ukraine to defeat the Russian Federation invasion. Each one of these Javelin missiles that the Ukrainians are using to such good effect requires more than 200 semiconductors in just one Javelin missile, and so far we have sent 5,500 of them to Ukraine.

But it is not just these big items that need chips, it is things like the helmets that our fighter pilots use to fly and navigate; communications devices like radio sets to call in reinforcements to save American lives; smart hand-held cameras that attach to our troops' gear that see around the corners to keep them out of harm's way; and even advanced body armor uses semiconductors.

If we ever needed to deploy the full force of the U.S. military and ramp up production to replenish our supplies, we would need an astronomical number of semiconductor chips.

That is why bringing that manufacturing capacity back onshore, back home to America, is so important.

This had been a big bipartisan priority, as I said, for the last couple of years, and this isn't the first time that semiconductors have been regarded as a matter of national security.

Interestingly, in the 1980s, it was a big priority item for President Reagan. At that time, our country was up against the Soviet Union's expansive military forces. President Reagan knew that maintaining our edge would be a result of smarter military systems, not just bigger ones or more of them.

As two national security and foreign policy experts from the University of Texas put it, ''Reagan didn't merely outspend the Soviets, he . . . sought to out-innovate them'' as well.

He pushed to maintain our competitive edge in chips, thereby helping us lead in the advanced weapons and airframes that they enabled.

But this isn't just about what happens tomorrow or 6 months from now; we are talking about safeguarding the developments that will underpin our national security in 10, 20, or 30 years. That is why so many people from diverse political viewpoints support this effort.

As we all remember, the CHIPS for America Act received broad bipartisan support when we first voted on it. It was adopted as an amendment to the annual Defense authorization bill by a vote of 96 to 4. Ninety-six percent of the U.S. Senate supported the bill.

Since it became law a year and a half ago, we have heard from a range of voices and stakeholders who don't typically align.

For example, former USTR—U.S. Trade Representative—Robert Lighthizer, who served in the Trump administration, has been a vocal advocate for chips funding.

At a Senate Finance Committee meeting 2 years ago, he said semiconductors are a key part of our economy as well as the future of American security.

Biden officials have shared this same sentiment. The Secretaries of Defense and Commerce recently sent a letter to Congress urging swift passage of this chips funding, saying it is ''an imperative to our national security.''

Countless organizations, experts, businesses, and industry groups have expressed the same point of view. Some of the most respected men and women in the national security world wrote a letter to Congress urging quick action on this funding. That group included a former Secretary of Defense, former CIA Director, and former Director of National Intelligence.

We have also heard from the National Governors Association and the U.S. Conference of Mayors, which represents State and local leaders across the country.

We have heard from groups that represent automakers, the defense industry, consumer electronics, and telecommunications companies as well.

Last month, a group of more than 120 tech CEOs sent a letter to congressional leaders urging quick action on this legislation.

It is rare, especially today, to have such a broad consensus from so many different perspectives on a single issue advocating one priority, but that is how important this legislation is.

I am optimistic about where we are at the moment after 2 long years of getting here, and I am glad Speaker PELOSI has said the House will take up the Senate bill as early as next week.

The bottom line is, there is a lot at stake here, and I hope we can deliver a major win for our national security in the coming days.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

ENERGY POLICY

Mr. MARSHALL. Mr. President, well, summer is in full swing, and all across the Midwest, people are preparing for lake vacations, for family barbecues, but new to this year's agenda, they are also preparing for Biden blackouts.

The shocking new inflation numbers show Americans already paying 42 percent more for energy than this time last year, but now, due to the White House policies, we may not be able to generate enough electricity to meet demand.

Now, let us not forget that under Republican leadership, we had a nation completely in control of our energy security. We were the global leader in energy production, and we were a net exporter of oil products.

However, under Democratic leadership, we are making plans for the lights to go out, and I hope everybody has their candles ready to go at home.

But it isn't this administration's fault, of course, so just ask them—just ask them. No, this White House states they are powerless to the whims of a global marketplace, and don't bother asking them to own the consequences of their actions.

Did President Biden actually believe canceling the Keystone XL Pipeline on his first day in office would not have negative effects on the global energy markets? Think about it. The United States, the largest oil producer in the world, stopping the transport, the importing, of nearly a million barrels a day, over 5 percent of our supply—who could have ever predicted decreasing supply could impact the cost at the pump?

And who could have predicted that halting all leasing on Federal lands would impact global supply? I even asked the Interior Secretary if this policy made it more difficult for oil companies to drill, and she couldn't give me an answer. She didn't care. This administration doesn't care about the cost of gas at the pump; that is, until they get it high enough to make driving electric cars more comparable.

Don't even think about implying that John Kerry, Biden's climate envoy at COP26, would cause private companies to take coal-powered plants offline and eliminate baseload without a plan going forward. After all, he said in Glasgow:

> By 2030, in the United States, we won't have coal. We will not have [any] coal plants.

Well, we may not have coal, but we will have blackouts.

And it was Joe Biden on the campaign trail, in his own words—I am sure you all remember—who said:

> Kiddo, I want you to just take a look . . . I want you to look into my eyes. I guarantee you, we are going to end fossil fuels.

And we wonder why Americans won't invest tens of millions—hundreds of millions—of dollars into this energy sector to drill new oil. Yet this President has declared war on American energy, and every American is paying the price at the gas pump. And yet this President wonders out loud why companies won't invest in any more exploration when it takes 5 or 10 years for a payback on these types of investments. He continues to create uncertainty.

It doesn't have to be this way. Republicans have been sounding the alarm on the negative impacts of this administration's policies since President Biden took office. Honestly, this should be surprising to no one. Yet the left seems confounded, stupefied, and without a plan except to turn off your air conditioner and your freezer.

Even more, they have resorted to outright lies. In fact, they repeat these lies over and over, hoping America will eventually fall for them. They repeatedly claim they have not been interfering with American energy production and now deceivingly spout they support the industry that they have been vilifying for years.

It is clear, we need more traditional fuel production. I know it; the American people know it. And to be completely clear, I think the White House knows it as well.

Why else would he have gone overseas to Saudi Arabia to beg for more oil? Why is the White House reaching out to dictators in Venezuela or countries that sponsor terrorism like Iran instead of supporting American production in places like my home State of Kansas?

When I asked the Secretary of Energy in committee about the price of gas, she cheekily replied that she drives an electric vehicle. This is the same Secretary of Energy that laughed and found it ''hilarious'' when asked about her plan to increase oil production in America. That is how this administration responds to the pain of the American people: laughing as they ride away in their fancy electric vehicles.

All that said, I truly hope that those of us forced to experience a Biden blackout are able to get safely through it. For many, a short-term blackout might prove a mild inconvenience. But with the seasonal heat waves we are seeing across the State of Kansas, across this Nation and the rest of the Midwest, it could lead to life-threatening complications. These Biden blackouts show that it is well past time for the President to stop the climate extremism, stop the anti-American policies devastating our communities, and stop looking overseas to fix problems that we have the answers to right here in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I hear from families in Louisiana every day that they are struggling to keep up with gas prices at historic heights. It is becoming unaffordable to drive to work or drop their kids off at school. The 15-year-old pickup that they drive—not because they don't want a new car but because they cannot afford a new car—now costs $100 a tank to fill up. And for those who say: Tell them to buy an electric vehicle, that is the modern-day equivalent of Marie Antoinette saying to the peasants ''Let them eat cake.''

Families are forced to choose between buying groceries or buying gas. And the Biden administration doesn't seem to be listening, so I am here to make their voices heard.

Let me just read from letters we received from constituents, just kind of like sending us a line. Here is Lorrie from Jamestown, LA.

Dear Mr. Cassidy, Is there any relief in sight for gas prices? We had affordable gas under the Trump administration. There is no reason we should have these prices now if the oil and gas production in the United States was in full force. Why would we ever depend on other countries for anything when we have already been energy independent just a short time ago? Families in our country are suffering.

Next letter, Gwendolyn from Prairieville:

Dear Senator Cassidy, please do whatever it takes to get American oil and gas used as resources. I am a divorced 60-year-old woman on a limited income. Gas has gone up, electricity has gone up, groceries have gone up, medical expenses have gone up, and insurance has gone up drastically, and my pay has not kept up at all.

Here is Donnis from Singer:

Dear Senator Cassidy, I just wanted to voice my opinion about how it makes no sense that our government will not renew oil leases off the coast of Louisiana . . . There is no reason we need to be held hostage by countries who do not care about our sovereignty.

This is Philip from DeRidder:

Please help with these high gas and food prices. I am retired and on a fixed income and these higher gas prices and food prices are starting to hurt me and my wife.

Here is Gregory from New Iberia:

This is not about party affiliation. We're coming into a bad crisis. Both parties need to come together and talk about drilling. We have all the resources we need to start drilling again, and I know you are trying. I see it on the news. Please keep trying.

Here is Laura from Vinton:

I want to express my concern for us Louisiana citizens. Gas prices are rising every day, food prices are rising everyday also. It's coming down to having to choose between to get gas or get groceries. Something needs to be done. U.S. citizens are suffering daily. Please help us Americans!

Here is Daryl from Mooringsport:

As your constituent, I urge you to publicly call for and vote in favor of the immediate and permanent expansion of domestic oil and natural gas production. No more Green New Deal nonsense. Energy dependence is driving higher gas and diesel prices that are causing skyrocketing gas and food prices. We can't rely on Iran or Venezuela to save us. We need to produce our own energy here—in America—and NOW.

Lastly, Karen from Gretna asked:

Why are we importing any oil? Energy independence is of vital importance to us and our national security. Louisiana was a leader in domestic energy production. It is shocking to see how quickly our country has changed. Please continue to work on our behalf to force our government to reinstate the energy independence policies that were in effect during the Trump administration. Speak loudly for us.

Speak loudly for us.

Speak loudly for us.

What these letters make clear is that Americans are hurting. That is why I call for an Operation Warp Speed to lower the prices at the pump, to unleash American energy, and to regain our energy independence.

President Biden needs to stop prioritizing far-left climate activists over the families sitting at the dinner table asking what they have to give up next in order to make ends meet.

President Biden, as one of my constituents says, needs to go where real people live.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Missouri.

Mr. BLUNT. Madam President, that whole concept of going where real people live is an important one. When people are facing higher utility bills every month and a bigger bill every time they fill up their gas tank, it doesn't take long for them to figure out that policy decisions somewhere have changed something—and something that really dramatically affects their quality of life. And then it didn't take long to figure out that those policy decisions in Washington are the decisions that made that kind of difference.

When a blackout causes the lights to go out and your refrigerator to stop working, the impact of energy policy becomes pretty tangible and you understand pretty quickly that this is impacting you. That is a prospect that a lot of Americans are facing this summer. It is not theoretical, but in too many places, it is happening and happening over and over again.

In late May, the North American Electric Reliability Corporation released a report that said that nearly two-thirds of the United States could experience blackouts this summer as a result of reliability challenges of the electric grid. Now, that group is a nonprofit regulatory authority that monitors the grid in the United States and Canada and some of northern Mexico.

They could see this coming and Americans can now see this happening. They said that it was sobering. They said that it was an understatement, really, in many ways, to see it any other way. The understatement is, in particular—and the report said—that in the West and the Midwest, there was a heightened risk of reliability challenges and energy shortfalls.

This report on the electric grid cited several reasons for heightened risk people are facing. One of them is that there is simply too little electric-generating capacity in the middle of the country where I live following the closure of older baseload generators. You can't make these decisions about energy policy without having a replacement in mind and not expect to see bad things happen to families, to individuals, to our economy. And that is what we are seeing now.

Earlier this year, the Energy Information Administration projected 85 percent of the generators closing this year would be coal-fired power plants.

So, if you close these plants and don't have a replacement in line, look what happens. Maybe we should ask Germany what happened when they shut down one of their major energy sources without having a replacement. Before you know it, they were dependent on a source of energy and a kind of energy and a country to get that energy from that didn't work out at all.

From day one, the administration has advanced policies to restrict the production of affordable and reliable American energy. We have gone from being a net exporter of energy to an importer—in fact, even a pleading importer of energy—in an unbelievably short period of time.

Electric prices in that period of time have gone up nearly 20 percent. Gasoline prices have more than doubled. If you are at the gas pump and you fill up your tank, whatever you are paying, cut that in half. That is what you

would have paid under the policies just a couple of years ago. Now you are paying 107 percent more than you were paying then. The push of a rapid transition to renewable energy sources will cause prices to go up even higher. We have already seen what happens. We should be able to figure out what happens if you do more of it without a plan.

What the administration wants to do here doesn't have to be painful. Transitioning from fossil fuels over a period of time doesn't have to be a painful thing. You just have to have a replacement in mind. You have to understand the economic consequences and understand, if your timeframe is right, there are no economic consequences.

Fossil fuels accounted for just over 60 percent of the electricity generated in the United States last year. Nuclear power generated nearly 20 percent of the electricity; wind, 9 percent; hydropower, 6 percent; solar power was about 3 percent. When you dedicate yourself to eliminating 60 percent of the electricity generated in the country, you have got to expect that bad things are going to happen, and they are.

We are seeing what happened with reliability challenges in California in its leading the way in this transition. But last summer, the State was doing everything they could, as quickly as they could, to build gas plants, natural gas plants, to supplement its power and to avoid blackouts. You went from plenty of power to new sources of energy and then, suddenly, to not enough power and then back to fossil fuels to desperately try to replace the power.

Surely, we can learn that this doesn't have to be the way you make these realistic transitions from one way of powering things to another. Just to replace every vehicle in the country with electric models would require 25 percent more electricity than we produce today. Forcing the electrification of homes and buildings will drive demand even higher and will cost more. Families will suffer.

For now, all of the above still works. For the long term, we have to find out what works for all Americans and how we may have reasonable energy policy moving forward. All of the above is serving us well. As we move from that, we need to know what we are moving to, how we are moving there, and how we can do it with the least impact on the economy, on individuals, and on families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Madam President, I want to join my colleagues here in an important discussion as it relates to American energy.

My colleague from the great State of Missouri said it well in so many different ways: Now we are pleading with dictators to import more energy. That is one element of what, certainly, has been the Biden administration's most colossal, strategic mistake of its entire first year in office. Trust me. There have been a lot of mistakes on the Biden administration's watch. There has been nothing that has undermined American interests in terms of working families, in terms of skyrocketing inflation, in terms of national security, in terms of energy security, and—yes, I am going to talk about it—in terms of environmental policy for America and the world. Nothing has been more harmful to America's interests and the interests of American working families than the reckless policies of the Biden administration's approach to American energy.

I have talked about this issue a lot because a lot of those policies are zeroed in on my State and my constituents, but as many have already said and as Senator BLUNT has already said, it can be summed up, in my view, in kind of four key areas.

No. 1, from day one, they have come in and said: We are going to limit the production of American energy.

That is happening. It is certainly happening in Alaska. On day one, the President made an order on ANWR. We got ANWR done in this Congress, but he shut that down, and they are canceling lease sales. As for the National Petroleum Reserve in Alaska, they are taking half of that off the table. Everywhere you look, they are trying to limit the production of American energy. That is a fact. It makes no sense, but it is a fact. That is No. 1.

No. 2 is the slow rolling and killing of energy infrastructure, the ability to move energy through pipelines or LNG terminals. They are stopping it, slow rolling it, or killing it. That is a fact, OK? That is what they have been doing from day one.

No. 3, they are going to the American financial community—John Kerry, Gina McCarthy, and all of these far-left, crazy, policy folks—and saying to American banks and insurance companies: Don't invest in American energy.

This is choking off capital to this incredibly important sector of the U.S. economy. When they are not doing that, they are appointing senior officials—just think Comptroller of the Currency, the Federal Reserve, the SEC Chairman—who are undertaking policies to choke off capital to the American energy sector. That is happening.

No. 4, when they have seen prices spike and hard-working American families paying hundreds, if not thousands, of dollars more to get to work in their cars or trucks, the administration is going around, begging dictators for more energy production.

This is an insult. We have the highest standards with regard to the environment and American energy production in Alaska and in other places. Do you think the Saudis care about their environment? Do you think the Venezuelans care? Do you think the terrorists in Iran care? They don't, but the administration is going and begging dictators for more energy.

So those are the policies of the Biden administration on energy, and we all know it is not working. It is having the predictable consequence of driving up energy costs on all American families—and, of course, giving pink slips to American energy workers, who I believe are heroic workers: union workers and others—and empowering our adversaries. So that is what is happening.

Today, the President is in Boston, so I want to talk about a couple of policies—energy policies—emanating from people and the communities of Boston that further show just how irrational the far-left Democratic Party is on energy.

Let me first talk about this issue, which I like to trot out a lot, on this chart. This is a factual chart of emission changes from major economies in the world from 2005 to the present. You don't hear about this a lot, but take a look. Take a look at this chart.

What does it show?

Of all of the major economies in the world, the one economy with the biggest reduction in greenhouse gas emissions is America, the United States of America, by far. Take a look. We have reduced emissions since 2005 by almost 15 percent. EU didn't do that. Germany didn't do that. Japan didn't do that. And here you go: In China, there is a new coal plant every couple of days, it seems. In India, it is the same thing.

Why am I bringing out this chart? A, people need to know that we are the leader; we are not the bad guy. I know John Kerry keeps thinking we are the bad guy; he goes around telling everybody we are. We are not. If every other country in the world had emissions profiles like we had, you would see a much, much cleaner and less emitting planet. That is a fact. So let me talk about a couple of these policies.

John Kerry, the climate envoy, has been reported as going to certain countries in Asia, saying: You know, we really don't like hydrocarbons in America, so don't buy any of that American LNG.

What? We are paying this guy's salary to say that? Whose side is he on?

By the way, exporting clean-burning American LNG to places like India or China or Japan is exactly what we need to do to reduce global emissions. So you have got this one guy out there—and I am not sure why he is being paid by the U.S. Government; he should be paid by the Chinese Communist Party Government. There are recent press reports that John Kerry's private jet—that he flies all around the world on—last year, emitted over 300 tons of CO_2.

What? Yes.

Look, he is smug, hypocritical, and his policies are hammering the middle class—and now this. John Kerry is one of the single biggest polluters and greenhouse gas emitters in the world for an individual.

In Boston, one of the best things the President can do today is to either fire John Kerry or ask him to resign. That would be great. That would probably do a lot for climate in America.

Let me give another policy that should be raised in Massachusetts.

Madam President, I ask unanimous consent that this Boston Globe editorial—a very long one—from February 12, 2018, be printed in the RECORD. It is called ''Our Russian 'pipeline,' and its ugly toll.''

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

[Editorial: Boston Globe, February 12, 2018]

OUR RUSSIAN 'PIPELINE,' AND ITS UGLY TOLL

To build the new $27 billion gas export plant on the Arctic Ocean that now keeps the lights on in Massachusetts, Russian firms bored wells into fragile permafrost; blasted a new international airport into a pristine landscape of reindeer, polar bears, and walrus; dredged the spawning grounds of the endangered Siberian sturgeon in the Gulf of Ob to accommodate large ships; and commissioned a fleet of 1,000-foot icebreaking tankers likely to kill seals and disrupt whale habitat as they shuttle cargoes of supercooled gas bound for Asia, Europe, and Everett.

On the plus side, though, they didn't offend Pittsfield or Winthrop, Danvers or Groton, with even an inch of pipeline.

This winter's unprecedented imports of Russian liquefied natural gas have already come under fire from Greater Boston's Ukrainian-American community, because the majority shareholder of the firm that extracted the fuel has been sanctioned by the US government for its links to the war in eastern Ukraine and Russia's illegal annexation of Crimea. Last week, in response to the outcry, a group of Massachusetts lawmakers, led by Senator Ed Markey, blasted the shipments and called on the federal government to stop them.

But apart from its geopolitical impact, Massachusetts' reliance on imported gas from one of the world's most threatened places is also a severe indictment of the state's inward-looking environmental and climate policies. Public officials, including Attorney General Maura Healey and leading state senators, have leaned heavily on righteous-sounding stands against local fossil fuel projects, with scant consideration of the global impacts of their actions and a tacit expectation that some other country will build the infrastructure that we're too good for.

As a result, to a greater extent than anywhere else in the United States, the Commonwealth now expects people in places like Russia, Trinidad and Tobago, and Yemen to shoulder the environmental burdens of providing natural gas that state policy makers have showily rejected here. The old environmentalist slogan—think globally and act locally—has been turned inside out in Massachusetts.

But more than just traditional NIMBYism is at work in the state's resistance to natural gas infrastructure. There's also the $1 million the parent company of the Everett terminal spent lobbying Beacon Hill from 2013 to 2017, amid a push to keep out the domestic competition that's ended LNG imports in most of the rest of the United States.

And there's a trendy, but scientifically unfounded, national fixation on pipelines that state policy makers have chosen to accommodate. Climate advocates, understandably frustrated by slow progress at the federal level, have put short-term tactical victories against fossil fuel infrastructure ahead of strategic progress on reducing greenhouse gas emissions, and so has Beacon Hill. They've obsessed over stopping domestic pipelines, no matter where those pipes go, what they carry, what fuels they displace, and how the ripple effects of those decisions may raise overall global greenhouse gas emissions.

The environmental movement needs a reset, and so does Massachusetts policy. The real-world result of pipeline absolutism in Massachusetts this winter has been to steer energy customers to dirtier fuels like coal and oil, increasing greenhouse gas emissions. And the state is now in the indefensible position of blocking infrastructure here, while its public policies create demand for overseas fossil fuel infrastructure like the Yamal LNG plant—a project likely to inflict far greater near and long-term harm to the planet.

''ALL IS GLOOM AND ETERNAL SILENCE,'' wrote a 19th century English traveler in an awestruck account of the Kara Sea, then still a largely uncharted domain of ice floes and fog. Though more powerful vessels and melting ice have enabled more human activity in the Arctic, the area around Yamal, an indigenous name meaning ''edge of the world,'' remains a refuge. An estimated 2,700 to 3,500 polar bears live in the Kara Sea region, along with the ring seals that form a crucial part of their diet.

Opening a gas export facility in such a harsh environment required overcoming both political obstacles—the US sanctions delayed financing—and staggering triumphs of industrial engineering by a workforce that reportedly reached 15,000 people. Dredgers scooped away 1.4 billion cubic feet of seabed to make room for the ships and built a giant LNG facility on supports driven into the permafrost, all in temperatures that can plunge to less than minus 50 degrees Fahrenheit.

The oil and gas industry poses serious threats, especially in an area like the Arctic that recovers slowly from damage, and in 2016 the Russian branch of the World Wildlife Fund issued a report warning of Yamal LNG's potential dangers. White toothed whales, a near-threatened species, breed in the vicinity of the facility, and the noise from shipping and the presence of more giant vessels ''may force toothed whales to leave this habitat, which is crucial for their living, feeding, and reproduction.''

The giant ''Yamalmax'' ice breaking tankers, longer than three football fields and designed to mow through ice up to six feet deep, are also ''extremely bad news for any ice-associated mammals that should be in the vicinity of their path,'' said Sue Wilson, who leads an international research group based at the University of Leeds in the United Kingdom. The group has recently published a paper in the journal Biological Conservation on the impact of icebreakers on seal mothers and pups in the Caspian Sea and is currently studying shipping impacts in the Arctic.

''The captain is unlikely to notice—or even be able to see—seals in the vessel's path ahead,'' she said. ''Even if the captain does notice, the fact that the ship is designed to proceed at a steady pace means that it is unlikely to attempt to stop for seals or maneuver around them, even if the ship can be slowed or stopped in time.''

Advocates also worry that increased Arctic production and shipping will hurt indigenous people; sever reindeer migration routes; import invasive species to an environment ill-equipped to deal with them; and introduce the very remote, but potentially cataclysmic, danger of an LNG explosion.

Finally, the gas pumped there will contribute to global climate change. In some parts of the world, especially China, LNG may provide climate benefits by displacing dirtier coal. If LNG displaces gas carried by pipeline, however, the math works out differently: Liquefied natural gas generally creates more emissions, since the process of cooling it to minus 260 degrees Fahrenheit and then shipping and regasifying it requires more energy than pumping natural gas through all but the longest and leakiest pipelines.

''The bottom line is that because of the nature of the liquefaction process, LNG is fairly carbon intensive,'' said Gavin Law, the head of gas, LNG, and carbon consulting for the energy consulting firm Wood Mackenzie. The exact difference depends on factors like how much pipelines leak, carbon impurities in the gas, age of equipment, and distance shipped, but generally LNG produces 5 to 10 percent more emissions over its whole life cycle from start to finish, he said.

From a planetary perspective, it doesn't matter where those emissions occur: Whether from the plant in Yamal, or the power plant in Everett, they have the same impact. The science should make the state's decisions straightforward.

''Natural gas has shown itself to be an important bridge to a clean energy future,'' said Ernest J. Moniz, the former secretary of energy in the Obama administration. ''For New England, expanding the pipeline capacity from the Marcellus''—the area of shale gas production in Pennsylvania—''makes the most sense.''

''Life cycle emissions for LNG imports to Boston certainly are higher than they would be for more Marcellus gas,'' he said.

But the upstream emissions typically don't show up on the books of states like Massachusetts, which judge the success of their climate efforts based only on how much greenhouse gas they emit within their own borders.

That's an accounting fiction. But it's a convenient one for lawmakers who've bowed to pressure to legislate based on what's visible inside the Commonwealth's own borders.

FROM MASHPEE TO SPRINGFIELD, Taunton to Sudbury, the message was clear: To fight climate change, the state shouldn't allow more fossil fuel pipelines or other infrastructure in Massachusetts.

That's what state senators Marc Pacheco and Jamie Eldridge, the heads of the state Senate's Committee on Global Warming and Climate Change, heard when they conducted a listening tour of the state—whose results they released on the same day the Russian gas was unloading in Everett—to help prepare a new energy bill.

The resulting legislation was introduced this Monday. It contained many fine ideas, including boosting the state's renewable energy requirements. But it also would raise obstacles to pipelines that would lock in the state's reliance on foreign gas, with its higher carbon footprint.

In an interview, Pacheco said ''Obviously any fossil fuel investments are problematic,'' no matter where they occur, but that ''we have no control over what happens in Russia or anywhere else in the world.'' Eldridge said, ''I think this bill takes a big step to preventing pipelines,'' and also expressed concern about the LNG the state imports instead. ''I think activists need to think about where a large amount of this gas is coming from, and that could be something the Legislature could take a look at'' in the future, he said.

Theirs isn't the first analysis to miss the larger picture.

In 2015, the Conservation Law Foundation, a prominent environmental advocacy group in Boston, released a report dismissing the need for new pipeline capacity in New England, and called on the region to rely on a ''winter-only LNG 'pipeline,' ''including imported gas, to meet its winter energy needs instead.

After the first shipload of Russian gas arrived, David Ismay, a lawyer with the group, stood by the recommendation and shrugged off the purchase of Russian gas from the Arctic as simply the nature of buying on the worldwide market. ''I think it's important to understand that LNG is a globally traded commodity,'' he said in an interview with the Globe.

The foundation, he said, hadn't compared the overall greenhouse gas emissions from LNG to pipeline gas from the Marcellus to determine which was worse for the climate, nor had it factored the impact on the Arctic of gas production into its policy recommendations.

But a state policy that doesn't ask any questions about its fuel until the day the tanker floats into the Harbor abdicates the state's responsibility to own up to all consequences of its energy use—and mitigate the ones that it can.

WHEN AN ICEBREAKER BEARS DOWN on a mother seal during the springtime breeding season, the terrified animal tries to scurry away with her pup. The two may leave a trail of urine and feces on the ice, telltale signs of their distress. Even if the animals survive the collision, the disruption may separate the mother and pup, leading to the pup's death.

Conscientious companies can minimize the cruel realities of global shipping—or conscientious governments can force them to. American law, for instance, requires ships to maintain a safe distance from seals and walruses in ice habitats. Wilson, the seal researcher, also suggested that icebreakers can change routes to avoid known seal habitats, especially during the breeding season, and carry trained observers onboard to advise vessel captains and record any adverse impact, particularly on mothers and young.

The Globe attempted to contact Sovcomflot, the Russian state-owned shipper in St. Petersburg that handled the first leg of the first shipment from Siberia to Everett, about what policies, if any, it employs to avoid killing seals and other wildlife, and whether it would halt LNG shipments during the spring as mother seals nurse their pups in the Arctic.

As of Monday night, it had not responded to e-mails.

The policy of Massachusetts, apparently, is to hope that the Russians are on top of it—and that the world beyond the state's borders manages the impacts of fossil fuel production and transportation that the Commonwealth buys and uses, but considers itself too pure to handle itself.

As of Monday night, the next shipment of Russian gas was anchored about 70 miles off Gloucester.

Mr. SULLIVAN. Again, these are far-left policies that are having a negative impact on actual environment and climate issues. This is the Boston Globe editorial page, not some rightwing editorial page, and they are writing about how the Massachusetts State legislature said: We are not going to have any pipelines coming across Massachusetts to be able to take gas from Pennsylvania and let people in Boston use it.

Here is the editorial page on Massachusetts' reliance on imported gas. So what happens? They are importing all of their gas from Russia in the Arctic. How does that help America? You have American gas from American pipelines that is produced by Americans, with the highest environmental standards, coming across Massachusetts to Boston.

No. The Massachusetts State legislature says: We are too good for that. We are not going to build pipelines.

So what do they do? They import all of their gas from Russia.

This is an editorial that says: This policy is insane, and that is, in essence, the definition of what we are seeing by the Biden administration, by John Kerry, and by the Massachusetts State legislature—all of these woke pronouncements that actually have the impact of degrading our environment, empowering dictators, laying off Americans, and raising the price of energy on our economy, small businesses, and working families.

So I am hopeful that today, in Boston, the President starts to get serious about American energy policy and that he starts to reverse his administration's focus on shutting down the production of American energy, on permitting pipelines and infrastructure, and on helping to finance energy projects and production. That is the reversal he could make and announce today. That would help the American people. It would help my constituents.

Unfortunately, I think that it is unlikely to happen. The people of our great Nation are going to continue to suffer, and the environment is going to continue to suffer because of these policies on energy that undermine American interests everywhere you look.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, thank you for the opportunity to address you and my colleagues here on the Senate floor this afternoon.

While Kansans are dealing, Americans are dealing every day with skyrocketing gas prices, record-high inflation, and supply chain shortages, President Biden traveled to Saudi Arabia to make a plea for greater oil production availability. What he should be doing is asking Americans and giving them the opportunity to unleash the potential of our own ability to supply oil. We have seen days and we enjoyed the days in which America was generally energy independent, and it would be a wonderful day to return to.

My State of Kansas is an energy-producing State, and we could help increase supply and cut costs at the pump, but instead President Biden chooses our foreign adversaries for assistance. Kansas ranks 11th in oil production and 14th in the production of natural gas. Kansas is also the ninth largest ethanol-producing State. That industry supports over 115,000 oil and gas jobs in Kansas.

Our producers and our refiners stand ready to meet the growing demand for American energy. But since the first day in office and really before assuming office, the President has sought to constrain the oil and gas sectors' access to capital. I don't know how many times in the Banking Committee we were dealing with this issue of whether or not a regulator could regulate financial institutions, with the goal of eliminating their ability to finance oil and gas production.

In addition to trying to limit access to capital, he blocked construction of pipelines and has proposed burdensome new regulations on oil and gas producers.

My guess is that this is done for the purposes of reducing the use of fossil fuels, the environment-climate agenda. But it is so hypocritical for us, as Americans, for President Biden to be asking others who produce oil to increase their production. If it is about the environment and about climate, you wouldn't ask anybody to increase their production. And I have no doubt that here in the United States, we do it right as far as refining oil and gas into other products in a way that is the most environmentally sound way of doing it compared to places like Venezuela, Libya, where the President also asked that they increase their production for the benefit of American consumers.

The thing to do for us to increase our energy production and reduce the price at the pump—and we talk about prices at the pump so easily. The cost of oil and natural gas has a consequence on things way beyond the price at the pump. It is not just about gasoline. Natural gas, for example, is used in the production of fertilizer for our farmers who struggle today, with the cost of production being astronomically higher than it was before, but almost every product that we buy that is more expensive today than it was previously has an oil and gas component to it.

The request by President Biden to reach out to our adversaries for oil on the world stage, appealing to our adversaries for increased production, not only singles out our weakness but is also unnecessary. The United States has the resources, the expertise, and the domestic demand to be an energy-independent nation, and Kansas has the opportunity to be a participant in that, with additional jobs and a better America.

We should see the impending energy crisis in Europe as a case study for why domestic energy production ought to be supported to the fullest extent in the United States. Additionally, our dependence upon energy from someplace else has huge consequences in our foreign relations, our military preparedness, and our national security.

A far more enduring solution than wandering around the world with a tin cup out—far more stable and affordable energy prices to fill our vehicles, power our homes, or to operate our farms—is for the President to support an all-out, ''all of the above'' domestic energy strategy. This includes investments in new and existing energy infrastructure like refineries; expanding oil, biofuels, and ethanol production; and new EV manufacturing—incidentally, although certainly not an incidental thing, like the $4 billion Panasonic EV manufacturing plant we announced last week

for Kansas. We ought to be interested, again, in solar and wind energy. Kansas is the third highest producer of wind energy, wind power, in the United States.

The Biden administration must—I asked them to shift course and promote an ''all of the above'' strategy that produces more U.S. energy from all sources. It benefits America; it benefits the world; and it especially benefits the consumers who are hurting so much at the grocery store and the gas pump and utility bills.

We need to weaken our reliance on foreign adversaries, and we need to increase the production of energy in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

UNANIMOUS CONSENT AGREEMENT

Ms. MURKOWSKI. Madam President, I ask unanimous consent that I be permitted to speak for up to 5 minutes and Senator DURBIN for up to 15 minutes prior to the scheduled vote.

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

Ms. MURKOWSKI. Madam President, I am happy to come to the floor today to join my colleague the Senator from Alaska, Mr. SULLIVAN, as well as my colleague from Kansas, to talk about where we are with this administration or where, unfortunately, we aren't when it comes to prioritizing American-made energy.

As has been noted here on the floor by my colleagues, the President has just returned from the Middle East. It wasn't for a sightseeing trip; it was really all about oil. He was talking about oil. Above all, the President made that trip to ask the leaders of several foreign nations, members of OPEC, to increase their production levels.

OK, we get it. Gasoline prices are way too high. We know that. We have hit national records in recent weeks. They are averaging right now about $5.32 a gallon in my State. That is actually down a little bit from where we were last month, but it is up over 50 percent from where we were last year.

As has been said repeatedly, and we don't need to say it here on the floor of the Senate, people are feeling it in their homes. They are feeling it in their pocketbooks. Families are. Businesses are. Whether you are in places like Anchorage or Fairbanks, your budgets are stretched thinner and thinner and thinner.

It is increasingly difficult for small tourist operations, whether you are trying to take people out on sightseeing trips in the air or on the water. Our fishing fleets have to fill up their fishing vessels. But especially, particularly, our outlying villages—these villages that are off the road system—that already faced high prices, now the prices are astronomical.

I met with some leaders from the Northwest Arctic Borough just a few days ago, and they shared with me that in many of their communities, the communities were paying about $5.25 on average. But these were prices that were locked in from last fall when the last fuel barge came into those northern waters and was able to make its way up the river systems. Now, with the first spring barge comes literally—literally—in 1 day going from $5.25 to over $8 a gallon. That is a lock-in price that they are going to be living with until that next barge.

Think about what that means when you are a community that is locked into these extraordinarily high prices. When that last fuel barge comes, you are going to have small villages that are going to be looking to see how much—not how much do we need to get through the winter but how much can we afford? They don't have much of a tax base. How much can we afford?

My theory is that they are only going to be able to buy as much as they can, and it is not going to be enough to get them through the winter. So halfway through the winter, in the darkest and coldest, when everything is locked in the ice, they are going to run out of fuel. And you have to be able to keep the heat on or everything breaks. So how do you get the fuel? You fly it in. Think about what those costs then become. So for us in Alaska, this is not only frightening, but it has the potential to just be catastrophic as we look at no end in sight for these prices.

I don't begrudge the President for meeting with world leaders. We expect him to do this. And I think it is a great idea to do what we can to increase supply to reduce prices. This is kind of the basics of supply and demand. I have championed this for years. Let's increase our supply. But the question is where that energy is going to come from. Where should we focus our time? Where should we focus our efforts? I think it just has to begin at home. It has to be here.

But apparently this administration has decided they are going to go elsewhere. They are going to seek oil from the Middle East. They are sending envoys to Venezuela. They are pushing for a weakened Iran deal, signaling that oil from the two worst regimes in the world could somehow come back online? This makes zero sense to me. It just makes no sense. Why would we do this? Why would we go abroad when we have the resources here? Why choose oil produced at low environmental standards, like my friend from Kansas just said? You are going to countries that have lower environmental standards and track records when it comes to human rights abuses, and we are just going to turn our eye to it? We are just going to close our eyes and say that is OK now? No, it is not OK.

Why? Why do we give fist bumps to leaders while sucker-punching the producers, the refiners, and the gas station owners in our own domestic industry? Unfortunately, that is what we are seeing. We are seeing that happen in my State. We have billions of barrels of oil in our Federal areas. We have a world-class pipeline that is one-quarter full and a general refusal from the administration to help us do much of anything about it.

We can talk about the 1002 area, the largest untapped conventional oilfield in North America, is what is projected, but you are not seeing this administration pushing forward with that even though we mandated—even though Congress mandated this in 2017. Not a chance. They are not moving forward with that. They have halted all development—illegally, I might add.

But also take the 5-year plan, the proposed 5-year plan. It is long overdue. Now we are learning that the administration may not hold a single offshore lease through 2028. They are proposing a single sale in Cook Inlet in Alaska after canceling the one that was just supposed to have been held, suggesting that they are OK, they are somehow OK with crimping the only source of natural gas for hundreds of thousands of Alaskans.

Again, this direction just makes no sense to me. We need a course correction from the Biden administration. Even as we are moving forward in so many other initiatives, we need to have a strategic plan that assures that our own energy security—our own energy security—is addressed and also helping to improve the energy security of our allies.

I believe that we can do this without taking our eye off the ball of what we need to do to reduce emissions to address the challenges that face us when it comes to climate. But we have to acknowledge that the world has changed. There is still, though, no substitute or equal for American energy. So what we need is for common sense to prevail over wishful thinking. We need resource development here at home in places like Alaska and Kansas. They need to be our first and our highest priority. The longer it takes for that to happen, the greater the price that Alaskans will be paying and all Americans will be paying.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

PRESCRIPTION DRUG COSTS

Mr. DURBIN. Madam President, I was on the floor 2 days ago when the Republican Senate leader came to the floor and said something which I still don't quite understand, and I would like to refer to it in a statement.

CLOTURE MOTION WITHDRAWN

Mr. DURBIN. Madam President, I ask unanimous consent to withdraw the cloture motion with respect to the Merle nomination.

The PRESIDING OFFICER. Is there objection?

Not hearing an objection, it is withdrawn.

The cloture motion, on the nomination of Natasha C. Merle, of New York, to be United States District Judge for the Eastern District of New York, was withdrawn.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that following the confirmation vote on the Williams nomination, the Senate vote on the confirmation of Executive Calendar No. 920, the nomination of Bernadette M. Meehan, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chile.

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

PRESCRIPTION DRUG COSTS

Mr. DURBIN. Madam President, now, back to my statement.

I came to the floor and heard a speech by the Republican leader, MITCH MCCONNELL of Kentucky. Now, it wasn't the first. I have heard many, and I listen closely so that I can divine the strategy of Senate Republicans. And for weeks we have heard speeches about the plight of American families dealing with inflation. It is a real problem. If you go to buy anything these days, you are shocked by the price, starting at the gas pump, if you have aspirations to buy a car or truck, ordinary food items—much more expensive. Most families are not seeing any increase in income so it is a real hardship for them to keep up.

Well, the Senator from Kentucky has given that speech so many times, I could almost repeat it verbatim. And I don't quarrel with his premise. Inflation is painful for working families.

But then—but then—he went into an area of pricing and took an exactly opposite point of view. What he said was he thought, if there was an effort to control the price of prescription drugs, it was ''socialist price control,'' it was really asking for something for nothing, and he didn't support it.

And I stopped to think for a second. Wait a minute. All the polling, when you ask American families what they worry about, tells you that this is a big headache for families. They go to a doctor. Somebody is sick. The doctor prescribes a drug. They take the prescription to the drug store. They get it filled. And then comes the moment of truth, the moment at the cash register when the family is told: Incidentally, that will cost you $100, $200, $300 over your insurance coverage.

And you know what some families say?

I wish I could afford that; I can't.

And they don't pick up the drug or they pick it up and, instead of taking it, they kind of wait and say: I will see if I get any better by myself. They do the wrong thing because of the cost of prescription drugs.

So when the Republican Senators come to the floor every day talking about family expenses, it comes as a shock to know that they are planning to oppose the Democratic effort to establish prescription drug pricing. They complain about high prices for everything else, but they don't seem to want to do anything when it comes to prescription drugs.

Americans pay the highest prices in the world for prescription drugs, an average of nearly four times as much paid by an American family for exactly the same drugs that are being sold in Canada and Europe. Where are those drugs made? All made in the same place, all made by the same company, four times the cost for America.

To add insult to injury, many of these prescription drugs only exist because of the successful investment by American taxpayers in the National Institutes of Health. The National Institutes of Health is an amazing research organization. They do the research, the basic research. The drug companies capitalize on it, make the drugs, and sell them at a profit. So taxpayers pay on the front end for the drugs. American taxpayers and tax-paying families pay on the back end for the actual cost of the pharmaceuticals.

Out-of-control prescription costs aren't just hurting people financially; they hurt the health of Americans. One in five Americans don't take the medications as prescribed because they can't afford them. They cut their pills in half or they skip doses because they can't do it; they can't pay it.

''Your money or your life''—you expect to hear that from a stickup artist, not from a pharmaceutical company. That is the choice Americans face.

So we want to do something about it. Democrats don't want to hear speeches about the costs to families. We want to do something. We want to bring down the cost of prescription drugs for seniors first and then for families in general.

If you really care about inflation, most families would say, start with prescription drugs. That is what we are doing. And the Republicans are going to oppose this.

Ironically, Senator MCCONNELL gives a speech calling it socialism to deal with the cost of prescription drugs, and, within an hour, the senior Senator from Iowa gives a speech on the floor of the Senate—Republican Senator—how he wants to cut prescription drug prices for seniors. One of them didn't get the message at the caucus. I think the Senator from Iowa is right, incidentally.

So Democrats are proposing to allow Medicare to negotiate fair prices for drugs. We have been doing that for a long time when it comes to the Veterans' Administration. The Veterans' Administration buys a lot of prescription drugs for our veterans—and I am glad they do—and they negotiate with these companies to get a fair price. We think Medicare ought to do the same thing. It reduces the cost of prescription drugs. It makes them more affordable for seniors.

Now, a lot of people say: Well, if you do that, then the prescription drug companies, the pharmaceutical companies, just aren't going to be able to make it.

Well, here is the reality. Studies have found that Big Pharma could lose $1 trillion in sales over the next decade and still remain the most profitable industry in America—lose $1 trillion in sales and still be the most profitable industry. Higher profit margins in pharma than in the telecom industry, than in the defense industry, in the banking industry, and the Republicans are saying they are afraid that they are going to get hurt if consumers can buy drugs at lower prices.

But good news for those who fear that if you cut the amount of money going to pharma, it will cut research. That is not what we have learned. We know Bayer. It has been around a long time. It started off as a German company. It made aspirin. Now they have made some sizable acquisitions in the business.

They make a drug called Xarelto. Now, you would have to watch that television ad 10 or 12 times to be able to spell ''Xarelto,'' but they are trying to convince American consumers they can't live without it. Bayer spent $18 billion on sales and marketing last year compared to $8 billion on research for drugs.

Johnson & Johnson: $22 billion on sales and marketing, $12 billion on research. GlaxoSmithKline: $15 billion on sales and marketing, $7 billion on research.

Get the pattern? There is more money being spent on advertising than on research for new drugs. Americans get bombarded with nine drug ads on TV every day telling them to ask their doctor for the newest wonder drug. There are only two nations on Earth where you can legally advertise prescription drugs on television. One, of course, is the United States. The other, for some reason, is New Zealand. Filling the airwaves with ads is what Big Pharma does to try to convince customers they can't live without their drugs.

So the claim that allowing Medicare to negotiate a reasonable price for seniors will freeze out Big Pharma' s innovation just doesn't wash.

Senator MCCONNELL says there is no ''free lunch'' when it comes to prescription drug pricing. Let's keep in mind that the 14 largest drug corporations spent more on stock buybacks—lining the pockets of their CEOs—than on research and development over the past 5 years.

So here is what it comes down to. Look at these, just as an illustration. I will do this quickly because Members are showing up to vote. Insulin, discovered by Canadian researchers at the beginning of the 20th century—they surrendered the patent for the drug for a dollar so that it would never be overcharged to consumers because it is a life-or-death drug for those suffering from diabetes.

Take a look, from the year 2004 to the year 2022, at what has happened to the drug insulin cost—insulin cost—on a regular basis, the manufacturing price by year. You can see it tracks all the companies that make insulin. It is

as high as $300 a dose, and a person suffering from diabetes may need three doses a month—$900 for insulin.

Well, let's take a comparative cost and take a look at what insulin costs in other countries. The United States, while it is paying $98 for a dose of insulin—look—Japan is paying $14; Canada, $12; Germany, $11; France, $9; UK, $7; Australia, $6, $7. And the good news is these are the same companies, the American companies, charging a fraction of the cost to the other countries for insulin. This is one of the drugs which we are working on now, Senator SHAHEEN and others, to bring down the cost.

I am going to close by saying this. If you care about the costs that families face, if you care about inflation, and you care about life-or-death medications, and you want to make them affordable, don't take the position of Senator MCCONNELL that this is socialism to demand negotiation in pricing. Don't take his position that it is just a free lunch to say that people will never have to pay more than $2,000 a year out of pocket for drugs. This is a life-or-death decision. Even 70 percent of Republicans agree with that.

I wish the Senate Republicans would agree with it and join us in supporting this bill.

NOMINATION OF GREGORY BRIAN WILLIAMS

Mr. DURBIN. Madam President, today, the Senate will continue its vital work of confirming highly qualified judicial nominees to the Federal bench. We will vote on an outstanding district court nominee: Gregory Williams to the District of Delaware.

Mr. Williams is currently a partner at the firm Fox Rothschild LLP, where he has an extensive trial practice that focuses on intellectual property and other matters. Mr. Williams joined the firm immediately after law school, rising through the ranks to become the first African-American equity partner in the firm's history.

In addition to his work in private practice, Mr. Williams has dedicated countless hours to serving the Delaware legal and judicial communities. He has worked as a Special Master in complex civil cases for the District of Delaware; as president of the Delaware State Bar Association; and as chair of the State's judicial nominating commission. A graduate of Millersville University of Pennsylvania and Villanova University School of Law, Mr. Williams received a unanimous ''well qualified'' rating from the American Bar Association and has the strong support of Delaware's Senators, Mr. CARPER and Mr. COONS. With his depth of experience and impeccable credentials, Mr. Williams will serve Delaware with distinction.

I urge my colleagues to join me in supporting this outstanding nominees.

I yield the floor.

VOTE ON WILLIAMS NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

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

Mr. DURBIN. 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 Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

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

The result was announced—yeas 52, nays 43, as follows:

[Rollcall Vote No. 263 Ex.]

YEAS—52

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

NAYS—43

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

NOT VOTING—5

Kennedy	Markey	Whitehouse
Leahy	Warren	

The nomination was confirmed.

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

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Bernadette M. Meehan, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chile.

VOTE ON MEEHAN NOMINATION

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

Ms. HASSAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 264 Ex.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

Kennedy	Markey	Whitehouse
Leahy	Warren	

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Florida.

UNANIMOUS CONSENT REQUESTS—S. 3086 AND S. 4571

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 3086 and the Senate

proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. SCHATZ. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4571, which is at the desk; further, 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. Is there objection?

Mr. SCHATZ. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. SCOTT of Florida. Mr. President.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Across the country, American families are fighting harder every week to make ends meet as they deal with President Biden's raging inflation crisis. Food prices are up. Gas prices remain at unbearably high levels, and too many families are having to make the impossible decision of whether to put gas in the tank or food on the table. It is so tough to be a family in that position.

I know all too well how this feels and the impacts these high prices have on families. I grew up in a poor family, with a mom who worked long hours at her job and also picked up odd jobs just so our family could get by. We never had any extra money, so when prices went up, we had to go without.

Families all across the country are in that same spot. People who have never visited food banks are having to turn to them to feed their families. Folks are being forced to pawn their things just to afford gas. It is heartbreaking and makes me furious. Reports are showing it is happening across America—in Reno, NV; Macon, GA; Yakima, WA; and the cities in my home State of Florida, like Pensacola and Fort Myers. These people have to turn to their local pawn shops as they see their monthly bills grow higher and higher. When President Biden said that we are going through ''an incredible transition,'' is this what he meant—Mom and Dad having to sell Bobby's PlayStation and Suzy's doll collection just so they can afford to take them to school?

Since day 1, President Biden has led a campaign against energy independence. The White House, EPA, the Department of the Interior, and the Department of Energy have done everything in their power to make life more expensive for American families. They have implemented one policy after another to raise the price of gas and make life tougher and tougher for hard-working families.

The American people deserve transparency into Biden's Green New Deal agenda and ought to know why these prices keep going up. That is why I introduced the GAS PRICE Act last October. Even then, far before the horrible war in Ukraine began, gas prices were surging higher.

My bill is pretty simple. It would require the Energy Information Administration to report to Congress on any Federal Agency policies or regulations that it determines will cause energy prices to rise. All it does is ask a Federal Agency to provide information to Congress with a statement of facts on what is causing rising energy prices. Then we can take this information, see what needs to be fixed, and help the American people.

I want to thank Senators MARSHALL, LUMMIS, CAPITO, JOHNSON, MORAN, BLACKBURN, and KENNEDY for cosponsoring this legislation. I also want to thank Senator SULLIVAN and Senator LEE for joining me here on the floor today to talk about the energy inflation Joe Biden is imposing on Americans.

Considering that we, as Senators, are trusted by the people of our States to enact policies that improve their lives, I cannot imagine why anyone would oppose this legislation. Sadly, when I came to the Senate floor last year to pass this bill, Senate Democrats opposed it.

At that time, I noted that the national average cost was $3.36 per gallon. Sounds like a bargain today. Since then, the price of gas has risen dramatically. The average has increased to $4.46. In 15 of the 17 months Joe Biden has been in office, the price of gas has risen.

When I introduced my bill in October, President Biden said he didn't ''have a near-term answer'' for reducing gas prices. Well, clearly not—his answer was to raise prices and continue his radical Green New Deal agenda.

Senate Republicans, meanwhile, do have a plan and have offered solutions. I have introduced the FREE American Energy Act to expedite the Federal Agencies' review process of applications for permits, waivers, licenses, or other authorizations related to energy production. But we can take a simple first step today by giving ourselves more information on rising energy prices and pass my GAS Price Act.

For the sake of American families, we need to figure out what the heck is going on. So while my colleagues on the other side of the aisle blocked my bill from passing last year, my hope was that, as they have watched their constituents suffer for months now under Biden's leadership, they would have a change of heart. Sadly, that is not what happened today. It is an absolute shame what has happened in this Chamber.

I came here with my Republican colleagues to promote and pass legislation that would improve the lives of American people and make America less dependent on foreign oil. We came here asking for answers into Biden's Green New Deal agenda. We are here responding to the pain American families are facing at the gas pump and trying to solve problems.

Senate Democrats, meanwhile, have come here to obstruct and blame shift. They didn't come here to solve problems. They didn't come here with a different proposal that would alleviate gas prices and ensure long-term energy independence and sustainability. They came here to make the problem worse. They want to emulate the policies of Germany and California, where rolling blackouts and energy rations are a looming threat and where gas has spent most of this year at over $6 per gallon.

This is not the way forward. The Senate need leaders who are going to come in and put Americans first. I am grateful for colleagues like Senator SULLIVAN and Senator LEE, who are here to do that. But I hope the American people have been watching what has happened today and see who it is who really cares about the problems they are facing.

I yield the floor to my colleague from Utah.

Mr. LEE. Thank you to the Senator from Florida.

Mr. President, President Biden has wasted no time—no time at all—in embarking on his crusade to hamstring American energy production.

On day 1 of his Presidency, President Biden halted all new oil and gas lease sales on Federal land. Now Americans are paying the price. Across the Nation, people struggle to fill their gas tanks, as prices climb to over $5 a gallon, but there is apparently no need to worry. According to the President, Americans' pain at the pump is merely part of an energy ''transition,'' as he puts it.

It is important to note here that this transition is a transition away from affordable, reliable fossil fuels.

It is not that high gas prices are a problem to be fixed but, rather, high gas prices somehow are the solution. They are what will facilitate this transition. The President is getting the results that he wants. This is a feature, the ultimate feature. It is the end goal, not a bug in his plan.

Despite this being part of the plan and, in fact, his objective, it didn't take long for the President to realize how unpopular high gasoline prices really are. Now he is trying to take credit for even a slight reduction in gasoline prices. First, by no means is this reduction sufficient. Second, we can't attribute that reduction to the President's policies.

To be clear, placing a moratorium on the sale of oil and gas leases on Federal land is outside the President's authority. If the President actually possessed that authority, he wouldn't have attempted to portray this as a temporary pause. It is clear that this is a thinly veiled attempt to enact the most radical climate policies our country has

ever seen—policies that have never been enacted by Congress and policies that Congress would not enact.

Our suspicions were confirmed when Gina McCarthy, the President's climate adviser, said during an interview:

President Biden remains absolutely committed to not moving forward with additional drilling on public lands.

So much for a temporary moratorium.

Confused as to whether Ms. McCarthy's statement represented the administration's policy, I asked Interior Secretary Deb Haaland whether it was indeed the administration's intention to indefinitely pause the sale of all Federal oil and gas leases. She responded: ''I don't know.''

''I don't know'' is not an acceptable answer to the Utah communities who rely on those oil and gas leases. ''I don't know'' is not an acceptable answer to Americans paying over $5 a gallon for gas. ''I don't know'' isn't an answer to the Americans who have found every aspect of their lives rendered unaffordable by this administration's policies, and now this only adds insult to injury.

The American people simply cannot endure President Biden's clear-as-mud policies any longer. I have introduced legislation to reaffirm that under the Mineral Leasing Act, the President of the United States absolutely does not have the authority to hold the country's domestic energy production hostage. Their continued efforts are coming at the expense of struggling families.

The Biden administration is fighting in court for Presidential authority to enact sweeping changes to American energy policy on a whim. While I believe the courts will arrive at the same conclusion, we can act now to ensure citizens and companies receive the certainty they deserve.

We could end this crusade today if we enacted this legislation and get to work securing American energy independence for generations to come. It is for that reason that I was disappointed when my friend and colleague on the other side of the aisle came and objected to passing this by unanimous consent today. It does, in fact, state what the law already provides anyway. It shouldn't hurt us to make it obvious. Yet he objected even though this policy is harming the American people.

It is disappointing that it had to end this way today, but this is not over. No, we will be back. We will be back as often and for as long as it takes in order to give the American people the relief that they need and that they definitely deserve.

Now I yield the time to my friend and colleague, the Senator from Alaska.

Mr. SULLIVAN. Thank you to my friends from the great State of Utah and the great State of Florida, Senator SCOTT and Senator LEE.

Mr. President, I want to explain to any American who is watching just what happened here because, to be honest, it is kind of shocking what just took place.

Senator SCOTT came down to the floor. He had a bill, S. 3086. Normally when you have a bill that is considered pretty noncontroversial, you can come down and do what is called a unanimous consent, which is you ask the Senate: Do you want to pass the bill? And if anyone objects, they actually have to come down and object in the Senate Chamber.

So what does S. 3086 bill do? Here is the language: ''to require the Energy Information Administration to submit to Congress and make publicly available an annual report on Federal Agency policies and regulations and Executive orders that have increased or may increase energy prices in the United States.'' That is it. That is it. That is the bill. It is one page—less than one page. It is two paragraphs.

All we were doing was asking, why are energy prices in America going through the roof, and is the Federal Government contributing to that through its actions and regulations? It is a really important question. Why is it an important question? It is an important question because when you get out of this bubble in DC and you go home—like I was just home in Alaska last weekend—energy costs and inflation are the No. 1 issue hurting American families—the No. 1 issue. So shouldn't we in the Senate want to know why it is happening?

Now, look, what else happened here—a little bit of inside baseball in the Senate—when a Senator comes down and objects to a UC, usually he gives a strong reason why—strong: Here is my reason why this bill is bad for the country, and I am going to object.

You may have seen my colleague object and say ''I am getting the heck out of here; I am not going to explain this'' because there is no reason to object to this—none. So he objected and left. He didn't try to defend objecting to this, because every American wants to know.

It is the biggest issue back home, but here is another reason we need the bill: because this President has come up with excuse after excuse after excuse on why energy costs since he got into office have gone through the roof. Let me give you a couple of examples.

He first said: Well, we are emerging from the pandemic, and the supply chain couldn't keep up with demand.

All right, if that is really true, let the Energy Information Administration—of the Biden administration, by the way—see if that is one of the reasons.

OK. Then he said: Well, shoot, the pandemic is kind of over so it is Putin's invasion of Ukraine that is driving the increase in energy prices. Putin's unprovoked, brutal war—which it is unprovoked and brutal—has led to higher energy prices.

And President Biden then started to say it is Putin's price hike. No one is buying that one either because energy prices were spiking way before the brutal invasion of Ukraine.

So then the President started saying: Well, it is COVID and Putin. OK. Then he started blaming the oil companies. Then he started to say: Well, we have all these amazing permits that we want the oil companies drilling on, but they are not using them.

So we need Senator SCOTT's legislation because the Biden administration, the President himself, has put out all these ideas on why Americans are getting crushed by inflation and high costs at the pump. Yet the one thing the President hasn't done, has never talked about, is he hasn't looked internally and said: Hmm, maybe it is my own administration's policies that are driving up energy costs. Maybe. By the way, it is not maybe; it is certainly. And my colleagues have talked about this. Heck, I talked about this earlier today. I talk about it every day because it is crushing my home State and my constituents.

But what we want the Energy Information Administration to look at is possibly these reasons: Day 1, this administration came in and said: We are going to limit production of American energy.

Anyone who went to econ 101 in college knows that when you start to limit supply, prices go up. Well, that is a culprit.

No. 2, from day 1, they said: We are going to shut down, kill, and delay moving energy through infrastructure—pipelines, LNG terminals. They are doing that all the time. So that is a policy, those are Executive orders limiting the ability to move energy. That sends up costs.

No. 3 is that they have actively gone to the American financial sector—the Biden administration—and told them not to invest in American energy, choking off capital. That increases prices.

So Senator SCOTT's bill would simply ask the experts in the Federal Government, the Energy Information Administration, to just take a look: What is driving up the cost of American energy? What is crushing middle-class working families?

And the reason my colleague objected and then ran off the floor without saying anything is because everybody here knows what the answer is going to be: Joe Biden has done this. It is his policies that are driving up energy costs.

And here is the thing that Senator LEE touched on, and this is the thing that should scare everybody. It is likely purposeful. Pain is the point. They are all talking about this wonderful, glorious transition. Gina McCarthy talks about: Hey, if the prices go up, it will accelerate the transition to renewables. They don't give a damn about the people who are suffering. It is all this green utopia stuff.

All we are asking for is what is driving up the cost of energy on the backs of working-class Americans? That is it. A two-paragraph bill, and my colleagues came and objected to it. And

every American should know this. They don't want you to know what we all know, which is this: The pain at the pump is the purposeful policies of the Biden administration, and the American people are paying for it.

We want the Federal Government to look into the details of this, and the Democrats were just now objecting to that transparent information request. And, in my view, it is shameful.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

(The remarks of Mr. MANCHIN and Ms. COLLINS pertaining to the introduction of S. 4573 and S. 4574 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Madam President, if this body were to look at the tests and the homework, the quizzes, and the essays of the Department of Homeland Security and give them a grade based on their performance for the last year and a half, what would the grade be?

DHS says they have six missions, and they detail out those missions. One of those missions reads: Secure U.S. borders and approaches. Then they give this little piece behind it to describe that.

The Department of Homeland Security secures the Nation's air, land, and sea borders to prevent illegal activity while facilitating lawful travel and trade. What would their grade be on that? And is anyone going to hold them to account for their grade or is this body going to continue to just ignore what is happening on the southern border?

It is the role, it is the task, it is the responsibility of the Department of Homeland Security to help secure our Nation, but this Department is currently facilitating illegal immigration, not stopping illegal immigration.

I wish I was wrong on that, but I am not. In fact, as recent as the last 2 weeks, I met with DHS leadership who described to me the new method they have laid out so you can apply for asylum, come to the United States and come to any airport in the country. So you wouldn't have to come through the southern border; you would just come in. But it would be the same process as what is happening on the southern border where people from 150 countries just this year have crossed our border. They have been checked in by Border Patrol, who know full well they are not legally present here. Then they are released into the country and given 8 years until their hearing—8 years.

Instead of responding to be able to slow down the more than 2 million people who have illegally crossed in just the last year, this administration is actually working to say it is actually not enough people. They are increasing the access points to increase the number of people rather than decrease.

The administration was proud to be able to say in May and in June that the numbers went down slightly from what they were in the previous months. The problem with that is, the previous month was a record, and so was the month before that. If you look at just the June number that, yes, was slightly down from May, it is still the highest June ever recorded by the administration.

We are being overwhelmed with the number of people coming in illegally across our border. The administration is currently releasing people, and their sole focus seems to be on making illegal immigration more efficient rather than more enforced.

What grade would you give DHS? A more specific question: Mr. President, do you want to stop illegal immigration? Because I don't think you do. And I think it is clear that the policies you put in place are directly leading to this record influx of illegal immigration from all over the world.

I wish you could even say: Well, at least we vetted them, but I know that is not true, and so do you. Not a single one of these people entering the country has their criminal background check from the country they are from. We are doing a quick fingerprint analysis to see if they have committed a crime here, but we have no idea of the 150 countries-plus that they are coming from because right now the goal is not to check their criminal history; it is to get them released in the country within 8 hours. Keep it moving. Keep it moving. You don't want to have a clog up at the border. When they cross the border, the goal is to just keep them moving into the country.

Last weekend, I spent the weekend again at our southern border. Serving on the Homeland Security Committee, I spend a lot of time back and forth across that border to be able to evaluate what is happening now because it changes from week to week.

I was in the Rio Grande Valley last weekend spending time with CBP, the Border Patrol, individuals from Air and Marine Operations, from the Department of DPS in Texas, from the National Guard. All of them expressed incredible frustration.

When I got there last Thursday night late, we went on a midnight patrol with Border Patrol. Literally within minutes, we ran through our first group of folks coming across the border, a group of teenagers. Minutes later, literally while that group was being processed, another group was interdicted coming across the border not far away. This time it was 6- and 7-year-old children and a couple of families. While we watched them being processed, they called us on the radio and said that about 2 miles down, they just picked up another group. This time, it was adults, including one pregnant lady who was deep into her eighth month coming across the border to make sure she delivered here in the United States.

One hundred fifty-plus countries just this year are crossing the border because it is open.

I hear the Secretary of DHS say they have secured the border. As I just came from the border, I wonder when the President of the United States is going to actually go to the border to be able to see what is actually happening on the border and the policies they put in place, because so far the President has been able to make it to Saudi Arabia but has not been able to make it to our own southern border to even look once at what is happening on our southern border.

If he goes—someday, I hope—I hope he meets with Border Patrol because the Border Patrol agents I talk to tell me about a time when the border was secure. They tell me about a time not long ago that we added forcible borders and where the policy wasn't to release within hours and the enforcement priority wasn't to get them moving as fast as possible; it was to actually secure the border.

You could meet with the landowners, like I did last weekend, who live in that area. Some of them have lived there for generations, and they are absolutely furious because although they have lived there—and their family—for generations, they have never ever experienced this.

They tell me about how, when they were children, they used to play in this area, and now literally they will not walk out their own door without a firearm on their hip. They told me about multiple vehicles being stolen from their property, windows being smashed at all hours of the day and night, and people walking up to their windows and peering inside.

One rancher told me about his wife, who is pregnant, and his child, who is 2—how they literally fear for their lives every day because of the number of people who are coming across their property and for him personally, the number of dead bodies that they found on their property just this year. This wasn't happening before.

They had a very simple request. Their simple request was: I am an American. Why does my property not count? Why do my rights not count?

The only rights that seem to count are people who are illegally crossing the border. Their rights seem to count, but the rights of Americans do not.

Mr. President, would you be willing to answer his question? Would you be willing to talk to his wife and explain to her why there are bodies on their ranch and people are peering in their windows at all hours and they can't live in safety on their own ranch? That was different just 3 years ago. Would you be willing to explain to them what has changed in your policies, because the goal of this administration seems to be efficient movement of illegal immigration, not stopping illegal immigration.

I met this Monday with leadership from the Oklahoma Bureau of Narcotics, who explained to me about the

overwhelming amount of methamphetamine that is coming into my State and the number of people who are dying in my State because much of the meth is laced with fentanyl, and it is killing people in my State.

I asked them if the meth is being cooked in Oklahoma, as it used to be, and they said: No, we hardly ever find a lab making meth anymore. It is all coming from Mexico—all of it.

Mexican cartels are actively working in my State to distribute methamphetamine, partnering with Chinese groups who are doing not only the supplies but the distribution network in my State.

When I was in the Rio Grande Valley this weekend, individuals with Customs and Border Protection showed me the numbers. Just this year, just in the Rio Grande Valley, 144 pounds of fentanyl has come in and 27,550 pounds of meth that they have interdicted just in the Rio Grande Valley just this year. Let me run that past you again: 27,550 pounds just in that one area, just this year.

Oklahoma Bureau of Narcotics has explained to me that if you go back to 2020, we didn't have the drugs moving this way because the border was not open at that time. Now the drugs are flooding into our State because the border is open.

What grade would you give the Department of Homeland Security when they are allowing our country to be flooded with drugs, when they are choosing to make illegal immigration more efficient rather than stopping illegal immigration? What grade would you give them?

When is this going to change?

I have to tell you, I believe one of the main roles of the Department of Homeland Security is to be able to shut down transnational criminal organizations from functioning inside my State, but instead, just in the Rio Grande Valley, when I talked to them this week, just in that one sector, they estimate that the cartels make $153 million a week—$153 million a week just in that area of the Rio Grande Valley, moving people across the border illegally, because each of them has to pay the cartels. In fact, we saw the wristbands that they all wear. Once they pay the cartels, they are marked that they can actually be moved across the border; they paid their amount.

That is $153 million a week the Biden administration is facilitating in payment to transnational criminal organizations just moving people, based on a liberal policy of ''We are going to open the border up to be nice.'' That policy is facilitating the cartels in Mexico being enriched. They make more a week—a week—in moving people than is the budget for Border Patrol in a year in that area. That is all being facilitated based on this administration making it easier to cross the border and more efficient to cross the border than stopping it.

I am tired of hearing about the number of people who illegally cross the border. And many in this body just ignore it. I am tired of hearing from the FBI in my State that the price of methamphetamine is going down in my State. It seems like the price of gasoline has soared, the price of food has soared, the price of housing has soared, but the price of meth is going down. Why would that be? Because the supply of meth is going up because it is coming from the cartels in Mexico, and this administration is just looking the other way.

When is this administration going to talk to the landowners in South Texas like I did and hear from them the threats that they face? They are American citizens. When does their life matter?

It is time we address this issue. It is time we actually step up and say that DHS is failing in its most basic task of securing the Nation.

It is time we stopped the illegal drugs coming into our country and killing our kids. It is time. And I am going to continue to come to this floor and to show what the media will not show anymore. They have looked away, and my Democratic colleagues have done the same. They just look away like it doesn't exist, while 2 million people illegally cross the border.

One more stat: Right now, we have somewhere between 4,500 and 8,000 people a day illegally crossing the border—between 4,500 and 8,000 a day illegally crossing the border. May I remind you, President Biden, years ago, called it a humanitarian crisis when 2,000 people a day crossed the border. Now we have between 4,500 and 8,000 a day, day after day after day.

This administration is not only opening up the borders, they have also changed the enforcement priorities here in the United States. So we have round numbers—6,000 people a day illegally entering the country. The Biden administration has changed the role for ICE in deportations. We are currently allowing 6,000 people a day to cross the border, but we are only deporting 161 people a day from the country.

Six thousand a day, every day, day after day after day, illegally coming into the country; 161 people now that we are deporting a day. What would be your grade for DHS in their task of securing the country?

I know what mine is. It is time this body actually does something rather than just look away.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

BUDGET RESOLUTION

Mr. BRAUN. Madam President, I come to the floor this evening—I have been talking about this subject for nearly the 3½ years I have been a Senator. And I will tell you why I think it is important.

We have grown the Federal Government to a level where all the people who look to it, where they are dependent upon it, try to work with it, need to know honestly where this all ends up if we do not change the trajectory.

I think the easiest way to understand how we have gotten to where we are now is to look to what we used to do in the past.

The country was never founded upon the principles that you borrow money to consume it. Any household, any local or State government knows you can't be successful doing that.

Money should only be borrowed if you are going to invest it or get a tangible return on it; even maybe an intangible one, when you look at investing in education or something like that.

But there has been no system that has ever worked that ends up borrowing money from the future, from its kids and grandkids, to where that is a good business plan. You get immediately derailed in the real world. Imagine in a household, if you take in money and you spend 20 percent more than whatever that is, you will go to a financial counselor. They may get you out of trouble. You keep doing it, you end up in bankruptcy court.

Businesses have the rigor of competition in addition to earning revenues, balancing their own budgets, and being able to invest into the future.

If you follow principles that work everywhere else, it can work here, too, and we owe it to the American public. Like I said earlier, so many look to this place to be their partner in some fashion, and it ought to be one that is going to be there in the future.

Let's look where we have come.

From the founding of the country, we raise revenues, generally, on the basis of need. You would go into debt; you would pay it off.

If you look at 1920, World War I—it is way over here—you borrowed money, defend the country, save others, and you paid it off.

Look what happened during the Great Depression, World War II. That is the deepest we have ever been in debt until we just eclipsed it recently. That is generally measured by how much debt you have as a percentage of your GDP—Great Depression; World War II.

Look where we went after that.

We were savers. We were investors then. We weren't consumers and spenders by nature, and we especially didn't do it through the Federal Government. We kept our debt in check. Even through the great recession, which occurred 2008, 2009, you were starting to see problems crop up. That happened when we put two wars on a credit card.

Like the other side of the aisle said: Well, if you are going to do that, there are a lot of needs in our own country, and certainly there are, from healthcare, education, across the spectrum—Social Security, Medicare.

Look what has happened since then. We have gone from being in relatively good shape pre-Gulf war, Afghanistan. We borrowed that money and then ran into the great recession and spent what

seems like very little compared to how significant that was—$800 to $900 billion.

And from that time to the present, I think we just said: We are borrowing money, and we might as well do more. And then you start doing it for things that don't make sense.

I got here 3½ years ago, 18 trillion in debt. We were just approaching the percentage coming out of World War II. Here. We have now passed that and doubling down and going way beyond that.

We are now, here, after the pandemic, where we spent close to $4 trillion in 2020—a lot of it out of uncertainty. We didn't know much about it. We should have treated that with respect. We now know a lot about it, and we probably didn't need to shut the economy down, which cost us a lot, but we are through it. We certainly shouldn't have doubled down and spent another 3 trillion in 2021.

I am not going to go over—you hear it on the news, you see it. We have got inflation embedded in the economy currently. The last time this occurred, back in the late seventies and the early eighties, when inflation peaked around 10 or 11 percent, it took 5 years to get it back to 2 percent, where we were pre-COVID. We can expect probably something similar. We don't know.

The big difference between now and then is we have got a lot more debt, especially in government, so it is going to be trickier.

So how do we get out of it?

Well, unless we turn the tide, unless we start doing things differently, Medicare, which isn't even being addressed here, has completely depleted its trust fund in about 4½ or 5 years—automatic benefit cuts when that occurs.

Social Security, which has been around since the Depression paying into it, that is depleted in about 10 years.

Those are two large trust funds that will have no balance in them, and then you would have to borrow even more money to pay the benefits.

Let's show a comparison of where we stack up now with other major economies.

Look at that. We have known for a long time Japan, which is the third largest economy, has struggled to figure out how it is going to grow, how it is going to do for future generations what it has done since World War II. It has taken debt to where it is a stranglehold on its economy. Its debt is 237 percent of its GDP.

Now look who is in second place, and this isn't something you want to be in second place on—United States. Our debt currently is 107 percent of our GDP.

India, Germany, China—China, our main geopolitical competitor, under half of the sovereign debt as a percentage of its GDP. That is not a good place to be. They are our geopolitical competitor, and I sense they know that you need to be savers and investors if you are going to be successful in the future, if you are going to give your people what they are going to need out of a government.

Financially, we are going to be up against them, and they, to me, look like they are doing a lot of things that someday pivot to where we are caught by surprise, and then you don't have the options. We start increasing to be more indebted than what we are, it will be even harder to compete with somebody like them.

We now have a 9.1-percent inflation rate. That is a pay cut for everyone. We now know, I think, what caused it. We need to just quit digging the hole deeper. Let's get out of it. Let's go back to what we know was working, at least financially, pre-COVID. We had no inflation, nominal that is built into what is considered zero inflation, wages rising in the toughest places, and a growth rate that was better than what we had before, close to 3 percent.

We need to start spending less through government, return the productive capacity back to the private sector, and then look at—once we get the ship righted here—what we do better policywise. I am a believer. We need to fix healthcare; it is a broken system. It drives our structural deficits more than anything. Medicare each year—like Warren Buffett says, healthcare in general is a tapeworm on the economy.

What I want to do is face reality. Regardless of the tax rate, over 50 years, we average about 17½ percent of our GDP in Federal Government revenues. If that is all you can get, regardless if you have high tax rates that gives you a lower economic growth or lower tax rates that maybe gives you a percent or more in economic growth, we need to acknowledge it.

My plan does two simple things: acknowledges what our revenue has been over 50 years—17½ percent of our GDP—tapers what we spend into it, takes what we have done here as a maneuver to escape budgeting and appropriating by putting spending on mandatory versus discretionary, which is nothing other than saying: I don't want to budget. I don't want to allocate resources. We are just going to do more each year.

If we keep doing it, we are not going to be able to fund the programs that we all consider important.

So it acknowledges a reasonable revenue level. It moves 375 billion that used to be discretionary that is now mandatory back to discretionary. And then it is going to be up to all of us, as stewards of the Federal Government, to see how we are going to make the right decisions to take that amount and get it down to where we cut it out of the budget.

That would put us, in 10 years, in primary balance, meaning that the only thing that contributes to our deficit is our interest. It would clearly show, too, how the big drivers of our current deficit—Medicare, Social Security, Medicaid, other mandatory spending features—are driving it.

And, yes, if we want to get to a real balanced budget that covers your interest, you would have to actually find ways to do the same things with less money.

Defense is always a topic on my side of the aisle. This spends on defense—arguably the most important thing we need to do as a Federal Government. I think there is a lot of bipartisan interest in defending our country and financing it accordingly. This spends on defense above the CBO line and gets its numbers from the Senate Armed Services Committee, plugs it in.

It is going to be more robust there than what the CBO has by a little bit because I am a believer that what has driven this issue over the long run is what I call the unholy alliance. Folks on my side, whatever it takes, will spend it on defense. I said it is the most important thing we do. Medicare, Social Security, Medicaid—those are important too. They are going broke over time. So we need to work on all of that to rein it in. But defense, the most important thing, is going to be at a level that keeps us secure.

If we don't exercise fiscal restraint, if we don't make the tough decisions that everybody does in running their own budgets, whether it is in a business, a local or State government or even a household, it is going to be a hard landing someday that none of us will like.

A lot of what is about running anything successfully is having a good plan. I don't think our plan makes sense for the future.

But the other component—and I will never forget the first budget meeting I was in here. One of the Senators said: Mike, the reason this keeps coming back and back is we do not have political will.

And whether it is political will that you need to make things work here, whether it is determination, whatever you want to call it—it is the marketplace when you run a business, it is a balanced budget amendment in statute when you have got a State government—there has got to be more discipline.

Let's put that last chart up here.

And I want to re-emphasize, because I got some on my side that think we are not being robust enough on defense. We just looked at that chart where it is the most robust. But I want to go back to this one again. This one says it all. Look at where we have come from where the ''greatest generation'' left us. Remember, they paid off the debt from World War II and built the Interstate Highway System—to where we are now in literally 40 years.

That is shameful.

All I am saying is, my budget makes it to where we have got 10 years. We don't even have to cover the interest, but we need to bring it back into what is called primary balance.

I would hope we have some friends on the other side of the aisle that see that this makes sense, because we will need it for their priorities. All I can tell you

is, if we have to remediate this by running the system into the ditch, it will be a lot harder of a proposition to get it back to where it was when the greatest generation left us in good shape.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF BUSINESS

Mr. CARPER. Madam President, I ask unanimous consent that at a time to be determined by the majority leader following consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 399, H.R. 7776; that the Carper-Capito-Cardin-Cramer substitute No. 5140 be considered and agreed to; that there be up to 1 hour of debate, equally divided in the usual form, that upon the use or yielding back of time, if a budget point of order is made, the Senate vote on the motion to waive; and that if the point of order is waived, the bill, as amended, be considered read a third time and the Senate vote on passage of the bill with 60 affirmative votes required for passage; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CARPER. Madam President, I might just add: What is all this about? It is about the Water Resources Development Act. We are trying to move it along and expedite it. I want to thank everybody. Senator CAPITO I notice is on the floor, but Senator CARDIN is here and Senator CRAMER as well. Many thanks to all of them and to the leadership on both sides of the aisle. It is important legislation. We are happy to get it moving.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2023 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2024 THROUGH 2032—Motion To Proceed

Mr. BRAUN. I move to proceed to Calendar No. 448, S. Con. Res. 43.

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

The legislative clerk read as follows:

Motion to proceed to Calendar No. 448, S. Con. Res. 43, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2023 and setting forth the appropriate budgetary levels for fiscal years 2024 through 2032.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 34, nays 63, as follows:

[Rollcall Vote No. 265 Leg.]

YEAS—34

Barrasso	Fischer	Romney
Blackburn	Grassley	Rubio
Blunt	Hagerty	Scott (FL)
Boozman	Hawley	Scott (SC)
Braun	Hoeven	Sullivan
Cassidy	Johnson	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	Lummis	Tuberville
Cruz	Marshall	Young
Daines	Moran	
Ernst	Risch	

NAYS—63

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Portman
Blumenthal	Hirono	Reed
Booker	Hyde-Smith	Rosen
Brown	Inhofe	Rounds
Burr	Kaine	Sanders
Cantwell	Kelly	Sasse
Capito	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Luján	Shaheen
Casey	Manchin	Shelby
Collins	Markey	Sinema
Coons	McConnell	Smith
Cortez Masto	Menendez	Stabenow
Cramer	Merkley	Tester
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warnock
Gillibrand	Ossoff	Warren
Graham	Padilla	Wicker
Hassan	Paul	Wyden

NOT VOTING—3

Kennedy	Leahy	Whitehouse

The motion was rejected.

(Mr. OSSOFF assumed the Chair.)

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

CHIPS ACT OF 2022

Mr. SCHUMER. Mr. President, as I announced earlier today, in a few moments, I will file cloture on a major piece of legislation that will help our country lower costs, increase American manufacturing, strengthen supply chains, and preserve American competitiveness on into the 21st century. It is a very significant piece of legislation, and it will ensure that America and the American economy remain No. 1 on into the 21st century.

Specifically, our chips-plus package will now include incentives for domestic microchip projection, including ITC; support for our wireless communication supply chain—ORAN—and billions dedicated to scientific research, which includes many of the provisions Senator YOUNG and I authored in the Endless Frontier Act in partnership 2 years ago.

By filing cloture tonight, we are keeping this bill on track for final passage very soon. There has been strong bipartisan support already behind this legislation so I hope we can come to an agreement to get it done as quickly as it can because it is so important for the future of the country.

Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer amendment No. 5135 (to the House amendment to the Senate amendment), relating to the CHIPS Act of 2022.

Schumer amendment No. 5136 (to amendment No. 5135), to add an effective date.

Schumer motion to refer the bill to the Committee on Commerce, Science, and Transportation, with instructions, Schumer amendment No. 5137, to add an effective date.

Schumer amendment No. 5138 (to (the instructions) amendment No. 5137), to modify the effective date.

CLOTURE MOTION

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

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 motion to concur in the House amendment to the Senate amendment to H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes, with amendment No. 5135.

Charles E. Schumer, Maria Cantwell, Ben Ray Luján, Jon Tester, Richard Blumenthal, Robert P. Casey, Jr., Tina Smith, John W. Hickenlooper, Mazie K. Hirono, Mark R. Warner, Debbie Stabenow, Jack Reed, Tammy Baldwin, Jacky Rosen, Raphael G. Warnock, Tammy Duckworth, Christopher Murphy.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 996, Carmen G. Cantor, of Puerto Rico, to be an Assistant Secretary of the Interior; that the Senate

vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Carmen G. Cantor, of Puerto Rico, to be an Assistant Secretary of the Interior.

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

The nomination was confirmed.

LEGISLATIVE SESSION

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Republican leader of the Senate to proceed to executive session to consider the following nomination: Calendar No. 902; that there be 10 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order and any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

CONDEMNING THE USE OF HUNGER AS A WEAPON OF WAR AND RECOGNIZING THE EFFECT OF CONFLICT ON GLOBAL FOOD SECURITY AND FAMINE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 434, S. Res. 669.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 669) condemning the use of hunger as a weapon of war and recognizing the effect of conflict on global food security and famine.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic and with an amendment to strike the preamble and insert the part printed in italic, as follows:

Whereas, in 2020, an estimated 155,000,000 people experienced crisis levels of food insecurity (Integrated Food Security Phase Classification phase 3 or above), with nearly 100,000,000 people living in environments where conflict was the main driver of hunger, and the COVID–19 pandemic has exacerbated rising levels of global food insecurity;

Whereas conflict acutely impacts vulnerable populations such as women and children, persons with disabilities, refugees, and internally displaced persons;

Whereas the impacts of conflict on food security can be direct, such as displacement from land, destruction of livestock grazing areas and fishing grounds, or destruction of food stocks and agricultural assets, or indirect, such as disruptions to food systems, leading to increased food prices or decreased household purchasing power, or decreased access to supplies that are necessary for food production and preparation, including agricultural inputs, water, and fuel;

Whereas conflict disrupts the distribution and buying and selling of food within a food system, including by creating shortages in production, increasing real and perceived risks for travel and transport, enabling the formation of illegal distribution channels and markets, and contributing to the breakdown of a government's ability to enforce regulations or perform its judiciary functions;

Whereas aerial bombing campaigns targeting agricultural heartlands, and the use of scorched earth methods of warfare, landmines, and other explosive devices have direct impacts on the ability of vulnerable populations to feed themselves;

Whereas effective humanitarian response in conflict, including in response to the threat of conflict-induced famine and food insecurity, requires respect for international humanitarian law by all parties to such conflict, and allowing and facilitating the rapid and unimpeded movement of humanitarian relief to all those in need;

Whereas efforts to restrict humanitarian aid and the operational integrity and impartiality of humanitarian aid works and distribution efforts, including through the imposition of blockades, security impediments, or irregular bureaucratic requirements, are another means by which combatants employ starvation and food deprivation as a weapon of war; and

Whereas the United States Government has multiple tools to fight global hunger, protect lifesaving assistance, and promote the prevention of conflict, including through the Global Fragility Act of 2019 (title V of division J of Public Law 116–94), the Global Food Security Act of 2016 (Public Law 114–195), and the Agriculture Improvement Act of 2018 (Public Law 115–334), and has the potential to hold accountable those using hunger as a weapon of war through the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328): Now, therefore, be it

Resolved,

That the Senate—

SECTION 1. SENSE OF THE SENATE.

The Senate—

(1) condemns the use of hunger as a weapon of war through the—

(A) starvation of civilians;

(B) intentional and reckless destruction, removal, looting, or rendering useless objects necessary for food production and distribution, such as farmland, markets, mills, food processing and storage facilities, foodstuffs, crops, livestock, agricultural assets, waterways, water systems, drinking water facilities and supplies, and irrigation networks;

(C) denial of humanitarian access and the deprivation of objects indispensable to people's survival, such as food supplies and nutrition resources; and

(D) willful interruption of market systems for populations in need, including through the prevention of travel and manipulation of currency exchange; and

(2) calls on the United States Government to—

(A) prioritize diplomatic efforts to call out and address instances where hunger and intentional deprivation of food is being utilized as a weapon of war, including through efforts to ensure that security operations minimize civilian harm and do not undermine livelihoods of civilian populations;

(B) continue efforts to address severe global food insecurity through effective humanitarian response efforts, including through the provision of United States in-kind food assistance, vouchers, and other flexible food aid modalities;

(C) ensure existing interagency strategies, crisis response efforts, and ongoing programs consider, integrate, and adapt to conflict situations, including by utilizing crisis modifiers in United States Agency for International Development programming to respond to rapid shocks and stress such as the willful targeting of food systems; and

(D) ensure that the use of hunger as a weapon of war is considered within the employment of tools to hold individuals, governments, militias, or entities responsible, such as the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656), where appropriate, and taking into consideration the need for humanitarian exemptions and the protection of lifesaving assistance.

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this resolution shall be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute amendment to the resolution be agreed to.

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

The committee-reported amendment in the nature of a substitute was agreed to.

Mr. SCHUMER. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 669), as amended, was agreed to.

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute to the preamble be agreed to, the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment to the preamble in the nature of a substitute was agreed to.

The preamble, as amended, was agreed to.

NATIONAL DAY OF THE AMERICAN COWBOY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration, and the Senate now proceed to S. Res. 686.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 686) designating July 23, 2022, as ''National Day of the American Cowboy''.

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

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

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

The resolution (S. Res. 686) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 22, 2022, under ''Submitted Resolutions.'')

EXPRESSING SUPPORT FOR THE DESIGNATION OF JULY 2022 AS NATIONAL SARCOMA AWARENESS MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration and the Senate now proceed to S. Res. 694.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 694) expressing support for the designation of July 2022 as ''National Sarcoma Awareness Month''.

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

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the Johnson amendment to the preamble at the desk be agreed to, that the preamble as amended be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 694) was agreed to.

The amendment (No. 5143) was agreed to as follows:

(Purpose: To amend the preamble.)

In paragraph (2) of the second whereas clause of the preamble, strike ''7,000'' and insert ''7,200''.

In paragraph (3) of the second whereas clause of the preamble, strike ''any 1 time'' and insert ''any given time''.

In the third whereas clause of the preamble, strike ''20'' and insert ''15''.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 694

Whereas sarcoma is a rare cancer of the bones or connective tissues, such as nerves, muscles, joints, fat, and blood vessels, that can arise nearly anywhere in the body;

Whereas, in the United States—

(1) about 16,000 individuals are diagnosed with sarcoma each year;

(2) approximately 7,200 individuals die from sarcoma each year; and

(3) about 50,000 individuals struggle with sarcoma at any given time;

Whereas, each year, about 1 percent of cancers diagnosed in adults and around 15 percent of cancers diagnosed in children are sarcoma;

Whereas more than 70 subtypes of sarcoma have been identified;

Whereas the potential causes of sarcoma are not well understood;

Whereas treatment for sarcoma can include surgery, radiation therapy, or chemotherapy;

Whereas sarcoma is often misdiagnosed and underreported; and

Whereas July 2022 would be an appropriate month to designate as National Sarcoma Awareness Month—

(1) to raise awareness about sarcoma; and

(2) to encourage more individuals in the United States to get properly diagnosed and treated: Now, therefore, be it

Resolved, That the Senate supports the designation of July 2022 as ''National Sarcoma Awareness Month''.

REMEMBERING FORMER PRIME MINISTER OF JAPAN SHINZO ABE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 706.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 706) remembering former Prime Minister of Japan Shinzo Abe.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 706) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 13, 2022, under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—H.R. 8404

Mr. SCHUMER. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

Mr. SCHUMER. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CHIPS ACT

Mr. PORTMAN. Mr. President, I come to the Senate floor today to correct the record, really. Some of my colleagues in the Chamber voted yesterday to begin consideration of this chips package that we have talked about a lot because they believed it included legislation called Safeguarding American Innovation Act, or SAIA, the bipartisan, Senate-passed, White-House supported, essential legislation to protect taxpayer-funded research and intellectual property from being taken, stolen, by China and other adversaries and then used against us.

It is understandable people thought that because the SAIA research security provisions were in the broader USICA bill that passed the Senate last year. In fact, as the coauthors of USICA know, it was the reason I was one of the then-original Republican cosponsors of USICA and only because of that. At that time, we needed Republican cosponsors. And it is understandable because, this week, all Republican offices were emailed a list of items by the lead Republican on this bill which included chips-plus legislation, including SAIA.

So Republicans, when they voted yesterday, thought SAIA was part of it. Even today, Democrats and Republicans alike have come up to me and said they thought SAIA was in this bill.

By the way, they want it in this bill, but it is not. It was stripped out of this USICA. I filed an amendment to get it back into this package because it is so crucial to the goal of the overall effort, which is, of course, to improve our country's competitiveness, especially with regard to China. To do that, we must not only invest in more American research and innovation, which I support, but we have to protect that taxpayer-funded research and intellectual property from being stolen by our adversaries and used against us.

Given the current realities, without such protections, I believe this chips-plus bill, with significantly increased levels of Federal funding for research, may well become a giveaway to Beijing.

China's made no secret of its goal to supplant the United States as the global economic leader, and China has been willing to use every tool at its disposal to be able to do that. As FBI Director Christopher Wray has warned:

The greatest long-term threat to our nation's information and intellectual property, and to our economic vitality, is the counterintelligence and economic espionage threat from China.

Director Wray has characterized China as the largest threat to our ideas, our innovation, and our economic security, noting that the FBI has opened 2,000 cases focused on China stealing our research, with one case being opened approximately every 12 hours.

A number of us, in a totally bipartisan process, have been working on protecting research for the past 4 years. In 2019, an investigative report of the Permanent Subcommittee on Investigations of the Committee on Homeland Security, which I chaired with Senator CARPER as the ranking member, documented, after a yearlong investigation, how China uses talent recruitment programs—like the Thousand Talents Plan—to target the science and technology sectors. Talent recruitment plans recruit high-quality overseas talent—primarily from the United States—including academics, scientists, engineers, entrepreneurs, even finance experts. The plans provide monetary benefits and other incentives to lure experts into providing proprietary information or research to China. This is in violation of our laws and conflict of interest rules. China, in turn, exploits American research, intellectual property, and open collaboration—often U.S. taxpayer-funded—for its own economic and military gain at our expense.

Really, when you think about it, the rise in China's military and economy over the past couple decades is, in part, being fueled by American taxpayer-paid research, where they have essentially leapfrogged us and commercialized it more quickly than us and used it against us.

In just one of many examples, recently, a researcher in Kansas hid his full-time employment with a Chinese research university to obtain Federal grant funding for six different Department of Energy and National Science Foundation contracts.

Remember, the funding in this bill primarily goes to the National Science Foundation. In fact, the Department of Health and Human Services inspector general recently released a report that found that two-thirds of the NIH grant recipients—another place a lot of research is done, NIH—failed to meet Federal requirements regarding foreign financial interests including instances of U.S.-funded researchers failing to disclose ties with the Chinese Government.

In fact, since our investigation and hearing, there have been at least 23 different researchers that have been arrested by Federal authorities for research theft. In testimony before the Permanent Subcommittee on Investigations, John Brown, then-assistant director of the FBI's Counterintelligence Division said:

> The Communist government of China has proven that it will use any means necessary to advance its interests at the expense of others, including the United States, and pursue its long-term goal of being the world's superpower by 2049. . . . The Chinese government knows that economic strength and scientific innovation are the keys to global influence and military power. So Beijing aims to acquire our . . . expertise, to erode our competitive advantage and supplant the United States as a global superpower.

Then-commander, U.S. Cyber Command, General Keith Alexander described intellectual property theft and cyber espionage in general as ''the greatest transfer of wealth in history.''

The sentiment was underscored by former national security adviser, retired LTG H.R. McMaster. When asked about China's growing and intertwined military and economic threat at a March 2021 Armed Services Committee hearing, Lieutenant General McMaster stressed the need for the United States to defend itself saying:

> It's gut-wrenching to see how much has been stolen right from under our noses. And much of that research [is] funded by Congress. . . . I think the financial dimension of this is something worth a great deal of scrutiny. We are, in large measure, underwriting our own demise.

That is why Senator CARPER and I introduced the Safeguarding American Innovation Act and insisted it be included in the Homeland Security and Governmental Affairs title of USICA. And, again, it was, and it passed. And it is part of the research funding—additional research funding to have these protections around it. It would be necessary even if there was not additional research funding, but now we are spending tens of billions of dollars of more taxpayer money and not providing this security.

Based on feedback from the law enforcement and research community, the legislation goes directly to the root of the problem. It makes it punishable by law to knowingly fail to disclose foreign funding on Federal grant applications.

The FBI wants that badly. It requires the executive branch to streamline and coordinate grant-making between the Federal Agencies so there is continuity, accountability, and coordination. It allows the State Department to deny visas to foreign researchers coming to the United States to exploit the openness of our research enterprise and requires research institutions and universities to do more, including telling the State Department whether a foreign researcher will have access to export-controlled technologies.

The State Department wants this badly. The career people at the State Department helped us write these provisions. They need this authority. They don't have it now.

So a vital component of any competitiveness bill must be this commonsense, noncontroversial, extensively negotiated, bipartisan bill. It is a matter of our national security. I have described the extraordinary theft of taxpayer-paid research under current funding levels. Again, it is unthinkable that we would add tens of billions of more taxpayer dollars to sensitive research, as we propose, in the CHIPS-plus package and not protect that research from China and other adversaries.

I strongly urge my colleagues to support this amendment to ensure that it is part again—as it has been in the past; we all voted for it—of the underlying package.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

U.S. SUPREME COURT

Mr. MERKLEY. Mr. President, on July 4, we celebrated the founding of our Nation, as we do every year. But when I woke up on this July 4, I had a strange thought, a thought I never had before, the question of, What kind of country are we celebrating?

I have always had immense pride in the founding vision of our Nation, in that vision of equality, of opportunity for all, of freedom of religion, of equal justice under the law, of equal representation, and, most importantly, of government of, by, and for the people.

Our journey as a nation over nearly 250 years has been a difficult journey of moving toward full implementation of this vision. That is an inspiring journey—a journey I have been proud to witness, a journey I have been proud to be a part of.

But just days before this year's July 4 celebration, we saw the conclusion of the Supreme Court's latest judicial term—a term over which the Court displayed a far different vision for America: one with devastating repercussions that will reverberate in the lives of countless Americans for decades to come.

For years now—actually, for decades, we have watched a steady, relentless effort by rightwing extremists to rig the courts so they can transform America and American society as we have known it. Their big goal is corporations over people and their second goal is to implement conservative cultural policy over individual freedom and liberty.

Now, with this Court's recent decisions, we are left with an inescapable conclusion: The extremists have succeeded. The Court is now operating as an unelected super-legislature with a MAGA political agenda. Their decisions this term read like planks out of the Republican Party platform.

Here is what the MAGA Court's vision is for our Nation. It is a vision that obliterates the right to privacy, giving an overbearing Federal Government the power to be in the medical exam room making reproductive health decisions for American women, when the only people who should be in the exam room, under an ''of and by the people'' Republic is the woman, her doctor, and whomever else she chooses to invite—her partner, her friend, or her religious adviser.

This Court's vision is a vision that embraces never-ending gun violence, stripping Congress and the States of

the ability to make commonsense gun safety laws.

It is a vision of a nation where public schools can impose religion on their students. So much for freedom of religion and separation of church and State.

It is a vision of a nation where wrongfully incarcerated Americans don't have the right to prove their innocence and can't find justice if their Miranda rights were violated. So much for the principle of equal justice under law, the very principle carved into stone above the doors of the Supreme Court. In fact, if you go out this door and out the front steps, you can see those words while standing here on the steps of the Senate.

This Court's vision is of a nation where the Court strips the Federal Government of its legally enacted power to regulate fossil carbon and fossil methane pollution that is destroying our Nation and our planet.

It is a vision where the powerful corrupt the integrity of our elections with gerrymandering and dark money and measures to prevent targeted groups of Americans from voting.

This vision is a vision for a government by and for the powerful, not by and for the people.

This vision in which the Supreme Court becomes a superlegislature for a MAGA agenda infuriates me. It infuriates me because I believe in government by and for the people, not by and for the powerful. It infuriates me because I know the pain that these decisions will inflict on millions of Americans—the pain of a woman forced by a State government to carry a fetus to term that was conceived through rape or incest or the pain of any woman, for that matter, who simply is unprepared to be pregnant or become a parent; the pain of every single person who will have to mourn the death of a loved one lost to an ever-growing epidemic of gun violence and mass shootings like we saw in Uvalde and in Highland Park and in countless other communities with more than one mass shooting per day; the pain of the citizens blocked from the ballot box, effectively denied their most fundamental right as Americans because of voter suppression schemes enacted in many States over this past year; the pain of students in our public schools pressured to participate in religious acts in conflict with their own beliefs; the pain of rural Americans, ranchers, and farmers whose farms and ranches will be lost to fire and drought because the Court says the Federal Government cannot regulate fossil carbon and fossil methane causing climate chaos.

And I am infuriated because I know more Supreme Court decisions like these are coming from the six MAGA Justices on the Court. They want to cement their vision of America through superlegislative powers rather than calling the balls and strikes defending the Constitution, which is their job.

They have announced that next term they are going to hear a case on the fringe doctrine known as the independent State legislature doctrine. It has been considered an extremist idea, which says only State legislatures have the power to make decisions about Federal elections and how to appoint electors. State courts would have no power to ensure checks and balances or decide which decisions about elections violate a State constitution or ignore the will of the voters, nor could State Governors veto such legislative decisions. And that is just the start.

Justice Thomas himself said in his concurring opinion that, based on the reasoning in Dobbs, he wants the Court to consider a whole host of other rights that have been secured and protected by previous Courts, including the possibility of striking down the right to intimacy and marriage for same-sex couples and the right to contraception.

Make no mistake, this is not some sudden occurrence. It is exactly what the Federalist Society has been working toward for decades.

Before joining the Court in 1972, Lewis Powell wrote about the need to rebuild the power of industrial elites and fight back ''from the college campus, the pulpit, the media, the intellectual and literary journals, the arts and sciences, and from politicians'' against progressive changes in society. In outlining a plan for rebuilding the power of Big Business, he declared that, with an activist-minded Supreme Court, the judiciary may be the most important instrument for achieving that goal.

That is exactly why, as majority leader in 2017, Senator MCCONNELL stole a Supreme Court seat from one President so another President could fill it. He stole it in 2016, and he filled it in 2017 with MAGA Justice Neil Gorsuch. It is why, in 2018, Leader MCCONNELL completely ignored credible accounts of sexual assault and rushed through a confirmation without giving Senators access to the nominee's full records and bypassing committee quorum rules to fill another seat with MAGA Justice Brett Kavanaugh. And it is why, when a seat opened up in another election year, 2020, just weeks before the voters would vote, Leader MCCONNELL completely reversed his argument that he had used to justify the theft of a Supreme Court seat in 2016, and he rammed through the nomination of MAGA Justice Amy Coney Barrett.

The Republican Party has won one popular vote for President in the last 30 years but has appointed two-thirds of the sitting Justices, who now see it as their job to become a super-legislature for a cultural agenda and corporate power.

In one of his columns, Eugene Robinson of the Washington Post described the resulting unelected, unaccountable majority of Supreme Court Justices as a ''junta''—a word used to describe authoritarian leaders who rule through edicts rather than through legislative determination or deliberation on constitutional principles. It is hard to argue with Eugene Robinson's characterization.

In spite of what the vast majority of Americans want—the protection of a woman's right to full reproductive healthcare and more gun safety, not less, and free and fair elections—the Court's MAGA majority has chosen to rule by Supreme Court edict to inflict their narrow preferences for society on hundreds of millions of Americans.

And they are not just using the regular process for considering cases. Over the past 5 years, we have seen a monumental shift in the Court's use of emergency orders—the so-called shadow docket—to enact sweeping decisions on the American people. These cases don't get the full process we are familiar with—formal briefings, formal hearings, lengthy deliberations, and opinion writings—because it is argued that the applicant would suffer ''irreparable harm'' if their request were not immediately granted.

The shadow docket decisions, by the way, are usually unsigned and unexplained. In the past, they have essentially involved death penalty cases—cases of literal life and death—of pretty much extreme importance to the applicant because, if someone is executed before their case is heard, they do suffer ''irreparable harm''—the standard.

Then, about 5 years ago, we started to see a big shift in the emergency cases being taken up and in the substances of them as well.

We have seen the shadow docket used to stop the Federal Government from implementing a vaccine and testing mandate on businesses to protect public health in the middle of an unprecedented global health crisis that has killed more than a million Americans.

We have seen it used to uphold a Texas law banning abortion after 6 weeks.

We have seen it used when a lower court blocked Alabama's congressional map because it violated the Voting Rights Act by diluting the political power of Black voters.

The Court said: You have got to draw a new map that is fair.

The Supreme Court stepped in with their shadow docket and said: No. Alabama can use this faulty map that dilutes the power of Black Americans.

In this situation, the Court didn't stop the infliction of harm; they inflicted the harm on Black Americans, who want fair maps, who deserve fair maps for voting in our democracy. That gerrymandered map is now in place to disenfranchise Black voters in this November's election because of the Supreme Court's use of the shadow docket.

It is hard to see how any of these cases met the test for the shadow docket.

The state of abuse of the shadow docket has gotten so bad and so blatant that even Justice Roberts, the Chief Justice of the Court, joined a dissent in a case reinstating a Trump administration Clean Water Act regulation limiting Federal protections for streams and wetlands. This dissent

stated that the majority's decision ''renders the court's emergency docket,'' meaning the shadow docket, ''not for emergencies at all . . . . The docket becomes only another place for merits determinations—except made without full briefing and argument.'' When the Supreme Court's Chief Justice says the shadow docket is being abused, you know it is true.

This MAGA Court is so determined to impose their legislative priorities and values on our country that they have abandoned one of the core principles of American jurisprudence, going back to even before there was a United States of America, and that is that the Court only rules when there is an actual dispute or controversy in question.

In their eagerness to cripple the Federal Government's ability to fight fossil carbon pollution, the MAGA Justices weighed in on a regulation that had never been enforced—a regulation that had been withdrawn by President Trump and a regulation which President Biden had indicated was never going to be reinstated. Even the utilities that would have been regulated didn't want the Supreme Court to decide this case. This out-of-control MAGA Supreme Court super-legislature wanted to legislate—and legislate they did—violating a core principle that the Court does not address moot cases. Moot cases are cases where there is nothing still in dispute, and this certainly was the case that this case was as dead or as moot as it could be because nobody could be impacted by a rule that doesn't exist.

Why did the Court take up this case?

Well, we may not be able to specify the exact reasoning by each Justice, but the effect is clear. By taking up this case, the Court furthered the MAGA policy agenda. Their ruling handcuffed Federal authorities' ability to pursue future limitations on pollutions from fossil fuels like carbon dioxide and fossil methane. This is to the enormous benefit of the fossil fuel billionaires who funded the massive dark money campaigns that supported these Justices' confirmations. That situation of their breaking precedent to benefit the fossil billionaires, who had just funded their confirmation campaigns, reeks of corruption.

When generations ahead of us look back at this moment, I have no doubt—especially when they look at this year, 2022, and what the Court did in a single year—they will look back with a sense of profound disbelief—disbelief—like that disbelief that we experience when we look back on cases like Dred Scott, which dehumanized Black Americans and legitimized slavery, or Plessy v. Ferguson, which locked in 60 years of vicious discrimination and racial terrorism under a separate but equal philosophy.

The disbelief that future generations will have will be directed at Dobbs—a decision this year in which the Court obliterated privacy and put an overbearing government in charge of women's reproductive health.

They will have the disbelief that, in Kennedy v. Bremerton—decided this year—the Court destroyed freedom of religion in our public schools; the disbelief that, in West Virginia v. EPA—a decision this year—the Court violated centuries of precedent to rule on a regulation that is no longer on books, with the effect—perhaps the goal—of limiting the future regulation of greenhouse gas pollution; the disbelief in New York State Rifle & Pistol Association v. Bruen—decided this year—that the Court ruled that a State legislature can't require folks to have a good reason to carry a concealed weapon in public spaces.

Let me be clear. This activist, extremist MAGA Court faces a legitimacy crisis, and a legitimacy crisis for the Court is a crisis for our democratic Republic. Part of that illegitimacy is Justices of the Supreme Court selectively using a doctrine of so-called originalism to justify their politically inspired decisions. The doctrine of originalism is based on a reasonable argument, one on which you and I would say makes sense: a goal of understanding what the Founders meant when they wrote what they wrote in our Constitution more than two centuries ago. But if that effort is applied selectively, it simply becomes a measure to justify, after the fact, where the Justices want it to come out. They use it when it works, and they abandon it when it doesn't.

For example, the Founders wrote the Second Amendment to ensure that members of well-regulated militias had access to their rifles, but the so-called originalists on the Court cast originalism aside, declaring that the Founders wrote that clause to ensure that nonmilitia members had the right to bring assault rifles—that didn't exist in 1787—onto subways, which didn't exist in 1787. That is bogus originalism in its purist form.

Consider this: Corporations, as we know them today, did not exist in 1787. Yet the so-called originalists on the Court insist that the Founders' vision of the First Amendment, to protect freedom of speech, gives corporations speech rights even though the word ''corporation'' doesn't appear in the Constitution—a point that they use when they want to take an originalist argument: that the Founders had to have it be something written in the Constitution and be something they discussed and something they considered and something they envisioned. None of those are true. Not a one of them is true in this case.

The MAGA Court also claims that a corporation is a person, which no Founder would ever have argued. They didn't even know what a ''corporation'' was because they didn't exist in this form that we have now.

The MAGA Court goes on to claim that the members comprising the corporate personhood—those are the stockholders of a corporation—have absolutely no right to know how that corporation that they are part of spends their money. This is absurdity stacked on the fallacy that a corporation is a person.

I have yet to see and yet to hear any plausible explanation as to how the MAGA Justices can be confident that the Founders intended for billionaire CEOs to hijack the accumulated wealth of their stockholders without their stockholders' knowledge or permission or opportunity to know what is being said and to use that money as speech and to spend it on secretly funded campaigns, including campaigns to confirm Supreme Court Justices.

The problem we face, colleagues, isn't just a MAGA-majority Court enacting terrible policy rather than defending the balls and strikes against the Constitution. The problem is greater if the highest Court in the land loses its legitimacy, the law itself loses its legitimacy. If the American people see the Supreme Court Justices making clear that the law has no meaning other than their political preferences, then the law is not the foundation for our society that it is supposed to be.

We have seen with deadly results on January 6, 2021, the consequences to our policies, to our politics, and to our society when the rule of law is replaced by violence and power as the organizing principle for society.

The Court is essential in a society based on the rule of law, and it is essential to have a Court that honors the law rather than trying to write the law.

This MAGA majority and its desire, and operation as a super-legislature—unelected, lifetime appointments—is a dire threat to our Republic. Here in Congress, we must not only shine a light—a spotlight—on the threat; we must stop the runaway MAGA Court from corrupting the rule of law and try to restore the legitimate role of the Court as a panel defending our Constitution.

Some will say there is no way to restore the Court and that any strategy for restoring the Court will simply compound the problems we are now facing, and I agree that there is no simple way to restore the legitimacy of the Court.

Back in 2017, when then-Majority Leader MCCONNELL was striving to complete the theft of the Supreme Court seat taken from the administration of Barack Obama, I took to this floor for 15½ hours with one simple message: Don't do it. Don't do it because, if you do, you will damage the legitimacy of the Court and there will be no simple path, no easy remedy to restore the Court's legitimacy.

But Leader MCCONNELL, he doused the Supreme Court with gasoline on that day, and he set it on fire. He did the damage. I stood here for 15½ hours and said don't do it.

You know, we take an oath of office to a Constitution. That involves defending the Court, not delegitimizing the Court, not stealing Supreme Court

seats. It was the first time in the history of the United States of America that this Senate failed to debate and vote on a nominee. But here we are; the damage is done. What do we do now?

When an arsonist sets fire to your house, you don't let it burn because you are worried about water damage. You have to strive to put out that fire, regardless of how difficult the task. So I say to you today, we cannot accept the defeatist attitude that fails to confront the forces destroying our Republic.

There are two things we must do. Mission one, we have to reform the ability of this broken Senate to serve as a legislature because, if it serves effectively as a legislature, it can serve as a counterweight to decisions of a corrupted Court.

The second thing we have to do is put all options on the table and debate them for directly reforming the Court, recognizing that we are left with difficult choices on how to do that. But we have to step up. It is necessary to save our Republic.

So let's take each of these missions in turn. The first is to restore the Senate.

Our goal: Restore the Senate as a legislative body to serve as a counterweight to the corruption of a MAGA-majority Court.

There are three massive problems currently afflicting the Senate's ability to serve as a functioning legislative body. First, we spend virtually all of our time on nominations, so much time that it keeps us from doing much legislating, even though we have a massively complex society and a lot of possibilities for making it work better.

When George Washington was assembling his first administration, he had to appoint and the Senate had to confirm four Cabinet positions: Secretary of War, Secretary of the Treasury, Secretary of State, and Attorney General—four positions. Today, the Senate is responsible for confirming over 1,200 Presidential appointments to executive branch positions and commissions.

Now, in the past, both parties worked to exercise the Senate's advice and consent responsibilities in a manner that minimized the amount of Senate time required. Most were done by unanimous consent late at night, when practically anyone was here because most nominations are not ones to which anyone has an objection.

In the entire decade of the 1960s, there was one vote required to close debate on a nominee—one, in an entire 10 years. But, last decade, that number went to 545. Now, it is like every nomination. Virtually every nomination we have to file to close debate and vote to close debate before we can vote on the nominee. And do you know what? The way it works, you can also require 30 hours of debate after the vote to close debate succeeds.

So the rules, which were designed for exceptional situations where there is a significant objection, are now used as partisan obstruction.

Democrats are in the minority. They want to tie up the Republicans. So they have little time to legislate.

Republicans are in the minority. They want to tie up the Democrats. So they have little time to legislate.

They want each other to fail, partly because they disagree and partly because they know if the other side succeeds in making something work, the voters might reward them at the ballot box.

We have to massively streamline this nomination process. We have to—100 Senators—work together, not do what is best for us when we are in the majority and oppose it when we are in the minority, or vice versa. We all have a responsibility to completely streamline that process so we can return to being a legislature.

The second big problem for the Senate is that the rules provide a complicated, time-consuming process for debating and voting on whether to debate a bill. It involves a motion to proceed or requirement to close debate on the motion to proceed and whose nomination is up to 30 hours of additional of debate—all on the question of whether to debate. You have 100 capable people sent here by their constituents in their various States to solve problems for America, not to spend a week debating whether to debate a single bill. That could be a week spent debating the amendments that could make the bill better, a week spent considering individual pieces of the bills so the public knows where we stand and there is public accountability. But, instead, we have partisan paralysis. A completely dysfunctional Senate, that is what we have. We have to change the rules to stop this completely meritless waste of the time and efforts of 100 Senators.

It is an easy solution: 1 hour spent debating whether to debate a bill, and then a simple majority vote, either we go to the bill or we don't; easy solution. One hour makes much more sense than 1 week.

The third big problem this Senate Chamber faces is a secret silent filibuster. Under the Senate rule—and by the way, the term ''filibuster'' is really inappropriate because this involves no speaking of any kind. Under the Senate rule, 41 Senators can, operating as a block, veto the opportunity for the Senate to debate a bill, veto the opportunity for the Senate to consider an amendment, and veto the ability, after amendments have been considered, to have a final vote on the bill. It is the triple veto: three opportunities for the minority to blockade the majority from being able to consider legislation to address the issues facing America. And both parties have attempted to use it when they are in the minority. We have to restore the ability to actually debate.

It is exactly what the Founders feared. When I lay out that 41 can block and veto these 3 steps of the process, it means to reverse it—that 60 out of 100, a supermajority, has to agree to go forward through each of those three steps.

The Founders warned us: Never allow the minority to make the decisions by requiring a supermajority. Don't to it.

That is why James Madison said that, with a supermajority, when ''the general good might require new laws . . . the principle of free government would be reversed. It would no longer be the majority that would rule: the power would be transferred to the minority.''

It is why Alexander Hamilton warned that a supermajority requirement would result in ''tedious delays; continual negotiation and intrigue; contemptible compromises of the public good.''

He also warned that ''the history of every political establishment in which this principle has prevailed''—the principle of supermajority—''is a history impotence, perplexity, and disorder.''

Now, you may wonder if the Founders had simply read about someone somewhere requiring a supermajority for legislature and said it didn't work very well and thought, We had better warn Americans not to do this. No, they were writing from their direct experience because, as they were drafting and debating our 1787 Constitution, they were actually in the middle of living through the impotence and incompetence of the Confederation Congress.

Under the Articles of Confederation, which preceded our 1787 Constitution, the Congress had to have a supermajority on every provision; meaning, the position of the minority could prevail over the position of the majority. The result was paralysis on the most fundamental issues they faced. They failed to raise the funds to pay the pensions of the veterans who spilled their blood in the Revolutionary War that created this Nation. They failed to raise the funds to put down Shays' Rebellion.

Well, today, we have not one stage of veto, like they faced in the Confederation Congress, we have the triple veto power under the current secret, silent filibuster, and we are seeing the same impotence, the same paralysis, the same partisanship that it drives.

The triple veto power of the minority is destroying the Senate to address challenges facing America, and there are a lot of them.

We have got the climate crisis that is literally setting our country on fire. Right now, at this very moment, around 40 million Americans across the Plains and the Mississippi Valley are dealing with alerts for dangerous and intense heat, while firefighters are confronting 89 large fires across 12 States. And as of last week, four times as much acreage has burned this year as last year at this moment.

And it is not just America, of course. Across the Atlantic, Europe is going through a recordbreaking heat wave, reaching temperatures some of those

places have never seen and causing wildfires to burn in France and Spain and Italy and Greece.

Congress should be immersed in considering bills to address the climate crisis that is damaging communities across our country, and not just through fires but through rising sea levels and rising erosion, through pine beetle infestations and mosquito infestations, through stronger hurricanes and stronger tornadoes, and, certainly, through the power of multiyear droughts. But we are not because the triple veto of the silent, secret filibuster afflicting this body is blocking us from doing so.

We have a housing crisis. Out-of-control rents and prices make it impossible for millions of Americans to afford a decent home to rent or buy. And colleagues have one idea after another about how we should address it, but because we are paralyzed and our process is taken up, our time is taken up with nominations and debating whether to debate and we have the triple veto of the secret, silent filibuster, they can't move forward. And we aren't debating, discussing, and hopefully passing measures that can make a difference.

And Americans are outraged by the prices they pay on drugs, which are so much higher than any other developed country. Eighty percent of Americans say: Do something about it. And I think the other 20 percent don't realize how much we are getting ripped off. And Americans know we should get the best price because we invest the most in the research and development that creates these drugs, not the worst price, and they are absolutely right. And we would have passed legislation by now to get the best prices in the developed world, but we are blocked by the triple veto of the secret, silent filibuster.

And now States are passing laws to block targeted groups of Americans from voting. We can fix that by passing S. 1, the For the People Act, or its reincarnation, the Freedom to Vote Act, but we can't because it was blocked by the triple veto of the secret, silent filibuster.

Let me be absolutely clear. The single most effective way we can counterbalance an out-of-control Court with a MAGA agenda is to have a functioning Senate. That is the most immediate remedy available to us to respond to this terrible affliction undermining our Republic.

If the Court says there is no problem with gerrymandered districts, where politicians choose their constituents instead of Americans choosing their leaders, as they did in the 2019 Rucho v. Common Cause decision, well, a reformed, restored Senate could pass legislation to require nonpartisan commissions to draw legislative districts. At least we could have a robust debate over it, maybe pass a few amendments modifying it in different forms—or perhaps find some other solution—if we had a functioning legislative process.

If the Court says there is no limit to dark money from corporations and billionaires who flood and drown out the voices of ordinary Americans and campaigns, as they did in the 2010 Citizens United decision, a reformed, restored Senate could pass the DISCLOSE Act to shine a light on every dollar and where it is coming from in American campaigns.

If the Court says that anyone who wants to be able to carry a concealed weapon should be able to like they did in their New York State Rifle & Pistol Association v. Bruen decision, a restored, functioning Senate could pass stronger gun safety laws that most Americans support, like ending the background check loophole—when guns are bought and sold by unlicensed parties online or at gun shows—or by outlawing the kinds of large magazines that carry 30 or more bullets that are often used in mass shootings.

And when the Court went to abnormally great lengths to decide in last month's West Virginia v. EPA that the Agency can't regulate fossil carbon or fossil methane emissions, a functioning Senate would be able to step up and create the programs designed to speed up the transition to renewable energy, which would have the added benefit of ending our addiction to oil and dropping the prices at the pump, and it would keep money out of the hands of dictators in Russia, Saudi Arabia, and Iran. But the triple veto of the secret, silent filibuster has blocked us from doing so.

The remedy is not to eliminate the filibuster. The remedy is to reform it. The right reform is to adopt the public, talking filibuster. The talking filibuster would reassert the fundamental principle of legislative conduct: the Senate Code, adopted by the original Senate. Under that code, the Senate listened to every Senator's perspective, and then it took a vote on the issue, be it a bill or be it an amendment. That was the Senate Code.

The original rules provided that every Senator had the right to speak twice to a question. It was rule No. 4 in the original rules. It is in our rules today. But the spirit of that code—listening to each Senator and then voting, with the majority winning, not losing—that part is gone. Now, it is the minority that can exercise a triple veto, a veto absolutely exactly the opposite of what the Founders said to us. They said: Don't do it. And we have done it in triplicate form, paralyzing this place and accentuating the temptation of yielding to partisanship rather than problem-solving.

Jefferson did say that this rule, this code of listening to every Senator and voting, should not be abused. In fact, he said this in his manual for rules in 1801:

> No one is to speak impertinently or beside the question, superfluously or tediously.

It worked for the Founders. They exercised some self-control, so much so that they didn't need the rule that they had to close debate. They just simply listened to everyone with mutual respect and then said: OK. Let's take a vote.

You want to see that in action today? Watch the committee process on a bill with amendments. There is no one filibustering, speaking forever. There is no one requiring a supermajority to close debate in committee. They operate—we operate—in committee, much like the original Senate, and it works pretty well, but we have completely lost that discipline when it comes to debate here on our floor.

So the early Senate had a rule for the previous question motion, to close debate or accelerate the closure of debate. And when they rewrote the rule book—and Aaron Burr was in charge of it—in 1806, they dropped the rule because they never used it, didn't feel they ever needed it.

Well, we need to reclaim that vision, and our rules have gotten so crazy, so out of whack, that we encourage partisanship and paralysis rather than problem-solving. Let's fix that.

So let's have the talking filibuster. The talking filibuster says, Yes, you can speak on the issue. We will listen to everyone. You can speak twice. But then we vote, and the majority wins—not a supermajority required. The minority doesn't win over the majority. The majority wins.

That was the Senate. That was the design of our Constitution that we have the responsibility to restore because we took an oath to the Constitution. So let's restore it. And that talking filibuster encourages bipartisan problem-solving. The minority, be it the Democratic or Republican, that wants to slow things down for leverage, they can. So they have significant leverage, but, on the other hand, they have an incentive to negotiate because they are not sure how long they can maintain continuous debate. And that is the heart of the talking filibuster: maintaining continuous debate. If there is a break in debate, you go to the vote.

Meanwhile, the majority has an incentive to compromise because they know the minority can tie this place up on a single bill for week after week, and they can't afford to have that much time taken over a single bill. So the talking filibuster restores an incentive for compromise and bipartisan problem-solving and, in the end, restores the vision that the majority makes the decision, not the minority. In the end, it gives the minority a voice, it gives the minority massive leverage, but it takes away their veto. That is the right way to legislate in a democracy.

As I noted before, fixing the Senate is probably the best immediate tool we have for repairing the damage from the Supreme Court across the grounds. But we also have to consider every possible remedy to restore the Court itself, to restore a Court that calls the balls and strikes on the Constitution, defending

its core principles, and recognizes it is not there to legislate—not to legislate on the left side, not to legislate on the right side. They are there to defend the Constitution.

Well, reforming the Court won't be easily done. But President Biden did convene a Commission to explore the option, and that Commission has produced a lengthy, lengthy report. This is part of it: The Presidential Commission on the Supreme Court of the United States, December of last year.

I encourage all my colleagues to read this and consider the ideas in it. In this 300-page report, the Commission does review the history of how the Court has been in different phases, and its size has changed all the time because that is not established in the Constitution. It has been as few as 5, and it has been more than 10. There was not nine locked in like it is now.

And, certainly, one of the ideas they review is adjustment to the size of the Court. Many people have said that is something to look at to balance what has happened with the Court, with the stolen Supreme Court seat and a decision by several Justices to be a legislature rather than a court.

Well, that is one idea. Another is implementing term limits or a mandatory retirement age because, when the Constitution was first written, people weren't living the long lives they have today, and they didn't stay in the Court forever.

In 1787, the Founders wrote that Justices would hold their seats during good behavior. Now, I am not sure that every Justice across these grounds has been engaged in good behavior when they are choosing to legislate rather than to rule on the defense of the Constitution, but there is no easy way to remove them from the Court for misbehavior.

But one possibility is for the Court members to rotate out with term limits of some kind. That is one possibility.

In much of our history, Justices only served an average of 15 years on the Court. The average is now 26 and getting longer. And, did you know, America is the only constitutional democracy that gives lifetime presence on the Court, that doesn't have either a term limit or a mandatory retirement age?

This report, this Commission, has other ideas in it: rotating membership on the Court with judges selected from the circuit court. You know, the original Supreme Court, they served as circuit court writers. They went out and made decisions across this country. They didn't just sit in a room in the capital. So there is some precedent for that idea.

And others point out that there is the power to restrict the Court's jurisdiction. There are pros and cons for these various ideas, and our commitment needs to be to examine them. The American public is open to examining them.

Earlier this week, the FOX News poll reported that 66 percent of the folks in their poll support an 18-year term for Justices, and 71 percent support a mandatory retirement age. So the American people are open to trying to fix the challenge with the Court. We have to be open to fixing it, and we need to look at every option and idea very carefully to ensure that the highest Court in our land fulfills the vision for it in our Constitution. And the vision in our Constitution was not that it would be an unelected super-legislature.

Colleagues, this is a perilous moment for our Republic. It is a moment when the will of the people is being overrun by an extreme agenda of a Court legislating from the Bench, imposing their narrow and precedent-destroying will on all Americans. We have to restore the ability of this Senate to operate as a legislature that can be a counterbalance to what the Court does, and we must thoughtfully consider every proposal for reforming the Court directly.

We can and we must act before it is too late. We can't stand by and watch the continuous disintegration of our Republic.

Our oath to the Constitution demands that we protect these institutions and repair them when they go off track. And when we do, the next July 4, we can all join together and celebrate the restoration of our paralyzed and partisan Senate into an actual legislative body. We can celebrate the restoration of Americans' rights that are being continuously stripped away across the grounds by the Supreme Court. We can have a renewed belief and confidence in the integrity of all of our institutions and our democratic form of governance. That would be a moment justifying a massive celebration next July 4.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM REAUTHORIZATION ACT OF 2022

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 406, S. 3895.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3895) to extend and authorize annual appropriations for the United States Commission on International Religious Freedom through fiscal year 2024.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 3895

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 ''United States Commission on International Religious Freedom Reauthorization Act of 2022''.

SEC. 2. UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by striking ''2019 through 2022'' and inserting ''2023 and 2024''.

(b) EXTENSION OF AUTHORIZATION.—Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) is amended by striking ''September 30, 2022'' and inserting ''September 30, 2024''.

Mr. MERKLEY. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

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

The bill (S. 3895), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

MORNING BUSINESS

PEACE CORPS REAUTHORIZATION ACT

Mr. MENENDEZ. Mr. President, I rise to highlight the Senate Foreign Relations Committee's vote to favorably report the Peace Corps Reauthorization Act to the full Senate for its consideration. This legislation, the first reauthorization since 1999, is critically important to strengthening American leadership in the world.

Last year, the Peace Corps celebrated its 60th anniversary of when President John F. Kennedy established this important program, run by its first Director, Sargent Shriver. The Peace Corps' mission then, as it is today, is to ''promote world peace and friendship'' by encouraging economic growth and well-being to underserved populations abroad, as well as giving Americans a better understanding of the wider world and vice-versa.

The Peace Corps is emerging from one of the most challenging crises it has ever faced. On March 15, 2020, as the gravity and uncertainty of the COVID pandemic gripped the world, every mission was suspended for the first time in the Peace Corps' history. In addition to executing the enormously complex operation of evacuating more than 7,000 Peace Corps volunteers from all around the globe, the Peace Corps was faced with the challenge of how to operate and serve during a period of global social isolation.

As the world continues to recover from the pandemic, the Peace Corps is busy executing plans for reentering countries and resuming its mission of service around the world. While the

Peace Corps' return is a testament to the resilience and adaptability of this vitally important branch of U.S. foreign affairs, COVID's continued presence around the world requires the Peace Corps to undertake a wide array of new public safety measures to keep volunteers, staff, and host communities healthy and safe.

And so this reauthorization comes at a most critical time for the Peace Corps. This is a once-in-a-generation opportunity to enact long overdue reforms and to make sure the agency can effectively promote international peace, development, and people-to-people engagement. And it represents significant reforms and strong bipartisan congressional support for the Agency at an inflection point in its history.

This legislation will strengthen the Peace Corps, giving it the baseline budget it needs to build the program that Americans deserve. It sets a $375 per month minimum for the Peace Corps volunteers' readjustment allowance. It suspends student loan interest during volunteer service. It extends healthcare coverage for returned Peace Corps volunteers. And it provides greater whistleblower protections so the Peace Corps will be transparent and accountable, honoring the standards and aspirations of its original vision, as outlined in 1961.

The Peace Corps is on track to redeploy volunteers to 30 countries by the end of this fiscal year. And it has set an aggressive goal of returning volunteers to almost all of the prepandemic countries by the end of fiscal year 2023. The programs and policy reforms authorized in this legislation are crucial to ensuring the safe and successful return of volunteers to the field.

I am especially proud of the bipartisan work that has gone into this bill and appreciate the collaboration of the ranking member of Senate Foreign Relations Committee, Senator RISCH, for joining me on this important legislation. And I am pleased that we are joined by our colleagues, Senators CARDIN, YOUNG, SHAHEEN, PORTMAN, FEINSTEIN, and CORNYN, who should be commended for their support of the Peace Corps and to ensuring the Peace Corps can continue to support and enhance America's leading role in the world.

I also want to salute the tremendous input from the Peace Corps community. Their commitment to improving security, conditions, and opportunities for future Peace Corps volunteers is vital to the introduction of this bill and improves our national security as well.

So I urge my colleagues to support this bill and its swift passage. Passage of this bill will help bring about a revitalized, retooled Peace Corps. Making this bill law will help ensure the return of volunteers executing the important work of the Peace Corps, representing the United States of America overseas.

10-YEAR ANNIVERSARY OF THE AURORA, COLORADO, SHOOTING

Mr. BENNET. Mr. President, on July 20, 2012, Colorado suffered a horrific mass shooting at a movie theater in Aurora. A gunman took 12 innocent lives from us, each of them full of aspirations for a future that was tragically and senselessly cut short. They leave behind family, friends, and a community in Aurora that still carries the pain of their loss a decade later.

Colorado will never forget and forever honor the 12 victims of the Aurora shooting. Today, I ask to read their names into the CONGRESSIONAL RECORD.

Jonathan Blunk was 26 years old. He was a father of two who moved to Colorado in 2009 after three tours in the Persian Gulf and North Arabian Sea for the U.S. Navy. He was a certified firefighter and EMT. Jon lost his life protecting his friend Jansen Young from the gunman's line of fire. Jon shielded her from gunfire by pushing her to the ground while shots were fired. He was supposed to fly that Saturday to Nevada to see his wife Chantel Blunk and his 4-year-old daughter and 2-year-old son. Instead, his wife had to put up the dress her daughter had picked out to wear to the airport. She told her daughter that they would not see their dad anymore, but that he would still love them and look over them.

Alexander Jonathan Boik was 18 years old. His friends and family called him A.J. He had just graduated from Gateway High School. He enjoyed baseball, music, and making pottery. A.J. was supposed to start art classes at the Rocky Mountain College of Art and Design that fall. He was described ''as being the life of the party,'' who could bring a smile to anybody's face.'' He was a young man with a warm and loving heart.

Jesse Childress was 29 years old. He was an Air Force cyber systems operator based at Buckley Air Force Base. He loved to play flag football, softball, and bowl. He was a devoted fan of the Denver Broncos and held season tickets. His superior officer described him as an invaluable part of the 310th family who touched everyone with whom he worked.

Gordon Cowden was 51 years old. He was originally from Texas and lived in Aurora with his family. He was ''a quick witted world traveler with a keen sense of humor, he will be remembered for his devotion to his children and for always trying to do the right thing, no matter the obstacle.'' Gordon took his two teenage children to the theater the night of the shooting. Both of them, thankfully, made it out unharmed.

Jessica Ghawi was 24 years old. She was an aspiring journalist, most recently interning with Mile High Sports Radio in Denver, and went by the nickname ''Redfield.''' She was hard-working, ambitious, and had a generous spirit and kind heart. When several homes were destroyed by Colorado wildfires, Jessica collected hockey equipment to donate to the kids affected because she wanted to help. That was who she was.

John Thomas Larimer was 27 years old. He was a cryptologic technician with the Navy based also at Buckley Air Force Base, a job that requires ''exceptionally good character and skills.''' Originally from Chicago, John was the youngest of five siblings and had joined the service just over a year before the shooting. Like his father and grandfather, John chose to serve in the U.S. Navy. John's superior officer called him ''an outstanding shipmate, a valued member of the Navy and an extremely dedicated sailor.'' Colleagues praised his calming demeanor and exceptional work ethic.

Matthew McQuinn was 27 years old. Matt died while protecting his girlfriend Samantha Yowler by jumping in front of her during the shooting. Matt and Samantha moved to Colorado from Ohio last fall and worked at Target. He and Samantha were in love and planning their future life together. Matt's bravery saved Samantha's life.

Micayla ''Cayla'' Medek was 23 years old. Cayla was a graduate of William C. Hinkley High School in Aurora and a resident of Westminster. She worked at Subway and was a huge Green Bay Packers fan. Cayla would plan weekend activities around watching the games with her brother and father. She is remembered as a loving and gentle young woman.

Veronica Moser-Sullivan was 6 years old. She had just learned to swim and attended Holly Ridge Elementary School in Denver. She was a good student who loved to play dress-up and read.

Alex Sullivan was 27 years old. He was at the movie celebrating his 27th birthday and first wedding anniversary. He loved comic books, the New York Mets, and movies. Alex was such a big movie fan that he took jobs at theaters just to see the movies. Alex stood 6 feet, 4 inches, and weighed about 280 pounds. He played football and wrestled before graduating high school in 2003 and later went to culinary school. Alex was known as a gentle giant and was loved by many.

Alexander C. Teves was 24 years old. Alex received an M.A. in counseling psychology from the University of Denver and was planning on becoming a psychiatrist. He also competed in the Tough Mudder, an intense endurance challenge, and helped students with special needs. Alex was at the theater on the night of the shooting with his girlfriend Amanda Lindgren. When the gunman opened fire, Alex immediately lunged to block Amanda from the gunfire, held her down, and covered her head.

Rebecca Wingo was 32 years old. Originally from Texas, Rebecca joined the Air Force after high school, where she became fluent in Mandarin Chinese and served as a translator. She was a single mother of two girls and worked as a customer relations representative

at a mobile medical imaging company. Rebecca was also enrolled at the Community College of Aurora and had been working toward an associate of arts degree. She was known to family and friends as a ''gentle, sweet, beautiful soul.''

When I came to the floor a decade ago, I said that scripture tells us ''not to be overcome by evil, but overcome evil with good.'' That is what the people of Aurora have done for the past 10 years. Today, we recommit to not remember July 20 for the evil act that day.

We choose to remember the beautiful lives lost and the loved ones they left behind.

We choose to remember the 70 wounded survivors, whose resilience in the years since is a testament to humanity's resolve.

We choose to remember the heroic acts of everyday citizens, our first responders, and medical personnel who saved lives that otherwise surely would have been lost.

And we choose to remember the profound generosity of the Coloradans and Americans who donated blood in record numbers and raised funds to support the survivors.

A decade later, Colorado and the country continue to draw strength from the example set by the people of Aurora. And we recommit to ending the American scourge of gun violence—unique among industrialized nations—that has cut short too many innocent lives in our communities.

AFGHANISTAN

Mr. HAWLEY. Mr. President, following my submission yesterday, I ask unanimous consent to have printed in the RECORD the next part of an investigation directed by the U.S. Central Command concerning the Abbey Gate bombing in Afghanistan in August 2021.

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

ACTS–SCK–DO

SUBJECT: Findings and Recommendation—Attack Against U.S. Forces Conducting NEO at Hamid Karzai International Airport on 26 August 2021.

(3) Gate Operations.

(a) Occupation of Abbey Gate. At approximately 0800 on 19 August, Golf Company, reinforced by Fox Company platoons, arrived at Abbey Gate and found U.K. and other foreign forces standing in the inner corridor (exhibits 77, 89). Golf Company attempted to open the gate to process evacuees and enable U.K. Forces to move to the Barron Hotel (exhibits 77, 89). This attempt failed because the large and desperate crowd in the outer corridor nearly breached the gate and forced Golf Company to stop in less than an hour (exhibits 77, 89). On 20 August during the period of darkness, Golf Company, reinforced by Fox Company platoons, moved the crowd approximately 150 meters south passed the entrance of the Barron Hotel (exhibits 77, 83, 89). 24th MEU engineers emplaced several shipping containers to form an obstacle, known as the Chevron, in the road (exhibits 77, 83, 86, 87, 89). The Taliban were employed to man the outside of the obstacle and conducted initial screening and crowd control (exhibits 77, 83, 89). Later on 20 August, crowds in the canal breached the southern end of the fence separating the canal from the outer corridor (exhibits 83, 172). Marines identified the need to clear the nearside of the canal and keep crowds on the opposite side (exhibits 53, 76, 77, 83).

(b) Steady State Gate Operations.

(i) After the establishment of the Chevron and clearing the nearside of the canal, 2/1 established a steady state operation of screening evacuees and movement to the PAX Terminal (exhibits 53, 77, 83, 89). Steady state was between 21–25 August. Marines on the canal would search for persons with documents (passports, immigration forms) meeting the current eligibility requirements for evacuation (exhibits 77, 83). Marines at the Chevron would do a similar screening (exhibits 78, 79). After pulling them into the outer corridor perimeter, they would conduct a cursory search of the potential evacuees, and place them into the holding area (exhibits 77, 83). 2/1 Marines established the holding area in the outer corridor traffic lane, against the HKIA exterior wall (exhibits 57, 60, 61, 77, 83). When DoS Consular officers were available, Marines would escort evacuees from the holding area to the search area in the inner corridor (exhibits 57, 60, 61, 77, 83). After thoroughly searching the potential evacuees, Marines would escort them to an area further into the inner corridor to be screened by the Consular officer (exhibits 57, 60, 61, 77, 83). The Consular officer would determine if the evacuees met the eligibility criteria and approve moving the evacuees forward to the PAX Terminal, or reject them, and the Marines would return them to the canal (exhibits 56, 57, 60, 61, 77, 79, 80, 82). The FST would assist in the searches and the escort of rejected civilians back to the canal (exhibits 77, 83, 107). Corpsmen were staged a CCP in the inner corridor and treated casualties at the canal or Chevron (exhibits 77, 83, 98).

(ii) U.K. Forces conducted NEO from the Barron Hotel, but also provided personnel for security on the canal and the Chevron (exhibits 53, 56, 76, 77, 127). U.K. support to steady state gate operations reduced as the NEO progressed (exhibits 77). Other partner nations provided no assistance with security at Abbey Gate (exhibits 56, 57, 60–63. 77, 79–88). Partner forces utilized Abbey Gate to escort their own consular officers or to pull evacuees from the crowd (exhibits 77, 79–89). Partner nations often did not coordinate their activities with Marines at Abbey Gate, and did not adhere to the established processing or security procedures (exhibits 79–89).

(c) Increased Crowds and Attack.

(i) On 25 August, Echo Company recognized an increase in the size and desperation of the crowd (exhibits 53, 56). The Echo Company [TEXT REDACTED] was concerned with the crowd pushing past the jersey barriers at the base of the sniper tower and not having space to operate (exhibit 56). In response, Echo Company cleared the crowd on the nearside of the canal (exhibits 56, 60–62). Echo Company positioned Marines approximately 150 meters down the canal, running northeast, to maintain control of the nearside (exhibit 56, 77). At approximately 1600, Golf Company relieved Echo company and assumed the same positions along the canal, the outer corridor, and inner corridor (exhibit 77) [TEXT REDACTED] received several updates concerning SVIED attacks at gates and determined the positions down the canal presented unacceptable risk to force and isolated Marines from support, to include CASEVAC (exhibit 77). Golf Company withdrew the Marines back down the nearside of the canal and crowds backfilled the space almost immediately (exhibits 77, 83). [TEXT REDACTED] stopped the flow of evacuees and took the defensive posture previously mentioned (exhibits 77, 83).

(ii) The next day, crowds were even larger and more unruly (exhibits 53, 56, 77, 83). Golf Company was forced to push additional Marines to the canal to keep them from crossing the jersey barriers at the base of the sniper tower (exhibits 53, 76, 77). Echo Company assumed inner gate responsibilities so Golf Company could maintain the positions on the canal (exhibits 56, 57). The crowds grew so desperate, they began to crush people against the sniper tower walls and jersey barriers (exhibits 53, 75, 77, 105). Golf Company Marines consolidated at the base of the tower in response (exhibits 53, 76, 77, 83, Brit Video). At 1736, the single explosion occurred, and detonated directly across from the platoon gathered at the base of the tower (exhibits 5, 53, 76, 77, 83, 89). Shortly after, Abbey Gate closed, the 1/82nd IBCT took over security of the Gate, U.K. Forces passed through for the final time from the Barron Hotel, and gate operations ended (exhibits 53, 56, 77, 124, 127).

(4) Preventability of the Abbey Gate Attack. The attack was not preventable at the tactical level without degrading the mission to maximize the number of evacuees. Given the priority of effort, time, resources, partner nation requirements, and terrain restraints, the only mitigation possible would have jeopardized the flow of evacuees and potentially risk mission failure.

(a) The priority for the Marines at Abbey Gate was maximizing the flow of evacuees through the gate to the ECC (exhibits 11, 15, 18, 56, 77, 88). Any time spent emplacing obstacles was time not spent searching and screening civilian evacuees. Additionally, many force protection measures that could have been implemented, such as additional T-Walls or HESCO barriers, would have inherently reduced the flow of evacuees. Closing the gate was also not an option because of U.K. efforts to conclude evacuation operations at the nearby Barron Hotel (exhibits 18, 54, 121, 127). Closing the gates would have isolated U.K. Forces and jeopardized the JTE force flow and timeline, potentially initiating renewed armed conflict with the Taliban (exhibits 15, 18, 21, 23, 125).

(b) Leaders at Abbey Gate on 26 August made frequent decisions (multiple times daily) to increase the force protection posture. Electronic countermeasures were already emplaced to prevent enemy coordination and radio controlled device use (exhibit 65). Several times during the 18 hours prior to the attack, the company commander stopped the flow at the gate and had Marines take covered positions (exhibits 77, 83, 84). Medics were consolidated in the inner corridor to ensure their safety and quick reaction to any attack, and additional medical assets were surged forward (exhibits 66, 77, 98). An Afghan interpreter was recruited to pacify the crowd using PSYOP capabilities (exhibit 107). ISR was increased and the Taliban were tasked to screen for the specific threat (exhibits 18, 125). Leaders struck the balance of protecting the force and maximizing the flow of evacuees as best as possible under the circumstances.

D. READINESS

(1) Key Findings.

(a) Most units that deployed to HKIA in support of the Afghanistan NEO, with the exception of USFOR–A FWD and JTF–CR, had adequate manning levels for the assigned mission. USFOR–A FWD and JTF–CR staffs were task-saturated due to the nature of the NEO. The effects were further exacerbated by the fact that many of their personnel were forced to expend significant energy trying to find specific evacuees, or groups of evacuees, at the gates of HKIA, on behalf of

various U.S. government officials, senior military officers, or special interest groups.

(b) All units deployed to HKIA in support of the Afghanistan NEO had trained on their respective mission essential tasks (METs) prior to deployment. In some cases, this included NEG-specific training, while in others it did not. Leaders at all levels stated no training could adequately prepare them for what they experienced at HKIA.

(2) USFOR–A FWD.

(a) Manning. USFOR–A FWD, led by RADM Pete Vasely, USN, Commander, USFOR–A FWD, and Brigadier Thomas Day, United Kingdom, Deputy Commander, USFOR–A FWD, was originally task organized and manned as a SOJTF in anticipation of taking over the NSOCC–A mission. In June 2021, they transitioned Into Diplomatic Assurance Platform-Afghanistan (DAP–A), with a focus on the medical, flight, and security requirements of USEK (exhibit 20). In July 2021, RADM Vasely took command from General Miller, and assumed the functions of Resolute Support Headquarters (RSHQ) and USFOR–A, albeit with a drastically reduced footprint due to a reduced boots on the ground (BOG) force cap of 650 being implemented. In addition to USFOR–A FWD's organic staff, they had TACON of one company from 2nd IBCT, 10th Mountain Division, and two companies from 3rd IBCT, 10th Mountain Division (exhibits 20, 21).

(b) Training. USFOR–A FWD trained to deploy as a SOJTF, and did not train to assume the role of RSHQ and USFOR–A, nor did they train to conduct a NEO. While deployed, USFOR–A FWD participated in the 28 June Operational Planning Team (OPT) at USEK, focused on pre-NEO planning. USFOR–A FWD then participated in the CENTCOM-led NEO tabletop exercise (TTX) on 29 June, and a National Security Council (NSC)-led NEO TTX on 6 August (exhibits 20, 21).

(3) 82nd Airborne Division.

(a) Manning. 82nd Airborne Division HQ, led by MG Christopher Donahue, initially deployed with a small team of six staff members, and arrived at HKIA on 18 August. The remainder of the Division HQ staff arrived on 20 August, bringing the 82nd's total manpower to 106 personnel (exhibits 125, 152). The 1st IBCT, 82nd Airborne Division (1/82 IBCT), led by [TEXT REDACTED] deployed as part of the IRF, began to arrive at HKIA on 15 August, and had roughly 1000 soldiers on hand by 16 August. The number of personnel TACON to 1/82 IBCT would swell to 2360 throughout the NEO (exhibits 130, 152). The 1/82 IBCT HQ was comprised of 65 personnel, and it had TACON of elements from 1/504 PIR (515 personnel), 2/504 PIR (378 personnel), 2/501 PIR (504 personnel), 3/319 Artillery (257 personnel), 307th Brigade Support Battalion (BSB) (56 personnel), 127th Airborne Engineer Battalion (24 personnel), 50th Expeditionary Signal Battalion (4 personnel), 16th Military Police Brigade (150 personnel), and 1/194 Armor Regiment (412 personnel) (exhibits 152, 153).

(b) Training. The 82nd Airborne Division HQ is trained to deploy rapidly, as part of the IRF, and did so in support of the NEO. While deployed to HKIA, the Division HQ participated in MASCAL TTXs and Rehearsal of Concept (ROC) drills, as well as Rules of Engagement (ROE) ROC drills with subordinate and adjacent units (exhibit 125). 1/82 IBCT began its IRF preparation training in March 2021 during its Joint Readiness Training Center (JRTC) rotation. During the IBCT's time at JRTC, units rehearsed civic engagement, conducted mock interagency engagements, utilized role players, and trained on entry control point operations. They did not train on crowd control or NEO (exhibits 121, 123). The 1/82 IBCT conducted Leader Professional Development sessions, where they executed tactical decision games focused on NEO (exhibits 121, 123). The brigade also trained to secure airfields (exhibits 121, 123, 124). 2/501 PIR executed three deployment readiness exercises (DREs), where they practiced deploying out of Joint Base Charleston, South Carolina (exhibit 123).

(4) JTF–CR.

(a) Manning. JTF–CR activated in anticipation of the Afghanistan NEO, and initially had a joint manning document (JMD) with 187 personnel associated with it. The JTF sent three Liaison Officers (LNOs) forward to Afghanistan in May 2021 to coordinate with USFOR–A, USEK, and HKIA. Additionally, the JTF sent a quartering party comprised of three Marines to HKIA to begin preparations for receiving the JTF in the event of a NEO (exhibit 15). On 19 July, JTF–CR sent an EEAT comprised of 49 personnel to HKIA to assist DoS with processing SIV applicants for travel to the U.S., and to continue preparations for receiving the JTF at HKIA in the event of a NEO (exhibits 15, 18). By the third week of July, JTF–CR had 55 personnel on the ground at HKIA, and would send an additional 28 personnel forward from Bahrain on 4 August (exhibit 15). By 26 August, the JTF–CR staff was back down to 59 personnel, as some staff members had redeployed. JTF–CR staff personnel were chosen for their versatility, so they could multi-task, and the JTF opted to place a heavy emphasis on planning ability, due to the anticipated requirement of multiple, competing planning efforts throughout the execution of the NEO (exhibit 15). When the NEO began, the JTF–CR was forced to employ most of its staff as a security force, due to multiple breaches in the HKIA perimeter and a limited number of security forces being on deck at HKIA (exhibits 15, 18).

(b) Training. JTF–CR was certified as a JTF in 2019 (exhibits 15, 18), and again in 2020 (exhibit 18). In addition to its certification via exercises and training, the JTF had activated three times within the past year, to include its planning response to the Beirut Port explosion in August 2020, and its deployment in support of Operation OCTAVE QUARTZ off the coast of Somalia in the spring of 2021 (exhibit 18). JTF–CR participated in NEO TTXs with CENTCOM at the end of June, and the NSC on 6 August, but JTF–CR staff members considered both to be ineffective, due to faulty planning assumptions (exhibits 17, 18). During NEO execution at HKIA, JTF–CR conducted MASCAL rehearsals with the Role II clinic and USFOR–A FWD, which ultimately paid dividends on 26 August (exhibits 15, 16, 18). Multiple leaders from JTF–CR stated that no training could have truly prepared service members for the tasks they executed at HKIA throughout the NEO (exhibits 17, 18).

(5) 24th MEU.

(a) Manning. The 24th MEU, led by [TEXT REDACTED] began sending Marines into HKIA as part of its quartering party in mid-July, and its CE began flowing into HKIA on 15 August. At full strength, the MEU had 1249 Marines and Sailors at HKIA, the bulk of which resided within BLT 1/8 and CLB–24 (exhibits 100, 101, 104). BLT 1/8 deployed 996 Marines and Sailors across three rifle companies, a weapons company, an artillery battery, a light armored reconnaissance company (-), an engineer platoon, and a reconnaissance company (-) (exhibits 100, 104). CLB–24 deployed to HKIA with 225 Marines and Sailors, task organized to support 24-hour ECC operations, with roughly 70 Marines supporting three, 8-hour shifts each day. CLB–24 personnel provided combat service support to other units across HKIA, when they were not operating at the ECC. CLB–24 also task organized a FST, comprised of 35 female Marines and Sailors, with augmentation from BLT 1/8. CLB–24 had SPMAGTF's Combat Logistics Detachment–21 (CLD–21), and Marine Wing Support Detachment–373 (MWSD–373) attached to support ECC operations (exhibit 101).

(b) Training. 24th MEU completed the standard pre-deployment training program focused on the MEU's 13 core METs, including NEO (exhibits 100, 101, 104). The unit conducted an additional, four-day NEO training package, sponsored by Expeditionary Operations Training Group (EOTG) in January 2021, which included DoS and civilian role player participants (exhibits 100, 101, 104). In June 2021, while ashore in Jordan, 24th MEU's CE and BLT conducted embassy reinforcement and NEO training at the U.S. Embassy in Amman (exhibits 100, 104). In July, the MEU offloaded in Kuwait to posture for a potential NEO in Afghanistan, and throughout the month of July and into August, the CE, BLT, and CLB trained daily on various aspects of NEO, to include embassy reinforcement, fixed site security, ECC operations, and NEO Tracking System operations (exhibits 100, 101, 104). Additionally, the FST Marines and Sailors trained on proper search techniques to be employed at an ECC or ECP (exhibits 101, 107). MEU leadership agreed that the NEO training they conducted did not adequately train their Marines and Sailors for the conditions they faced at HKIA (exhibits 100, 101, 104).

(6) SPMAGTF.

(a) Manning. The SPMAGTF deployed a ''heavy package'' to HKIA with components of the GCE, comprised of 2nd Battalion, 1st Marines (2/1), the Logistics Combat Element (LCE), comprised of CLD–21, and Aviation Combat Element (ACE), comprised of MWSD–373. Additionally, the SPMAGTF ''heavy package'' included an STP and two EOD teams (exhibits 55, 65, 66). 2/1 deployed its entire battalion, with the exception of one platoon from Golf Company, which provided escort security aboard SPMAGTF flights to/from HKIA, two platoons from Fox Company, which remained at the Baghdad Embassy Complex (BEC) in Iraq to provide security, and their Combat Engineer Platoon, which stayed at the BEC to support force protection improvements there (exhibits 53, 54, 55, 56, 77, 78, 79, 81). As a result of the Engineer Platoon not deploying to HKIA, 2/1 was forced to depend on CLD–21's engineer section, whose focus at HKIA was ECC operations, and the BLT's Engineer Platoon, whose focus was supporting the BLT at North and East Gates.

(b) Training.

ADDITIONAL STATEMENTS

REMEMBERING RANDY ''R.D.'' KINSEY

● Mr. BOOZMAN. Mr. President, I rise today to honor the life of R.D. Kinsey who passed away on July 11, 2022, at the age of 69. Mr. Kinsey was a husband, father, veteran, civil servant and beloved leader in the State of Arkansas with a reputation for wisdom and compassion.

A native of South Florida, Kinsey moved to Arkansas after his service in the U.S. Air Force. After he was honorably discharged in 1972, he realized his passion and desire to uplift and advocate for his fellow veterans.

Stepping into a new platform of service with the U.S. Department of Veterans Affairs, Kinsey spent much of his time counseling combat veterans even

before post-traumatic stress disorder and traumatic brain injuries were formal diagnoses.

Kinsey's friends recognized him as a man who actively worked to make positive changes for veterans throughout his career. Upon his retirement from civil service in 2000, he continued to blaze trails within the American Legion, serving in local, State, and national capacities. He was instrumental in founding American Legion Post 74 in North Little Rock, where he served as founding commander and commander for 14 years.

He made an annual trip to Washington, DC, during the American Legion's testimony to Congress about its legislative priorities and advocated on behalf of Arkansas veterans.

In 2018, he became the first African-American State commander of the American Legion of Arkansas. Kinsey was not focused on the tag-line and pressures that may arise from being the first minority to sit in the State commander seat because, in his words, ''All our blood runs the same.'' This was one of many examples of how he led his life with humility and selflessness.

During his time in the Air Force, Kinsey specialized in security, where he fought to protect his fellow airmen in combat. During his time serving veterans, he fought to strengthen the benefits they earned. Service, advocacy, and security were his life's tenets.

At the celebration of the American Legion's 100th anniversary, Kinsey said his time as commander was his way of giving back blessings to help others and what could be a more rewarding experience than to be able and help a veteran in need.

He served in the greatest capacity alongside his wife, Dianna and their two daughters, Meredith and Allison and their grandsons. He was a loving father, caring coworker, servant leader, gracious husband, and friend to all. His wife recently said that his motto was ''For God and country.'' I hope we can learn from his example to remember the American blood flowing through all of us and work together to make this country better than we found it.

I join R.D Kinsey's family, friends, and all Arkansans in mourning his passing. His fingerprint will forever mark Arkansas. From Florida, North Little Rock, Washington, and everywhere in between, his legacy will carry on with current and future generations. In his spirit we will continue to advance the benefits for and meet the needs of American veterans.●

TRIBUTE TO JIM HALVORSON

● Mr. DAINES. Mr. President, today I have the distinct honor of recognizing Jim Halvorson of the Montana Board of Oil and Gas Conservation for his dedication to Montana and his 32 years of public service.

Raised near Pendroy, MT, Jim graduated from the Montana School of Mines, better known today as Montana Tech University. After years of work in both Wyoming and Colorado, Jim made his way back home to the Treasure State and went on to begin his career with the Montana Board of Oil and Gas Conservation. He started out as a petroleum geologist and was eventually appointed as Administrator. Jim's role included administering Montana's oil and gas conservation laws, promoting conservation, and overseeing oil and gas exploration and production in the State.

As Jim enters into retirement, he can rest assured that he has made a lasting impact on Montana's oil and gas industry. He will now have the opportunity to enjoy the fruits of his labor as he plans to spend more time in the great outdoors, whether that be fishing or enjoying time with his wife of 40 years, Diana.

It is my honor to recognize Jim Halvorson for his dedication to the Montana Board of Oil and Gas Conservation and for his 32 years of public service to the great State of Montana. Jim, thank you for your many years of public service and your commitment to preserving our State's oil and gas reserves. I wish you all the best in your retirement. You make Montana proud.●

MESSAGE FROM THE HOUSE

At 11:28 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 bill, without amendment:

S. 144. An act to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes.

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

H.R. 1286. An act to establish the Southern Campaign of the Revolution National Heritage Corridor, and for other purposes.

H.R. 2024. An act to establish the Southern Maryland National Heritage Area, and for other purposes.

H.R. 3222. An act to establish the Alabama Black Belt National Heritage Area, and for other purposes.

H.R. 4404. An act to amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River in the State of Florida as a component of the Wild and Scenic Rivers System, and for other purposes.

H.R. 6337. An act to require the Secretary of the Interior and the Secretary of Agriculture to develop long-distance bike trails on Federal land, and for other purposes.

H.R. 7002. An act to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by blue and yellow lights in support of Ukraine.

H.R. 7025. An act to prohibit the Director of the United States Fish and Wildlife Service from funding entities that commit, fund, or support gross violations of internationally recognized human rights, and for other purposes.

H.R. 7693. An act to amend title 54, United States Code, to reauthorize the National Park Foundation.

H.R. 8404. An act to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

MEASURES REFERRED

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

H.R. 1286. An act to establish the Southern Campaign of the Revolution National Heritage Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2024. An act to establish the Southern Maryland National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3222. An act to establish the Alabama Black Belt National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4404. An act to amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River in the State of Florida as a component of the Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6337. An act to require the Secretary of the Interior and the Secretary of Agriculture to develop long-distance bike trails on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 7002. An act to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by blue and yellow lights in support of Ukraine; to the Committee on Energy and Natural Resources.

H.R. 7025. An act to prohibit the Director of the United States Fish and Wildlife Service from funding entities that commit, fund, or support gross violations of internationally recognized human rights, and for other purposes; to the Committee on Environment and Public Works.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 8404. An act to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4612. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''TRICARE Coverage and Reimbursement of Certain Services Resulting from Temporary Program Changes in Response to the COVID–19 Pandemic'' ((RIN0720–AB81) (RIN0720–AB82) (RIN0720–AB83)) received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2022; to the Committee on Armed Services.

EC–4613. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''TRICARE Coverage and Reimbursement of Certain Services Resulting

from Temporary Program Changes in Response to the COVID–19 Pandemic; Correction'' ((RIN0720–AB81) (RIN0720–AB82) (RIN0720–AB83)) received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2022; to the Committee on Armed Services.

EC–4614. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (RIN0790–AL20) received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2022; to the Committee on Armed Services.

EC–4615. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (RIN0790–AK99) received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2022; to the Committee on Armed Services.

EC–4616. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Maximizing the Use of American-Made Goods, Products, and Materials (DFARS Case 2019–D045)'' (RIN0750–AK85) received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2022; to the Committee on Armed Services.

EC–4617. A communication from the Secretary of Energy, transmitting a legislative proposal to reduce the frequency of a required Report to Congress by the Department of Energy regarding excess contaminated facilities; to the Committee on Armed Services.

EC–4618. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report relative to annual reporting requirements on defense manpower for fiscal years 2021 and 2022; to the Committee on Armed Services.

EC–4619. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''Explosives Safety Board 2021 Report to Congress''; to the Committee on Armed Services.

EC–4620. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Armed Services.

EC–4621. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Armed Services.

EC–4622. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Armed Services.

EC–4623. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Armed Services.

EC–4624. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Armed Services.

EC–4625. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Armed Services.

EC–4626. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Prohibition on Inclusion of Adverse Information in Consumer Reporting in Cases of Human Trafficking (Regulation V)'' (RIN3170–AB12) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC–4627. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Debt Collection Practices (Regulation F); Pay-to-Pay Fees'' (12 CFR Part 1006) received during the adjournment of the Senate in the Office of the President of the Senate on July 1, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC–4628. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Fair Credit Reporting; Permissible Purposes for Furnishing, Using, and Obtaining Consumer Reports'' (12 CFR Part 1022) received during the adjournment of the Senate in the Office of the President of the Senate on July 1, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC–4629. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Streamlining management and Occupancy Reviews for Section 8 Housing Assistance Programs'' (RIN2502–AJ22) received in the Office of the President of the Senate on July, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC–4630. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''The Fair Credit Reporting Act's Limited Preemption of State Laws'' (12 CFR Part 1022) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC–4631. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''Defense Production Act Fund Annual Report For Fiscal Year 2021''; to the Committee on Banking, Housing, and Urban Affairs.

EC–4632. A communication from the Deputy Chief, National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the final maps and perimeter boundary descriptions for the enclosed Wild and Scenic Rivers; to the Committee on Energy and Natural Resources.

EC–4633. A communication from the National Listing Coordinator of the Office of Protected Resources, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species; Removal of Johnson's Seagrass From the Federal List of Threatened and Endangered Species Including the Corresponding Designated Critical Habitat'' (RIN0648–XR119) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2022; to the Committee on Environment and Public Works.

EC–4634. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''NUREG–2159, Rev. 1, 'Acceptable Standard Format and Content for the Fundamental Nuclear Material Control Plan Required for Special Nuclear Material of Moderate Strategic Significance'' (RIN3150) received in the Office of the President of the Senate on July 11, 2022; to the Committee on Environment and Public Works.

EC–4635. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Management Directive (MD) 12.3, NRC Personnel Security Program'' received in the Office of the President of the Senate on July 19, 2022; to the Committee on Environment and Public Works.

EC–4636. A communication from the Secretary of Energy, transmitting a legislative proposal to revise the Mercury Export Ban Act of 2008, as amended; to the Committee on Environment and Public Works.

EC–4637. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory Beginning with Reporting Years 2021 and 2022'' ((RIN2070–AL04) (FRL No. 9427–01–OCSPP)) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Environment and Public Works.

EC–4638. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Vermont: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference'' (FRL No. 9581–02–R1) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Environment and Public Works.

EC–4639. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delaware: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference'' (FRL No. 9625–02–R3) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Environment and Public Works.

EC–4640. A communication from the Chief of the Publications and Regulations Branch, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Regarding the Changes Made by the American Rescue Plan Act to the Election of Alternative Minimum Funding Standards for Community Newspaper Plans under Section 430(m)'' (Notice 2022–31) received in the Office of the President of the Senate on July 11, 2022; to the Committee on Finance.

EC–4641. A communication from the Chief of the Publications and Regulations Branch, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicability of section 432(b) (7) following a merger involving a multiemployer defined benefit plan that has received special financial assistance'' (Rev. Rul. 2022–13) received in the Office of the President of the Senate on July 19, 2022; to the Committee on Finance.

EC–4642. A communication from the Secretary of Energy, transmitting a legislative proposal that would amend the Harmonized Tariff Schedule of the United States; to the Committee on Finance.

EC–4643. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Unified Payment for Medicare-Covered Post-Acute Care: Analysis and Development of the Prototype Unified PAC Prospective Payment System Called for in the IMPACT ACT''; to the Committee on Finance.

EC–4644. A communication from the Principal Deputy Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a data snapshot entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2022''; to the Committee on Finance.

EC–4645. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Non-Emergency Medical Transportation in Medicaid, 2018–2020''; to the Committee on Finance.

EC–4646. A communication from the Acting Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's 2022 Annual Report of the Supplemental Security Income Program; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Select Committee on Intelligence:

Report to accompany S. 4503, a bill to authorize appropriations for fiscal year 2023 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 117–132).

EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations:

[Treaty Doc. 117–3: Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden with six declarations and one condition (Ex. Rept. 117–5)]

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate advice and consent subject to declarations and conditions.

The Senate advises and consents to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden, which were signed on July 5, 2022, by the United States of America and other parties to the North Atlantic Treaty of 1949 (Treaty Doc. 117–3), subject to the declarations of section 2 and the condition of section 3.

Sec. 2. declarations.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) Reaffirmation That United States Membership in NATO Remains a Vital National Security Interest of the United States.—The Senate declares that—

(A) for more than 70 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) Strategic Rationale for NATO Enlargement.—The Senate declares that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Finland or Sweden, or the destabilization of either arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Finland and Sweden, having established democratic governments and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, are in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Finland and Sweden will strengthen NATO, enhance stability in Europe, and advance the interests of the United States and its NATO allies.

(3) Support for NATO's Open Door Policy.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) Future Consideration of Candidates for Membership in NATO.—

(A) Senate Finding.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Finland and Sweden), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) Requirement for Consensus and Ratification.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) Influence of Non-NATO Members on NATO Decisions.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) Support for 2014 Wales Summit Defense Spending Benchmark.—The Senate declares that all NATO members should continue to fulfill or move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024.

Sec. 3. condition.

The advice and consent of the Senate under section 1 is subject to the following conditions

(1) Presidential Certification.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Finland and Sweden in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Finland and Sweden in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

Sec. 4. definitions.

In this resolution:

(1) NATO Members.—The term ''NATO members'' means all countries that are parties to the North Atlantic Treaty.

(2) Non-NATO Members.—The term ''non-NATO members'' means all countries that are not parties to the North Atlantic Treaty.

(3) North Atlantic Area.—The term ''North Atlantic Area'' means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(4) North Atlantic Treaty.—he term ''North Atlantic Treaty'' means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(5) United States Instrument of Ratification.—The term ''United States instrument of ratification'' means the instrument of ratification of the United States of the Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. WICKER:

S. 4560. A bill to enable the people of the Commonwealth of Puerto Rico to determine the political status of the Commonwealth of Puerto Rico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNOCK (for himself, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mr. OSSOFF, Mr. BENNET, Mr. TESTER, Mr. WARNER, Mr. MERKLEY, and Mr. BOOKER):

S. 4561. A bill to direct the Secretary of Defense to seek to enter into an agreement with an entity to conduct a study and produce a report on barriers to home ownership for members of the Armed Forces; to the Committee on Armed Services.

By Mr. WARNOCK (for himself, Mr. BLUMENTHAL, Mr. OSSOFF, Mr.

TESTER, Mr. MERKLEY, and Mr. BOOKER):

S. 4562. A bill to amend title 37, United States Code, to increase the basic allowance for housing inside the United States for members of the uniformed services; to the Committee on Armed Services.

By Mr. WARNOCK (for himself and Mr. BOOKER):

S. 4563. A bill to direct the Secretary of Defense and Secretary of Housing and Urban Development to take certain actions regarding the housing shortage for members of the Armed Forces; to the Committee on Armed Services.

By Mr. WARNOCK (for himself, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Mr. OSSOFF, Mr. BENNET, Mr. TESTER, Ms. KLOBUCHAR, Mr. WARNER, Mr. MERKLEY, and Mr. BOOKER):

S. 4564. A bill to direct the Secretary of Defense to report on the basic allowance for housing for members of the uniformed services; to the Committee on Armed Services.

By Mr. BOOZMAN (for himself and Mr. HEINRICH):

S. 4565. A bill to amend title 38, United States Code, to repeal the copayment requirement for recipients of Department of Veterans Affairs payments or allowances for beneficiary travel, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CORTEZ MASTO (for herself and Mr. LUJÁN):

S. 4566. A bill to amend the Energy Independence and Security Act of 2007 to establish a regional clean energy innovation program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAMER (for himself and Mr. HICKENLOOPER):

S. 4567. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mr. WARNER):

S. 4568. A bill to amend the Internal Revenue Code of 1986 to promote the increased use of renewable natural gas, to reduce greenhouse gas emissions and other harmful transportation-related emissions that contribute to poor air quality, and to increase job creation and economic opportunity throughout the United States; to the Committee on Finance.

By Mr. RUBIO (for himself, Mrs. BLACKBURN, and Mr. SCOTT of Florida):

S. 4569. A bill to prohibit the provision of Federal funds to certain entities subject to sanctions imposed by the United States; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ERNST (for herself, Mr. TILLIS, Mr. LANKFORD, and Mr. CORNYN):

S. 4570. A bill to prohibit the intentional hindering of immigration, border, and customs controls, and for other purposes; to the Committee on the Judiciary.

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

S. 4571. A bill to reaffirm that the President of the United States lacks the authority to stop oil and gas leasing on Federal public land; to the Committee on Energy and Natural Resources.

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

S. 4572. A bill to require U.S. Customs and Border Protection to expand the use of non-intrusive inspection systems at land ports of entry; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Mr. MANCHIN, Mr. PORTMAN, Ms. SINEMA, Mr. ROMNEY, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. WARNER, Mr. TILLIS, Mr. MURPHY, Mrs. CAPITO, Mr. CARDIN, Mr. YOUNG, Mr. COONS, Mr. SASSE, and Mr. GRAHAM):

S. 4573. A bill to amend title 3, United States Code, to reform the Electoral Count Act, and to amend the Presidential Transition Act of 1963 to provide clear guidelines for when and to whom resources are provided by the Administrator of General Services for use in connection with the preparations for the assumption of official duties as President or Vice President; to the Committee on Rules and Administration.

By Ms. COLLINS (for herself, Mr. MANCHIN, Mr. PORTMAN, Ms. SINEMA, Mr. ROMNEY, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. WARNER, Mr. TILLIS, Mr. MURPHY, Mr. CARDIN, and Mr. COONS):

S. 4574. A bill to amend title 18, United States Code, to increase penalties for crimes against Federally protected activities relating to voting and the conduct of elections, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOKER (for himself and Mr. PAUL):

S. 4575. A bill to clarify that the Federal Right to Try law applies to schedule I substances for which a phase I clinical trial has been completed and to provide access for eligible patients to such substances pursuant to the Federal Right to Try law; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Ms. CANTWELL, Mr. DURBIN, Ms. DUCKWORTH, Ms. HIRONO, Mr. WYDEN, Mr. HICKENLOOPER, Mr. VAN HOLLEN, Mrs. MURRAY, and Ms. KLOBUCHAR):

S. 4576. A bill to provide competitive grants for the promotion of Japanese American confinement education as a means to understand the importance of democratic principles, use and abuse of power, and to raise awareness about the importance of cultural tolerance toward Japanese Americans, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. RISCH (for himself, Mr. CARDIN, Mr. BLUMENTHAL, Mr. WICKER, Mrs. SHAHEEN, Mr. PORTMAN, and Mr. GRAHAM):

S. Res. 713. A resolution recognizing Russian actions in Ukraine as a genocide; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mrs. MURRAY, Mr. MARKEY, Ms. WARREN, Mr. KAINE, Ms. BALDWIN, Mr. MENENDEZ, Ms. STABENOW, Mr. SANDERS, Mr. PADILLA, Mr. LEAHY, Mr. KING, Ms. SMITH, Mr. VAN HOLLEN, Mr. REED, Mr. BENNET, Ms. HASSAN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. CARDIN, Mr. HICKENLOOPER, Mr. MURPHY, Ms. KLOBUCHAR, Mr. BROWN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. LUJÁN, Ms. CANTWELL, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. PETERS, Mr. WARNOCK, Ms. HIRONO, Mr. BOOKER, and Mr. DURBIN):

S. Res. 714. A resolution recognizing the importance of independent living for individuals with disabilities made possible by the Americans with Disabilities Act of 1990 and calling for further action to strengthen home and community living for individuals with disabilities; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 204

At the request of Mr. SCHATZ, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 204, a bill to establish the Office of Press Freedom, to create press freedom curriculum at the National Foreign Affairs Training Center, and for other purposes.

S. 331

At the request of Mr. CASEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 331, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 634

At the request of Ms. COLLINS, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 634, a bill to support and expand civic engagement and political leadership of adolescent girls around the world, and other purposes.

S. 1273

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1273, a bill to amend the Internal Revenue Code of 1986 to provide a credit to small employers for covering military spouses under retirement plans.

S. 1321

At the request of Mr. KELLY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1321, a bill to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes.

S. 1436

At the request of Mr. MANCHIN, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1436, a bill to direct the Secretary of Health and Human Services to amend the mission statement of the Food and Drug Administration.

S. 1625

At the request of Mr. WARNER, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1625, a bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes.

S. 1663

At the request of Mr. MERKLEY, the name of the Senator from Connecticut

(Mr. MURPHY) was added as a cosponsor of S. 1663, a bill to amend title 18, United States Code, and title 39, United States Code, to provide the United States Postal Service the authority to mail alcoholic beverages, and for other purposes.

S. 2512

At the request of Mr. MURPHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2512, a bill to amend title 28, United States Code, to provide for a code of conduct for justices and judges of the courts of the United States.

S. 2874

At the request of Ms. CORTEZ MASTO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2874, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income payments under the Indian Health Service Loan Repayment Program and certain amounts received under the Indian Health Professions Scholarships Program.

S. 3021

At the request of Ms. SINEMA, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 3021, a bill to provide non-medical counseling services for military families.

S. 3189

At the request of Mr. HEINRICH, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3189, a bill to amend title XX of the Social Security Act to provide a pathway to health careers through health profession opportunity grants.

S. 3678

At the request of Mr. WARNOCK, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 3678, a bill to authorize the National Detector Dog Training Center, and for other purposes.

S. 3909

At the request of Mr. KAINE, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 4069

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 4069, a bill to amend the National Firearms Act to provide an exception for stabilizing braces, and for other purposes.

S. 4105

At the request of Mr. BROWN, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 4105, a bill to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

S. 4169

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4169, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide assisted living services to eligible veterans, and for other purposes.

S. 4223

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4223, a bill to increase, effective as of December 1, 2022, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 4227

At the request of Mr. HOEVEN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 4227, a bill to streamline the oil and gas permitting process and to recognize fee ownership for certain oil and gas drilling or spacing units, and for other purposes.

S. 4416

At the request of Mr. CASSIDY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 4416, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for charitable donations to nonprofit organizations providing education scholarships to qualified elementary and secondary students.

S. 4430

At the request of Mr. DURBIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 4430, a bill to amend title 35, United States Code, to establish an interagency task force between the United States Patent and Trademark Office and the Food and Drug Administration for purposes of sharing information and providing technical assistance with respect to patents, and for other purposes.

S. 4467

At the request of Ms. SMITH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4467, a bill to preserve access to abortion medications.

S. 4499

At the request of Mrs. BLACKBURN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 4499, a bill to prohibit any requirement that a member of the National Guard receive a vaccination against COVID–19.

S. 4507

At the request of Mr. CRAPO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 4507, a bill to provide incentives for States to recover fraudulently paid Federal and State unemployment compensation, and for other purposes.

S. 4509

At the request of Mrs. SHAHEEN, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Texas (Mr. CORNYN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 4509, a bill to provide for security in the Black Sea region, and for other purposes.

S. 4515

At the request of Mr. CRUZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 4515, a bill to require the Secretary of Energy to stipulate, as a condition on the sale at auction of any crude oil from the Strategic Petroleum Reserve, that the crude oil not be exported to certain countries, and for other purposes.

S. 4516

At the request of Ms. ERNST, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 4516, a bill to require the Office of Federal Procurement Policy to develop governmentwide procurement policy and guidance to mitigate organizational conflict of interests relating to national security and foreign policy, and for other purposes.

S. 4550

At the request of Ms. SMITH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 4550, a bill to provide enhanced funding for family planning services.

S. 4556

At the request of Mrs. FEINSTEIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 4556, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

S. 4557

At the request of Mr. MARKEY, the names of the Senator from Georgia (Mr. OSSOFF) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 4557, a bill to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception.

S.J. RES. 21

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States to prohibit the use of slavery and involuntary servitude as a punishment for a crime.

S.J. RES. 56

At the request of Mr. SANDERS, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S.J. Res. 56, a joint resolution directing the removal of United

States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

S. RES. 589

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Arizona (Mr. KELLY), the Senator from Maryland (Mr. CARDIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 589, a resolution recognizing, honoring, and commending the women of Ukraine who have contributed to the fight for freedom and the defense of Ukraine.

S. RES. 712

At the request of Mrs. HYDE-SMITH, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. Res. 712, a resolution recognizing the need for greater access to rural and agricultural media programming.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. MANCHIN, Mr. PORTMAN, Ms. SINEMA, Mr. ROMNEY, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. WARNER, Mr. TILLIS, Mr. MURPHY, Mrs. CAPITO, Mr. CARDIN, Mr. YOUNG, Mr. COONS, Mr. SASSE, and Mr. GRAHAM):

S. 4573. A bill to amend title 3, United States Code, to reform the Electoral Count Act, and to amend the Presidential Transition Act of 1963 to provide clear guidelines for when and to whom resources are provided by the Administrator of General Services for use in connection with the preparations for the assumption of official duties as President or Vice President; to the Committee on Rules and Administration.

By Ms. COLLINS (for herself, Mr. MANCHIN, Mr. PORTMAN, Ms. SINEMA, Mr. ROMNEY, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. WARNER, Mr. TILLIS, Mr. MURPHY, Mr. CARDIN, and Mr. COONS):

S. 4574. A bill to amend title 18, United States Code, to increase penalties for crimes against Federally protected activities relating to voting and the conduct of elections, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. MANCHIN. Mr. President, I rise today to acknowledge the months of bipartisan hard work that have gone into two bills that we are filing today: the Electoral Count Reform and Presidential Transition Improvement Act—I repeat—the Electoral Count Reform and Presidential Transition Improvement Act—and the Enhanced Election Security and Protection Act.

I would like to commend my dear friend Senator SUSAN COLLINS for her leadership throughout this process. She has been shepherding this through and working diligently, as only she can do, and she does it so well.

We started these discussions back in January, when partisanship around here was at a fever pitch, a toxic environment that was absolutely not conducive to things that needed to be done. But for those who may not remember, we were in the middle of a heated debate over voting rights with both sides—Democrats and Republicans—equally dug in on their positions, and it was kind of hard to move people off of that.

The insurrection January 6 and the situation that has been going on since 1887 and should have been corrected and had not been—but no one ever felt that we would have what we had. So now, we needed to take care of it. And everyone stepped to the plate.

By January 19, my Democratic colleagues were so frustrated that they forced a vote on repealing the filibuster to allow that bill to pass with a simple majority, along party lines. It appeared to many, both inside and outside of Washington, DC, that the Senate was fundamentally broken. But Senator COLLINS and I have worked together for a long time, and we never gave up. We were not convinced it was broken, and you just have to work a little bit harder.

They call us the most deliberative body. Well, to deliberate means to talk, to converse; and when that fails, then, basically, the deliberative body is no longer the deliberative body. And we were not going to let that happen to us.

We asked our colleagues and friends to come together to start trying to see if we could work together and find a pathway and find common ground. Well—guess what—they did. So I am here to thank those who sat down: Senator PORTMAN, ROB PORTMAN; we had Senator MURPHY; we had Senator ROMNEY, Senator SHAHEEN, Senator MURKOWSKI, Senator WARREN, Senator TILLIS, Senator SINEMA, Senator CAPITO, Senator CARDIN, Senator YOUNG, Senator COONS, Senator SASSE, and Senator GRAHAM.

Now, that was truly a team effort when you think about it. And this has gone on for quite some time.

What we learned through those discussions was that there was bipartisan support for some important, commonsense reforms that would help restore Americans' faith in our democracy and how we basically apply our democracy, how do we select our representative form of government. Specifically, most of our group felt that we could and that we should:

Reform the Electoral Count Act to remove the ambiguity that we saw weaponized after the last election. We were all in agreement.

Enhance the protections for local election officials who were facing unprecedented threats and intimidations. These are people who volunteer, most basically. And it is basically a family handing down generation after generation, people who always believe that their civic duty is to be able to perform during election times.

We wanted to establish best practices for the U.S. Postal Service to improve the handling of mail-in ballots. Mail-in ballots have been so convenient to older people, shut-ins. And in the situation where we had this pandemic, my goodness, it was the only way that people could vote.

So reauthorize the Election Assistance Commission to help States improve the administration and the security of Federal elections.

The most important thing that we can do is that when that vote is cast and that vote is counted accurately, it has to be counted and reported accurately. And that is what we have to do and make sure that there is not even a shred of a thought where a person might think that count is not valid—it is not a valid count. And we have done everything we possibly can to make sure that we have cleared that up.

This is not everything that people on both sides of that wanted. Some on our bipartisan committee wanted a lot more, and some didn't want to basically interfere with the States' rights. So we were caught in betwixt and between. We worked back and forth on different things we could. We tried to put the guardrails on that gave guidance, and we think that we came up with a piece of legislation.

And when you have every Member I just mentioned all sign on, with the diversity of these memberships—we have almost 20; 20 Senators have been involved, coming equally between Democrats and Republicans, and able to come to an agreement—this is a bill that we should put forward.

I was proud to be an original sponsor of both the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act, and I still believe that we can and we must continue working to protect every American's sacred right to vote. But we also have an obligation to the American people to do the most good that we can right now—right now.

The confusing and antiquated language that we have on the books today from the 1887 Electoral Count Act is a real and present danger to our democracy. We can fix that, and that is exactly what we intend to do.

The increased threats and attacks we are seeing across the country on poll workers and election volunteers—we can fix that, too. But even more important than the policy provisions contained in these two bills is the fact that we have Democrats and Republicans standing arm in arm proposing commonsense election reforms that can begin to restore Americans' faith in our democracy. That is our solemn commitment and promise.

When Benjamin Franklin was asked whether the Constitutional Convention had given us a republic or a monarchy, he famously replied ''A republic, young man, if you can keep it.''

He qualified his answer because he understood a democracy is fragile and can be lost if we are not careful. And while today's introduction is an important step in this process, we do have much work yet to do.

I look forward to continuing our bipartisan effort to get this bill to the President's desk as quickly as possible and signed into law. And our journey begins.

And with that, I would like to yield to my dear friend from the great State of Maine, Senator SUSAN COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join my close friend and dear colleague Senator MANCHIN in introducing bipartisan legislation to reform the archaic and ambiguous Electoral Count Act of 1887, the important law that governs how Congress tallies each State's electoral votes for President and Vice President.

On January 6 of 2017, I was amused to learn that I had received one electoral vote for Vice President of the United States, an office for which I obviously was not a candidate. But on January 6, 2021, I realized that my unearned vote from 4 years earlier was really not funny at all. Rather, it was an indication of deep structural problems with our system of certifying and counting the electoral votes for President and Vice President. These unfortunate flaws are codified in the 1887 Electoral Count Act.

In four of the past six Presidential elections, this process has been abused, with Members of both parties raising frivolous objections to electoral votes. But it took the violent breach of the Capitol on January 6 of 2021 to really shine a spotlight on the urgent need for reform.

Over the past several months, Senator MANCHIN and I have worked with a terrific, bipartisan group of Senators who are united in our determination to prevent the flaws in this 135-year-old law from being used to undermine future Presidential elections.

I want to express my gratitude to my friend Senator MANCHIN and to all the members of our bipartisan group for their hard work, their constructive work, to craft this legislation. Specifically, I want to thank Senators PORTMAN, SINEMA, ROMNEY, SHAHEEN, MURKOWSKI, WARNER, TILLIS, MURPHY, CAPITO, CARDIN, YOUNG, COONS, and SASSE for their work over several months. I also want to thank Senators KLOBUCHAR and BLUNT, who head the Rules Committee, for their advice and counsel throughout this process, and Senator LINDSEY GRAHAM for his insights and for joining as a cosponsor.

The legislation that we are introducing—the Electoral Count Reform and Presidential Transition Improvement Act—will help ensure that electoral votes totaled by Congress accurately reflect each State's popular vote for President and Vice President.

Our bill includes a number of important reforms, but I want to highlight just a few.

First, it reasserts that the constitutional role of the Vice President in counting electoral votes is strictly and solely ministerial. The idea that any Vice President would have the power to unilaterally accept or reject or change or halt the electoral votes is antithetical to our Constitution and basic democratic principles.

Second, our bill raises the threshold to lodge an objection to electors to at least one-fifth of the duly chosen and sworn members of the House of Representatives and the U.S. Senate. Currently, only a single Member in both houses is required to object to an elector or a slate of electors.

Third, our legislation will ensure that Congress can identify a single, conclusive slate of electors by clearly identifying a single State official who is responsible for certifying a State's electors; requiring Congress to defer to the slates of electors submitted by a State pursuant to the judgment of State or Federal courts; and providing aggrieved Presidential candidates with an expedited judicial review of Federal claims related to a State's certificate of electors. Let me be clear that this does not create a new cause of action. Instead, it will ensure prompt and efficient adjudication of disputes.

To help promote the orderly transfer of power, our bill also includes clear guidelines for when eligible Presidential candidates may receive Federal resources to support their transition into office. And I want to particularly thank Senators PORTMAN, COONS, and SASSE for their hard work on those provisions.

We are also introducing a second bill—the Enhanced Election Security and Protection Act—to address other issues pertaining to the administration of elections. In the interest of time, let me just quickly note the major provisions of this bill. It would reauthorize the Election Assistance Commission and require it to conduct additional cyber security testing of voting systems, a concept put forth by Senator WARREN. It would improve the Postal Service's handling of election mail. It would enhance current penalties for violent threats against election workers; and increase the maximum penalties for tampering with voting records, including certain electronic records, that was the work of several members, including Senators ROMNEY, SHAHEEN, and SINEMA, among others.

We have before us an historic opportunity to modernize and strengthen our system of certifying and counting the electoral votes for President and Vice President. January 6 reminded us that nothing is more essential to the survival of a democracy than the orderly transfer of power.

And there is nothing more essential to the orderly transfer of power than clear rules for effecting it. I very much hope that Congress will seize this opportunity to enact these sensible and much-needed reforms before the end of this Congress.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, while my dear friend is here, I want to tell her, you know, 6 months ago—we have worked on this for 6 months. It started in January, and it was 14 Senators who came at that time. We just started talking, and 14 Senators—with all of your support, Mr. President, also—we had support from everybody saying something had to be done. But as delicate as this was, knowing that some might think we are picking on one side or the other or supporting or defending one side or the other, there was only one thing we were concerned about: How do we defend this country and the Constitution and this wonderful Capitol that we have so this could never happen again?

January 6 is a black mark on the history of the United States of America. And if you want to erase it, you better do what we did for 6 months, bringing people together to find a pathway forward so that type of opportunity—for some looking for an opportunity—to degrade our government and our country and our form of governing ourselves could never, ever encourage them thinking they could do something here at this Capitol and disrupt us.

When that day happened, the thing I was most proud of, we were all down in a secured room—and Senator COLLINS remembers—and it went on; we didn't know what the extent of this was going on. We knew one thing: They didn't come for a friendly visit. But we were down there talking; and, all of a sudden, someone said: Well, let's just conduct our business down here. Remember that? And to a T, everybody in that room says, No, no, no. They are not going to run us out of our body here. And we all came back here later that night and finished our business.

What we did—and Senator COLLINS has led this admirably—is make sure that we are finishing our business. We are just starting it now to protect this democracy. This form of democracy that we have is a representative form and the Republic that we are responsible for. And I am just so proud to be part of it. And she is my dear friend. We worked many, many years together, and we will continue to.

But I just want to thank the Senator for the hard work—our staffs worked together. I am very proud of all our staffs that they worked together for the betterment of our country.

So when people think that bipartisanship is not capable of happening in Washington, I want to say: Watch, we have proved them wrong. We have done so many things together, and we will continue to. Again, I say thank you to all those who participated for just hanging in there. It took us 6 months to get here, but we have just begun.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I, too, want to salute all of the members of our group who worked so hard over many months. As is always the case when you delve into a complicated issue, it turns out that there are far

more nuances and complexities than you would think when you first look at the issue. But everyone continued to work for the common good to strengthen the procedures, to update this archaic and ambiguous law that was written in the language of another era. And we have accomplished that. And I really hope our colleagues will all join together and that in the end we can have an overwhelming vote.

Finally, I, too, want to thank our staff members for their extraordinary work. They worked literally night and day to work through the many thorny issues and to help bring us together. So my thanks not only to the Members but to their staffs as well.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 713—RECOGNIZING RUSSIAN ACTIONS IN UKRAINE AS A GENOCIDE

Mr. RISCH (for himself, Mr. CARDIN, Mr. BLUMENTHAL, Mr. WICKER, Mrs. SHAHEEN, Mr. PORTMAN, and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 713

Whereas the Russian Federation's illegal, premeditated, unprovoked, and brutal war against Ukraine includes extensive, systematic, and flagrant atrocities against the people of Ukraine;

Whereas article II of the Convention on the Prevention and Punishment of the Crime of Genocide (in this preamble referred to as the ''Genocide Convention''), adopted and opened for signature in 1948 and entered into force in 1951, defines genocide as ''any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group'';

Whereas, on October 3, 2018, the Senate unanimously agreed to Senate Resolution 435, 115th Congress, which commemorated the 85th anniversary of the Holodomor and ''recognize[d] the findings of the Commission on the Ukraine Famine as submitted to Congress on April 22, 1988, including that 'Joseph Stalin and those around him committed genocide against the Ukrainians in 1932–1933' '';

Whereas substantial and significant evidence documents widespread, systematic actions against the Ukrainian people committed by Russian forces under the direction of political leadership of the Russian Federation that meet one or more of the criteria under article II of the Genocide Convention, including—

(1) killing members of the Ukrainian people in mass atrocities through deliberate and regularized murders of fleeing civilians and civilians in passing as well as purposeful targeting of homes, schools, hospitals, shelters, and other residential and civilian areas;

(2) causing serious bodily or mental harm to members of the Ukrainian people by launching indiscriminate attacks against civilians and civilian areas, conducting willful strikes on humanitarian evacuation corridors, and employing widespread and systematic sexual violence against Ukrainian civilians, including women, children, and men;

(3) deliberately inflicting upon the Ukrainian people conditions of life calculated to bring about their physical destruction in whole or in part, including displacement due to annihilated villages, towns, and cities left devoid of food, water, shelter, electricity, and other basic necessities, starvation caused by the destruction of farmlands and agricultural equipment, the placing of Russian landmines across thousands of acres of useable fields, and blocking the delivery of humanitarian food aid;

(4) imposing measures intended to prevent births among the Ukrainian people, demonstrated by the Russian military's expansive and direct targeting of maternity hospitals and other medical facilities and systematic attacks against residential and civilian areas as well as humanitarian corridors intended to deprive Ukrainians of safe havens within their own country and the material conditions conducive to childrearing; and

(5) forcibly mass transferring millions of Ukrainian civilians, hundreds of thousands of whom are children, to the Russian Federation or territories controlled by the Russian Federation;

Whereas the state-level intent of the Russian Federation in favor of those heinous crimes against humanity has been demonstrated through frequent pronouncements and other forms of official communication denying Ukrainian nationhood and sovereignty, including President Putin's ahistorical claims that Ukraine is part of a ''single whole'' Russian nation with ''no historical basis'' for being an independent country;

Whereas some Russian soldiers and brigades accused of committing war crimes in Bucha, Ukraine, and elsewhere were rewarded with medals by President Putin;

Whereas the Russian state-owned media outlet RIA Novosti published the article ''What Should Russia do with Ukraine'', which outlines ''de-Nazification'' as meaning ''de-Ukrainianization'' or the destruction of Ukraine;

Whereas article I of the Genocide Convention confirms ''that genocide, whether committed in time of peace or in time of war, is a crime under international law which [the Contracting Parties] undertake to prevent and to punish''; and

Whereas although additional documentation and analysis of atrocities committed by the Russian Federation in Ukraine may be needed to punish those responsible, the substantial and significant documentation already undertaken, combined with statements showing intent, compel urgent action to prevent further acts of genocide: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Russian Federation for committing acts of genocide against the Ukrainian people;

(2) calls on the United States, in cooperation with allies in the North Atlantic Treaty Organization and the European Union, to undertake measures to support the Government of Ukraine to prevent further acts of Russian genocide against the Ukrainian people; and

(3) supports tribunals and international criminal investigations to hold Russian political leaders and military personnel to account for a war of aggression, war crimes, crimes against humanity, and genocide.

Mr. CARDIN. Mr. President, I rise today to draw the attention of the Senate and the American people to a dark anniversary on the near horizon.

On July 24, the world will have seen 5 full months of the brutal, unjustified, and utterly senseless war Russia's dictator Vladimir Putin has unleashed on Ukraine, a peace-loving democracy that has never threatened Russia or any of its other neighbors.

It will be 150 days of Mr. Putin and his army's killing and raping Ukrainian women and children; destroying homes, hospitals, museums, schools, and churches; displacing almost 13 million people; and unleashing chaos and havoc on the world. The blockage of the southern ports of Ukraine has interrupted the vital supply of Ukrainian food supplies to a hungry world, wreaking pain and havoc on societies across the Middle East, Africa, and South Asia. An existing global food security crisis has now been severely worsened by Russia's violent assault, as the Senate Foreign Relations Committee examined earlier today in a hearing where USAID Administrator Samantha Power and our permanent representative to the United Nations, Ambassador Linda Thomas-Greenfield, testified. They spoke about the U.S. role in trying to avert this additional global tragedy resulting from Russia's aggression and the immensity of the task ahead.

Who could forget the horrors of Bucha and Irpin, the shell-shocked look in the eyes of Ukrainian children who will forever carry the burdens of unimaginable trauma or the Ukrainian women who had to be carried from a maternity ward after the Russians struck their hospital with a cruise missile.

This is an everyday reality now for Ukrainians—unspeakable, cruel military assaults. Yet they demonstrate the indomitable will to fight for their land and freedom; they do not give up; and they are truly an inspiration for the rest of the world.

When Mr. Putin started this attack, he assumed Russia would conquer Ukraine and seize its capital in 3 days. Yet it is now day almost 150, and Russia has suffered heavy losses and retreated from Kyiv. While several towns in the south of the country have been flattened and then occupied, in most of the country, the Russian invaders have barely advanced from their initial positions.

In the towns and cities the Russians occupy, they have met heavy resistance from Ukrainian guerillas and regular citizens who do not want to be part of Putin's evil empire. Despite efforts to indoctrinate Ukrainian children in occupied areas with a counterfactual narrative of the contemporary history, Russian speakers are learning Ukrainian, and what have been generally positive relations with the people of Ukraine and Russia before this invasion have now been completely destroyed.

Independent analysts have described the ongoing violence as a genocide in

Ukraine, and there is a growing body of evidence that it is, sadly, true. A May of 2022 study conducted by the New Lines Institute and the Raoul Wallenberg Centre for Human Rights concluded that ''Russia bears State responsibility for breaches of Article II and Article III of the Genocide Convention.''

The report pointed to a pattern of Russian forces targeting the Ukrainian civilians, with evidence of mass executions and torture of civilians in Russian-occupied regions. The report included evidence of deliberate attacks on shelters, evacuation routes, and humanitarian corridors, as well as reports of sexual violence and forcible deportation of Ukrainians to Russia.

On July 14, the United States and 44 other nations signed an International Criminal Court declaration to investigate over 20,000 reports—20,000 reports—of war crimes committed by Russia in Ukraine since the beginning of the war.

Make no mistake about it, Vladimir Putin has caused the suffering and pain in pursuit of his ambition to rebuild the Russian Empire. He has said it to himself on multiple occasions. He is hell-bent on destroying the post-World War II world order that has brought prosperity and peace to our allies in Europe—and to Russia to this point, too.

Therefore, it is not an exaggeration to say that the Ukrainians are fighting not just for their land and freedom, which, as Americans, we should cherish and appreciate, but also for the very core of the global order that, if destroyed, will marginalize our allies and threaten the United States.

With this in mind, we must remember that supporting Ukraine is not charity. It is in our core national security interest to provide the Ukrainians with the arms, financing, and moral support to defeat the tyrant of Russia. If Ukraine falls, it will lead to the subjugation of Ukrainian people, destruction of its culture and language, and bring a hostile and expansionistic Russian Empire right to the borders of our NATO allies that we are committed to protect with our troops and weapons. Ukraine is the firewall that the world cannot afford to see breached.

So, yes, it is a moral imperative for us to support Ukrainians in this just war, but it is also a core national security necessity for us to do this. Ukraine is fighting this war on multiple fronts: on land and at sea and in the air. The security of the Black Sea region is a critical aspect of this war that has not received enough attention. As recent reporting suggests, the ability of the Ukrainians' vessels to navigate the Black Sea is important for the country but also for regional stability and global food security. That is where Ukraine exports most of its agricultural products. Ukraine is a major grain exporter, and the Russians have been blocking these vessels from departing Ukrainian ports. This exposes some of the world's most vulnerable people to food scarcity, malnutrition, and worsening poverty—and in some cases leading to unnecessary and preventable deaths. Truly, the ugliness and depravation of the Putin regime has no limit.

It is in this context the U.S. Commission on Security and Cooperation in Europe that I chair conducted a field hearing on Black Sea security in Constanta, Romania, on July 1. I want to thank my friend Senator WICKER for chairing that hearing. The Commission brought together key decisionmakers from the Black Sea states to discuss how best to address Russia's illegal naval blockade of Ukrainian ports.

Subsequently, Senator WICKER and I joined Senators SHAHEEN and ROMNEY in introducing the Black Sea Security Act, S. 4509. This bill would declare that it is the policy of the United States ''to actively deter the threat of further Russian escalation in the Black Sea region and defend freedom of navigation in the Black Sea to prevent the spread of further armed conflict in Europe.''

The bill further requires that the National Security Council shall deliver to Congress an interagency report that outlines current policy options toward Black Sea countries and the border region. The report would include a breakdown of funding to support these efforts, including military assistance; economic assistance, including support for food security; countering Russia's disinformation and propaganda; energy diversification; increasing access to global capital markets; a plan for helping U.S. allies in the region to accelerate their transitions from legacy Russian military equipment and promote NATO interoperability; and strengthening the rule of law and anticorruption efforts.

I call on my colleagues to support this important piece of legislation.

Tragically, this war is turning into a marathon, and it is incumbent upon us not to lose our focus and determination in supporting our Ukrainian partners. I want to urge my colleagues in this Chamber and all my fellow Americans to stay the course and continue to support Ukraine for as long as it takes.

My final point today is that we should say the name of what Russia is doing, the atrocities they are committing. Russia is committing genocide in Ukraine. Russia is trying to eviscerate not just the people and the buildings of Ukraine; they are trying to eliminate the Ukrainian language, Ukrainian history, and Ukrainian culture. That is genocide.

That is why I am joining Senator RISCH, along with Senators GRAHAM, BLUMENTHAL, SHAHEEN, and PORTMAN in introducing a resolution that would condemn the Russian Federation for committing acts of genocide against the Ukrainian people; call on the United States, in cooperation with allies in the North Atlantic Treaty Organization and the European Union, to undertake measures to support the Government of Ukraine to prevent further acts of Russian genocide against the Ukrainian people; and support tribunals and international criminal investigations to hold Russian political leaders and military personnel to account for a war of aggression, war crimes, crimes against humanity, and genocide.

We must stand shoulder to shoulder with the Ukrainians to lighten their load and hasten their victory. We must be prepared for the reconstruction of Ukraine that will follow the conclusion of this war. And, yes, we must pursue accountability for those responsible for the genocide underway in Ukraine by the Russian Federation.

SENATE RESOLUTION 714—RECOGNIZING THE IMPORTANCE OF INDEPENDENT LIVING FOR INDIVIDUALS WITH DISABILITIES MADE POSSIBLE BY THE AMERICANS WITH DISABILITIES ACT OF 1990 AND CALLING FOR FURTHER ACTION TO STRENGTHEN HOME AND COMMUNITY LIVING FOR INDIVIDUALS WITH DISABILITIES

Mr. CASEY (for himself, Mrs. MURRAY, Mr. MARKEY, Ms. WARREN, Mr. KAINE, Ms. BALDWIN, Mr. MENENDEZ, Ms. STABENOW, Mr. SANDERS, Mr. PADILLA, Mr. LEAHY, Mr. KING, Ms. SMITH, Mr. VAN HOLLEN, Mr. REED, Mr. BENNET, Ms. HASSAN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. CARDIN, Mr. HICKENLOOPER, Mr. MURPHY, Ms. KLOBUCHAR, Mr. BROWN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. LUJÁN, Ms. CANTWELL, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. PETERS, Mr. WARNOCK, Ms. HIRONO, Mr. BOOKER, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 714

Whereas, in enacting the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), Congress recognized that ''historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem'';

Whereas the Americans with Disabilities Act of 1990 recognizes the rights of individuals with disabilities to fully participate in their communities through independent living, equality of opportunity, and economic self-sufficiency;

Whereas 32 years after the date of the enactment of the Americans with Disabilities Act of 1990 and 23 years after the date of the decision of the Supreme Court of the United States in Olmstead v. L.C., 527 U.S. 581 (1999), many individuals with disabilities continue to live in segregated institutional settings because of a lack of support services;

Whereas the continuation of segregated institutional settings has hindered the inclusion of individuals with disabilities in communities, schools, and workplaces, undermining the promise of the Americans with Disabilities Act of 1990;

Whereas individuals with disabilities living in institutional and long-term care settings have endured disproportionate rates of infection and death during the COVID–19 pandemic;

Whereas individuals of color with disabilities have been disparately affected by the COVID–19 pandemic;

Whereas individuals of color with disabilities experience disproportionately greater barriers to high quality and accessible healthcare, education, and employment opportunities, infringing on their right to fully participate in their communities under the Americans with Disabilities Act of 1990; and

Whereas 32 years after the date of the enactment of the Americans with Disabilities Act of 1990—

(1) women with disabilities continue to regularly face barriers to reproductive healthcare, including inaccessible and inequitable services;

(2) individuals with disabilities continue to face higher rates of unemployment and barriers to accessible workplaces and lack equitable access to competitive integrated employment opportunities;

(3) nearly a quarter of the population of individuals with disabilities live below the poverty line;

(4) some telecommunication, electronic, and information technologies continue to be developed without the goal of making those technologies fully accessible for all people of the United States; and

(5) many businesses, public and private organizations, transportation systems, and services remain inaccessible to many individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of independent living for individuals with disabilities made possible by the enactment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(2) encourages the people of the United States to celebrate the advancement of inclusion and equality of opportunity made possible by the enactment of the Americans with Disabilities Act of 1990;

(3) pledges to continue to work on a bipartisan basis to identify and address the remaining barriers that undermine the national goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for individuals with disabilities, including by focusing on individuals with disabilities that remain segregated in institutions;

(4) pledges to work with States to improve access to home and community based services for individuals with disabilities;

(5) calls on the Department of Labor to develop policies and practices and provide technical assistance that enable individuals with disabilities to become economically self-sufficient;

(6) calls on the Department of Health and Human Services to provide information, resources, and technical assistance related to home and community based services and to enable individuals with disabilities to live independently;

(7) calls on the Department of Housing and Urban Development to provide accessible and inclusive homes and communities that increase the options available for accessible, inclusive, and equitable housing for individuals with disabilities; and

(8) calls on the Department of Transportation to create accessible transit and airports and increase the hiring, promotion, and retention of individuals with disabilities in the transportation workforce.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5139. Mr. PORTMAN (for himself, Mr. YOUNG, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table.

SA 5140. Mr. CARPER (for himself, Mrs. CAPITO, Mr. CARDIN, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table.

SA 5141. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table.

SA 5142. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5143. Mr. SCHUMER (for Mr. JOHNSON) proposed an amendment to the resolution S. Res. 694, expressing support for the designation of July 2022 as ''National Sarcoma Awareness Month''.

TEXT OF AMENDMENTS

SA 5139. Mr. PORTMAN (for himself, Mr. YOUNG, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—SAFEGUARDING AMERICAN INNOVATION

SEC. ___. SHORT TITLE.

This title may be cited as the ''Safeguarding American Innovation Act''.

SEC. ___. DEFINITIONS.

In this title:

(1) FEDERAL SCIENCE AGENCY.—The term ''Federal science agency'' means any Federal department or agency to which more than $100,000,000 in basic and applied research and development funds were appropriated for the previous fiscal year.

(2) RESEARCH AND DEVELOPMENT.—

(A) IN GENERAL.—The term ''research and development'' means all research activities, both basic and applied, and all development activities.

(B) DEVELOPMENT.—The term ''development'' means experimental development.

(C) EXPERIMENTAL DEVELOPMENT.—The term ''experimental development'' means creative and systematic work, drawing upon knowledge gained from research and practical experience, which—

(i) is directed toward the production of new products or processes or improving existing products or processes; and

(ii) like research, will result in gaining additional knowledge.

(D) RESEARCH.—The term ''research''—

(i) means a systematic study directed toward fuller scientific knowledge or understanding of the subject studied; and

(ii) includes activities involving the training of individuals in research techniques if such activities—

(I) utilize the same facilities as other research and development activities; and

(II) are not included in the instruction function.

SEC. ___. FEDERAL RESEARCH SECURITY COUNCIL.

(a) IN GENERAL.—Subtitle V of title 31, United States Code, is amended by adding at the end the following:

''CHAPTER 79—FEDERAL RESEARCH SECURITY COUNCIL

''§ 7901. Definitions

''In this chapter:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Commerce, Science, and Transportation of the Senate;

''(C) the Select Committee on Intelligence of the Senate;

''(D) the Committee on Foreign Relations of the Senate;

''(E) the Committee on Armed Services of the Senate;

''(F) the Committee on Health, Education, Labor, and Pensions of the Senate;

''(G) the Committee on Oversight and Reform of the House of Representatives;

''(H) the Committee on Homeland Security of the House of Representatives;

''(I) the Committee on Energy and Commerce of the House of Representatives;

''(J) the Permanent Select Committee on Intelligence of the House of Representatives;

''(K) the Committee on Foreign Affairs of the House of Representatives;

''(L) the Committee on Armed Services of the House of Representatives;

''(M) the Committee on Science, Space, and Technology of the House of Representatives; and

''(M) the Committee on Education and Labor of the House of Representatives.

''(2) COUNCIL.—The term 'Council' means the Federal Research Security Council established under section 7902(a).

''(3) EXECUTIVE AGENCY.—The term 'Executive agency' has the meaning given that term in section 105 of title 5.

''(4) FEDERAL RESEARCH SECURITY RISK.—The term 'Federal research security risk' means the risk posed by malign state actors and other persons to the security and integrity of research and development conducted using research and development funds awarded by Executive agencies.

''(5) INSIDER.—The term 'insider' means any person with authorized access to any United States Government resource, including personnel, facilities, information, research, equipment, networks, or systems.

''(6) INSIDER THREAT.—The term 'insider threat' means the threat that an insider will use his or her authorized access (wittingly or unwittingly) to harm the national and economic security of the United States or negatively affect the integrity of a Federal agency's normal processes, including damaging the United States through espionage, sabotage, terrorism, unauthorized disclosure of national security information or nonpublic information, a destructive act (which may include physical harm to another in the

workplace), or through the loss or degradation of departmental resources, capabilities, and functions.

''(7) RESEARCH AND DEVELOPMENT.—

''(A) IN GENERAL.—The term 'research and development' means all research activities, both basic and applied, and all development activities.

''(B) DEVELOPMENT.—The term 'development' means experimental development.

''(C) EXPERIMENTAL DEVELOPMENT.—The term 'experimental development' means creative and systematic work, drawing upon knowledge gained from research and practical experience, which—

''(i) is directed toward the production of new products or processes or improving existing products or processes; and

''(ii) like research, will result in gaining additional knowledge.

''(D) RESEARCH.—The term 'research'—

''(i) means a systematic study directed toward fuller scientific knowledge or understanding of the subject studied; and

''(ii) includes activities involving the training of individuals in research techniques if such activities—

''(I) utilize the same facilities as other research and development activities; and

''(II) are not included in the instruction function.

''(8) UNITED STATES RESEARCH COMMUNITY.—The term 'United States research community' means—

''(A) research and development centers of Executive agencies;

''(B) private research and development centers in the United States, including for profit and nonprofit research institutes;

''(C) research and development centers at institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)));

''(D) research and development centers of States, United States territories, Indian tribes, and municipalities;

''(E) government-owned, contractor-operated United States Government research and development centers; and

''(F) any person conducting federally funded research or receiving Federal research grant funding.

''§ 7902. Federal Research Security Council establishment and membership

''(a) ESTABLISHMENT.—There is established, in the Office of Management and Budget, a Federal Research Security Council, which shall develop federally funded research and development grant making policy and management guidance to protect the national and economic security interests of the United States.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The following agencies shall be represented on the Council:

''(A) The Office of Management and Budget.

''(B) The Office of Science and Technology Policy.

''(C) The Department of Defense.

''(D) The Department of Homeland Security.

''(E) The Office of the Director of National Intelligence.

''(F) The Department of Justice.

''(G) The Department of Energy.

''(H) The Department of Commerce.

''(I) The Department of Health and Human Services.

''(J) The Department of State.

''(K) The Department of Transportation.

''(L) The National Aeronautics and Space Administration.

''(M) The National Science Foundation.

''(N) The Department of Education.

''(O) The Small Business Administration.

''(P) The Council of Inspectors General on Integrity and Efficiency.

''(Q) Other Executive agencies, as determined by the Chairperson of the Council.

''(2) LEAD REPRESENTATIVES.—

''(A) DESIGNATION.—Not later than 45 days after the date of the enactment of the Safeguarding American Innovation Act, the head of each agency represented on the Council shall designate a representative of that agency as the lead representative of the agency on the Council.

''(B) FUNCTIONS.—The lead representative of an agency designated under subparagraph (A) shall ensure that appropriate personnel, including leadership and subject matter experts of the agency, are aware of the business of the Council.

''(c) CHAIRPERSON.—

''(1) DESIGNATION.—Not later than 45 days after the date of the enactment of the Safeguarding American Innovation Act, the Director of the Office of Management and Budget shall designate a senior level official from the Office of Management and Budget to serve as the Chairperson of the Council.

''(2) FUNCTIONS.—The Chairperson shall perform functions that include—

''(A) subject to subsection (d), developing a schedule for meetings of the Council;

''(B) designating Executive agencies to be represented on the Council under subsection (b)(1)(Q);

''(C) in consultation with the lead representative of each agency represented on the Council, developing a charter for the Council; and

''(D) not later than 7 days after completion of the charter, submitting the charter to the appropriate congressional committees.

''(3) LEAD SCIENCE ADVISOR.—The Director of the Office of Science and Technology Policy shall designate a senior level official to be the lead science advisor to the Council for purposes of this chapter.

''(4) LEAD SECURITY ADVISOR.—The Director of the National Counterintelligence and Security Center shall designate a senior level official from the National Counterintelligence and Security Center to be the lead security advisor to the Council for purposes of this chapter.

''(d) MEETINGS.—The Council shall meet not later than 60 days after the date of the enactment of the Safeguarding American Innovation Act and not less frequently than quarterly thereafter.

''§ 7903. Functions and authorities

''(a) DEFINITIONS.—In this section:

''(1) IMPLEMENTING.—The term 'implementing' means working with the relevant Federal agencies, through existing processes and procedures, to enable those agencies to put in place and enforce the measures described in this section.

''(2) UNIFORM APPLICATION PROCESS.—The term 'uniform application process' means a process employed by Federal science agencies to maximize the collection of information regarding applicants and applications, as determined by the Council.

''(b) IN GENERAL.—The Chairperson of the Council shall consider the missions and responsibilities of Council members in determining the lead agencies for Council functions. The Council shall perform the following functions:

''(1) Developing and implementing, across all Executive agencies that award research and development grants, awards, and contracts, a uniform application process for grants in accordance with subsection (c).

''(2) Developing and implementing policies and providing guidance to prevent malign foreign interference from unduly influencing the peer review process for federally funded research and development.

''(3) Identifying or developing criteria for sharing among Executive agencies and with law enforcement and other agencies, as appropriate, information regarding individuals who violate disclosure policies and other policies related to research security.

''(4) Identifying an appropriate Executive agency—

''(A) to accept and protect information submitted by Executive agencies and non-Federal entities based on the process established pursuant to paragraph (1); and

''(B) to facilitate the sharing of information received under subparagraph (A) to support, consistent with Federal law—

''(i) the oversight of federally funded research and development;

''(ii) criminal and civil investigations of misappropriated Federal funds, resources, and information; and

''(iii) counterintelligence investigations.

''(5) Identifying, as appropriate, Executive agencies to provide—

''(A) shared services, such as support for conducting Federal research security risk assessments, activities to mitigate such risks, and oversight and investigations with respect to grants awarded by Executive agencies; and

''(B) common contract solutions to support the verification of the identities of persons participating in federally funded research and development.

''(6) Identifying and issuing guidance, in accordance with subsection (e) and in coordination with the National Insider Threat Task Force established by Executive Order 13587 (50 U.S.C. 3161 note) for expanding the scope of Executive agency insider threat programs, including the safeguarding of research and development from exploitation, compromise, or other unauthorized disclosure, taking into account risk levels and the distinct needs, missions, and systems of each such agency.

''(7) Identifying and issuing guidance for developing compliance and oversight programs for Executive agencies to ensure that research and development grant recipients accurately report conflicts of interest and conflicts of commitment in accordance with subsection (c)(1). Such programs shall include an assessment of—

''(A) a grantee's support from foreign sources and affiliations, appointments, or participation in talent programs with foreign funding institutions or laboratories; and

''(B) the impact of such support and affiliations, appointments, or participation in talent programs on United States national security and economic interests.

''(8) Providing guidance to Executive agencies regarding appropriate application of consequences for violations of disclosure requirements.

''(9) Developing and implementing a cross-agency policy and providing guidance related to the use of digital persistent identifiers for individual researchers supported by, or working on, any Federal research grant with the goal to enhance transparency and security, while reducing administrative burden for researchers and research institutions.

''(10) Engaging with the United States research community in conjunction with the National Science and Technology Council and the National Academies Science, Technology and Security Roundtable created under section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 42 U.S.C. 6601 note) in performing the functions described in paragraphs (1), (2), and (3) and with respect to issues relating to Federal research security risks.

''(11) Carrying out such other functions, consistent with Federal law, that are necessary to reduce Federal research security risks.

''(c) REQUIREMENTS FOR UNIFORM GRANT APPLICATION PROCESS.—In developing the uniform application process for Federal research and development grants required under subsection (b)(1), the Council shall—

''(1) ensure that the process—

''(A) requires principal investigators, co-principal investigators, and key personnel associated with the proposed Federal research or development grant project—

''(i) to disclose biographical information, all affiliations, including any foreign military, foreign government-related organizations, and foreign-funded institutions, and all current and pending support, including from foreign institutions, foreign governments, or foreign laboratories, and all support received from foreign sources; and

''(ii) to certify the accuracy of the required disclosures under penalty of perjury; and

''(B) uses a machine-readable application form to assist in identifying fraud and ensuring the eligibility of applicants;

''(2) design the process—

''(A) to reduce the administrative burden on persons applying for Federal research and development funding; and

''(B) to promote information sharing across the United States research community, while safeguarding sensitive information; and

''(3) complete the process not later than 1 year after the date of the enactment of the Safeguarding American Innovation Act.

''(d) REQUIREMENTS FOR INFORMATION SHARING CRITERIA.—In identifying or developing criteria and procedures for sharing information with respect to Federal research security risks under subsection (b)(3), the Council shall ensure that such criteria address, at a minimum—

''(1) the information to be shared;

''(2) the circumstances under which sharing is mandated or voluntary;

''(3) the circumstances under which it is appropriate for an Executive agency to rely on information made available through such sharing in exercising the responsibilities and authorities of the agency under applicable laws relating to the award of grants;

''(4) the procedures for protecting intellectual capital that may be present in such information; and

''(5) appropriate privacy protections for persons involved in Federal research and development.

''(e) REQUIREMENTS FOR INSIDER THREAT PROGRAM GUIDANCE.—In identifying or developing guidance with respect to insider threat programs under subsection (b)(6), the Council shall ensure that such guidance provides for, at a minimum—

''(1) such programs—

''(A) to deter, detect, and mitigate insider threats; and

''(B) to leverage counterintelligence, security, information assurance, and other relevant functions and resources to identify and counter insider threats; and

''(2) the development of an integrated capability to monitor and audit information for the detection and mitigation of insider threats, including through—

''(A) monitoring user activity on computer networks controlled by Executive agencies;

''(B) providing employees of Executive agencies with awareness training with respect to insider threats and the responsibilities of employees to report such threats;

''(C) gathering information for a centralized analysis, reporting, and response capability; and

''(D) information sharing to aid in tracking the risk individuals may pose while moving across programs and affiliations;

''(3) the development and implementation of policies and procedures under which the insider threat program of an Executive agency accesses, shares, and integrates information and data derived from offices within the agency and shares insider threat information with the executive agency research sponsors;

''(4) the designation of senior officials with authority to provide management, accountability, and oversight of the insider threat program of an Executive agency and to make resource recommendations to the appropriate officials; and

''(5) such additional guidance as is necessary to reflect the distinct needs, missions, and systems of each Executive agency.

''(f) ISSUANCE OF WARNINGS RELATING TO RISKS AND VULNERABILITIES IN INTERNATIONAL SCIENTIFIC COOPERATION.—

''(1) IN GENERAL.—The Council, in conjunction with the lead security advisor designated under section 7902(c)(4), shall establish a process for informing members of the United States research community and the public, through the issuance of warnings described in paragraph (2), of potential risks and vulnerabilities in international scientific cooperation that may undermine the integrity and security of the United States research community or place at risk any federally funded research and development.

''(2) CONTENT.—A warning described in this paragraph shall include, to the extent the Council considers appropriate, a description of—

''(A) activities by the national government, local governments, research institutions, or universities of a foreign country—

''(i) to exploit, interfere, or undermine research and development by the United States research community; or

''(ii) to misappropriate scientific knowledge resulting from federally funded research and development;

''(B) efforts by strategic competitors to exploit the research enterprise of a foreign country that may place at risk—

''(i) the science and technology of that foreign country; or

''(ii) federally funded research and development; and

''(C) practices within the research enterprise of a foreign country that do not adhere to the United States scientific values of openness, transparency, reciprocity, integrity, and merit-based competition.

''(g) EXCLUSION ORDERS.—To reduce Federal research security risk, the Interagency Suspension and Debarment Committee shall provide quarterly reports to the Director of the Office of Management and Budget and the Director of the Office of Science and Technology Policy that detail—

''(1) the number of ongoing investigations by Council Members related to Federal research security that may result, or have resulted, in agency pre-notice letters, suspensions, proposed debarments, and debarments;

''(2) Federal agencies' performance and compliance with interagency suspensions and debarments;

''(3) efforts by the Interagency Suspension and Debarment Committee to mitigate Federal research security risk;

''(4) proposals for developing a unified Federal policy on suspensions and debarments; and

''(5) other current suspension and debarment related issues.

''(h) SAVINGS PROVISION.—Nothing in this section may be construed—

''(1) to alter or diminish the authority of any Federal agency; or

''(2) to alter any procedural requirements or remedies that were in place before the date of the enactment of the Safeguarding American Innovation Act.

''§ 7904. Annual report

''Not later than November 15 of each year, the Chairperson of the Council shall submit a report to the appropriate congressional committees that describes the activities of the Council during the preceding fiscal year.

''§ 7905. Requirements for Executive agencies

''(a) IN GENERAL.—The head of each Executive agency on the Council shall be responsible for—

''(1) assessing Federal research security risks posed by persons participating in federally funded research and development;

''(2) avoiding or mitigating such risks, as appropriate and consistent with the standards, guidelines, requirements, and practices identified by the Council under section 7903(b);

''(3) prioritizing Federal research security risk assessments conducted under paragraph (1) based on the applicability and relevance of the research and development to the national security and economic competitiveness of the United States;

''(4) ensuring that initiatives impacting Federally funded research grant making policy and management to protect the national and economic security interests of the United States are integrated with the activities of the Council; and

''(5) ensuring the initiatives developed pursuant to this section comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(b) INCLUSIONS.—The responsibility of the head of an Executive agency for assessing Federal research security risk described in subsection (a) includes—

''(1) developing an overall Federal research security risk management strategy and implementation plan and policies and processes to guide and govern Federal research security risk management activities by the Executive agency;

''(2) integrating Federal research security risk management practices throughout the lifecycle of the grant programs of the Executive agency;

''(3) sharing relevant information with other Executive agencies, as determined appropriate by the Council in a manner consistent with section 7903; and

''(4) reporting on the effectiveness of the Federal research security risk management strategy of the Executive agency consistent with guidance issued by the Office of Management and Budget and the Council.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 31, United States Code, is amended by inserting after the item relating to chapter 77 the following:

''79. Federal Research Security Council ..... 7901.''.

SEC. ____. FEDERAL GRANT APPLICATION FRAUD.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. Federal grant application fraud

''(a) DEFINITIONS.—In this section:

''(1) FEDERAL AGENCY.—The term 'Federal agency' has the meaning given the term 'agency' in section 551 of title 5, United States Code.

''(2) FEDERAL GRANT.—The term 'Federal grant'—

''(A) means a grant awarded by a Federal agency;

''(B) includes a subgrant awarded by a non-Federal entity to carry out a Federal grant program; and

''(C) does not include—

''(i) direct United States Government cash assistance to an individual;

''(ii) a subsidy;

''(iii) a loan;

''(iv) a loan guarantee; or

''(v) insurance.

''(3) FEDERAL GRANT APPLICATION.—The term 'Federal grant application' means an application for a Federal grant.

''(4) FOREIGN COMPENSATION.—The term 'foreign compensation' means a title, monetary compensation, access to a laboratory or other resource, or other benefit received from—

''(A) a foreign government;

''(B) a foreign government institution; or

''(C) a foreign public enterprise.

''(5) FOREIGN GOVERNMENT.—The term 'foreign government' includes a person acting or purporting to act on behalf of—

''(A) a faction, party, department, agency, bureau, subnational administrative entity, or military of a foreign country; or

''(B) a foreign government or a person purporting to act as a foreign government, regardless of whether the United States recognizes the government.

''(6) FOREIGN GOVERNMENT INSTITUTION.—The term 'foreign government institution' means a foreign entity owned by, subject to the control of, or subject to regulation by a foreign government.

''(7) FOREIGN PUBLIC ENTERPRISE.—The term 'foreign public enterprise' means an enterprise over which a foreign government directly or indirectly exercises a dominant influence.

''(8) LAW ENFORCEMENT AGENCY.—The term 'law enforcement agency'—

''(A) means a Federal, State, local, or Tribal law enforcement agency; and

''(B) includes—

''(i) the Office of Inspector General of an establishment (as defined in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.)) or a designated Federal entity (as defined in section 8G(a) of the Inspector General Act of 1978 (5 U.S.C. App.)); and

''(ii) the Office of Inspector General, or similar office, of a State or unit of local government.

''(9) OUTSIDE COMPENSATION.—The term 'outside compensation' means any compensation, resource, or support (regardless of monetary value) made available to the applicant in support of, or related to, any research endeavor, including a title, research grant, cooperative agreement, contract, institutional award, access to a laboratory, or other resource, including materials, travel compensation, or work incentives.

''(b) PROHIBITION.—It shall be unlawful for any individual to knowingly—

''(1) prepare or submit a Federal grant application that fails to disclose the receipt of any outside compensation, including foreign compensation, by the individual, the value of which is $1,000 or more;

''(2) forge, counterfeit, or otherwise falsify a document for the purpose of obtaining a Federal grant; or

''(3) prepare, submit, or assist in the preparation or submission of a Federal grant application or document in connection with a Federal grant application that—

''(A) contains a material false statement;

''(B) contains a material misrepresentation; or

''(C) fails to disclose a material fact.

''(c) EXCEPTION.—Subsection (b) does not apply to an activity—

''(1) carried out in connection with a lawfully authorized investigative, protective, or intelligence activity of—

''(A) a law enforcement agency; or

''(B) a Federal intelligence agency; or

''(2) authorized under chapter 224.

''(d) PENALTY.—Any individual who violates subsection (b)—

''(1) shall be fined in accordance with this title, imprisoned for not more than 5 years, or both, in accordance with the level of severity of that individual's violation of subsection (b); and

''(2) shall be prohibited from receiving a Federal grant during the 5-year period beginning on the date on which a sentence is imposed on the individual under paragraph (1).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''1041. Federal grant application fraud.''.

SEC. ___. RESTRICTING THE ACQUISITION OF EMERGING TECHNOLOGIES BY CERTAIN ALIENS.

(a) GROUNDS OF VISA SANCTIONS.—The Secretary of State may impose the sanctions described in subsection (c) if the Secretary determines an alien is seeking to enter the United States to knowingly acquire sensitive or emerging technologies to undermine national security interests of the United States by benefitting an adversarial foreign government's security or strategic capabilities.

(b) RELEVANT FACTORS.—To determine if an alien is inadmissible under subsection (a), the Secretary of State shall—

(1) take account of information and analyses relevant to implementing subsection (a) from the Office of the Director of National Intelligence, the Department of Health and Human Services, the Department of Defense, the Department of Homeland Security, the Department of Energy, the Department of Commerce, and other appropriate Federal agencies;

(2) take account of the continual expert assessments of evolving sensitive or emerging technologies that foreign adversaries are targeting;

(3) take account of relevant information concerning the foreign person's employment or collaboration, to the extent known, with—

(A) foreign military and security related organizations that are adversarial to the United States;

(B) foreign institutions involved in the theft of United States research;

(C) entities involved in export control violations or the theft of intellectual property;

(D) a government that seeks to undermine the integrity and security of the United States research community; or

(E) other associations or collaborations that pose a national security threat based on intelligence assessments; and

(4) weigh the proportionality of risks and the factors listed in paragraphs (1) through (3).

(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) INELIGIBILITY FOR VISAS AND ADMISSION TO THE UNITED STATES.—An alien described in subsection (a) may be—

(A) inadmissible to the United States;

(B) ineligible to receive a visa or other documentation to enter the United States; and

(C) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) CURRENT VISAS REVOKED.—

(A) IN GENERAL.—An alien described in subsection (a) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(B) IMMEDIATE EFFECT.—A revocation under subparagraph (A) shall take effect immediately, and automatically cancel any other valid visa or entry documentation that is in the alien's possession, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)).

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—The sanctions described in this subsection shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and semi-annually thereafter until the sunset date set forth in subsection (f), the Secretary of State, in coordination with the Director of National Intelligence, the Director of the Office of Science and Technology Policy, the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the heads of other appropriate Federal agencies, shall submit a report to the Committee on the Judiciary of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives that identifies—

(1) any criteria, if relevant, used to determine whether an alien is subject to sanctions under subsection (a);

(2) the number of individuals determined to be subject to sanctions under subsection (a), including the nationality of each such individual and the reasons for each sanctions determination; and

(3) the number of days from the date of the consular interview until a final decision is issued for each application for a visa considered under this section, listed by applicants' country of citizenship and relevant consulate.

(e) CLASSIFICATION OF REPORT.—Each report required under subsection (d) shall be submitted, to the extent practicable, in an unclassified form, but may be accompanied by a classified annex.

(f) SUNSET.—This section shall cease to be effective on the date that is 2 years after the date of the enactment of this Act.

SEC. ___. MACHINE READABLE VISA DOCUMENTS.

(a) MACHINE-READABLE DOCUMENTS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall—

(1) use a machine-readable visa application form; and

(2) make available documents submitted in support of a visa application in a machine readable format to assist in—

(A) identifying fraud;

(B) conducting lawful law enforcement activities; and

(C) determining the eligibility of applicants for a visa under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) WAIVER.—The Secretary of State may waive the requirement under subsection (a) by providing to Congress, not later than 30 days before such waiver takes effect—

(1) a detailed explanation for why the waiver is being issued; and

(2) a timeframe for the implementation of the requirement under subsection (a).

(c) REPORT.—Not later than 45 days after date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Relations of the Senate; the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, the

Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives that—

(1) describes how supplementary documents provided by a visa applicant in support of a visa application are stored and shared by the Department of State with authorized Federal agencies;

(2) identifies the sections of a visa application that are machine-readable and the sections that are not machine-readable;

(3) provides cost estimates, including personnel costs and a cost-benefit analysis for adopting different technologies, including optical character recognition, for—

(A) making every element of a visa application, and documents submitted in support of a visa application, machine-readable; and

(B) ensuring that such system—

(i) protects personally-identifiable information; and

(ii) permits the sharing of visa information with Federal agencies in accordance with existing law; and

(4) includes an estimated timeline for completing the implementation of subsection (a).

SEC. ___. CERTIFICATIONS REGARDING ACCESS TO EXPORT CONTROLLED TECHNOLOGY IN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 102(b)(5) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)(5)) is amended to read as follows:

''(5) promoting and supporting medical, scientific, cultural, and educational research and development by developing exchange programs for foreign researchers and scientists, while protecting technologies regulated by export control laws important to the national security and economic interests of the United States, by requiring—

''(A) the sponsor to certify to the Department of State that the sponsor, after reviewing all regulations related to the Export Controls Act of 2018 (50 U.S.C. 4811 et seq.) and the Arms Export Control Act (22 U.S.C. 2751 et seq.), has determined that—

''(i) a license is not required from the Department of Commerce or the Department of State to release such technology or technical data to the exchange visitor; or

''(ii)(I) a license is required from the Department of Commerce or the Department of State to release such technology or technical data to the exchange visitor; and

''(II) the sponsor will prevent access to the controlled technology or technical data by the exchange visitor until the sponsor—

''(aa) has received the required license or other authorization to release it to the visitor; and

''(bb) has provided a copy of such license or authorization to the Department of State; and

''(B) if the sponsor maintains export controlled technology or technical data, the sponsor to submit to the Department of State the sponsor's plan to prevent unauthorized export or transfer of any controlled items, materials, information, or technology at the sponsor organization or entities associated with a sponsor's administration of the exchange visitor program.''.

SEC. ___. PRIVACY AND CONFIDENTIALITY.

Nothing in this title may be construed as affecting the rights and requirements provided in section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'') or subchapter III of chapter 35 of title 44, United States Code (commonly known as the ''Confidential Information Protection and Statistical Efficiency Act of 2018'').

SA 5140. Mr. CARPER (for himself, Mrs. CAPITO, Mr. CARDIN, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2022''.

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

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—GENERAL PROVISIONS

SEC. 101. SCOPE OF FEASIBILITY STUDIES.

(a) FLOOD AND COASTAL STORM RISK MANAGEMENT.—In carrying out a feasibility study for a project for flood or coastal storm risk management, the Secretary, at the request of the non-Federal interest for the study, shall formulate alternatives to maximize net benefits from the reduction of the comprehensive flood risk that is identified through a holistic evaluation of the isolated and compound effects of—

(1) a riverine discharge of any magnitude or frequency;

(2) inundation, wave attack, and erosion coinciding with a hurricane or coastal storm;

(3) a tide of any magnitude or frequency;

(4) a rainfall event of any magnitude or frequency;

(5) seasonal variation in water levels;

(6) groundwater emergence;

(7) sea level rise;

(8) subsidence; or

(9) any other driver of flood risk affecting the study area.

(b) WATER SUPPLY, WATER SUPPLY CONSERVATION, AND DROUGHT RISK REDUCTION.—In carrying out a feasibility study for any purpose, the Secretary, at the request of the non-Federal interest for the study, shall formulate alternatives—

(1) to maximize combined net benefits for the primary purpose of the study and for water supply, water supply conservation, and drought risk reduction; or

(2) to include 1 or more measures for the purpose of water supply, water supply conservation, or drought risk reduction.

(c) COST SHARING.—All costs to carry out a feasibility study in accordance with this section shall be shared in accordance with the cost share requirements otherwise applicable to the study.

SEC. 102. SHORELINE AND RIVERBANK PROTECTION AND RESTORATION MISSION.

(a) DECLARATION OF POLICY.—Congress declares that—

(1) consistent with the civil works mission of the Corps of Engineers, it is the policy of the United States to protect and restore the shorelines, riverbanks, and streambanks of the United States from the damaging impacts of extreme weather events and other factors contributing to the vulnerability of coastal and riverine communities and ecosystems;

(2) the Chief of Engineers shall give priority consideration to the protection and restoration of shorelines, riverbanks, and streambanks from erosion and other damaging impacts of extreme weather events in carrying out the civil works mission of the Corps of Engineers;

(3) to the maximum extent practicable, projects and measures for the protection and restoration of shorelines, riverbanks, and streambanks shall be formulated to increase the resilience of such shores and banks from the damaging impacts of extreme weather events and other factors contributing to the vulnerability of coastal and riverine communities and ecosystems using measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)); and

(4) to the maximum extent practicable, periodic nourishment shall be provided, in accordance with subsection (c) of the first section of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426e(c)), and subject to section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f), for projects and measures carried out for the purpose of restoring and increasing the resilience of ecosystems to the same extent as periodic nourishment is provided for projects and measures carried out for the purpose of coastal storm risk management.

(b) SHORELINE AND RIVERINE PROTECTION AND RESTORATION.—

(1) IN GENERAL.—Section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332) is amended—

(A) in the section heading, by striking ''**FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM**'' and inserting ''**SHORELINE AND RIVERINE PROTECTION AND RESTORATION**'';

(B) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may carry out projects—

''(1) to reduce flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

''(2) to restore the natural functions and values of rivers and shorelines throughout the United States.'';

(C) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

''(1) AUTHORITY.—

''(A) STUDIES.—The Secretary may carry out studies to identify appropriate measures for—

''(i) the reduction of flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

''(ii) the restoration of the natural functions and values of rivers and shorelines.

''(B) PROJECTS.—Subject to subsection (f)(2), the Secretary may design and implement projects described in subsection (a).'';

(ii) in paragraph (3), by striking ''flood damages'' and inserting ''flood and coastal storm damages, including the use of measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a))''; and

(iii) in paragraph (4)—

(I) by inserting ''and coastal storm'' after ''flood'';

(II) by inserting '', shoreline,'' after ''riverine''; and

(III) by inserting ''and coastal barriers'' after ''floodplains'';

(D) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

''(1) STUDIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the cost of a study under this section shall be—

''(i) 50 percent; and

''(ii) 10 percent, in the case of a study benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

''(B) FEDERAL INTEREST DETERMINATION.—The first $100,000 of the costs of a study under this section shall be at full Federal expense.'';

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking ''FLOOD CONTROL''; and

(II) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Design and construction of a nonstructural measure or project, a measure or project described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)), or for a measure or project for environmental restoration, shall be subject to cost sharing in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33

U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.''; and

(iii) in paragraph (3)—

(I) in the paragraph heading, by striking ''CONTROL'' and inserting ''AND COASTAL STORM RISK MANAGEMENT'';

(II) by striking ''control'' and inserting ''and coastal storm risk management''; and

(III) by striking ''section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a))'' and inserting ''section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent'';

(E) in subsection (d)—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows through ''Notwithstanding'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(d) PROJECT JUSTIFICATION.—Notwithstanding'';

(iii) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting appropriately; and

(iv) in paragraph (1) (as so redesignated)—

(I) by inserting ''or coastal storm'' after ''flood''; and

(II) by inserting '', including erosion or riverbank or streambank failures'' after ''damages'';

(F) in subsection (e)—

(i) by redesignating paragraphs (1) through (33) as subparagraphs (A) through (GG), respectively, and indenting appropriately;

(ii) in the matter preceding subparagraph (A) (as so redesignated), by striking ''In carrying out'' and inserting the following:

''(1) IN GENERAL.—In carrying out''; and

(iii) by adding at the end the following:

''(2) PRIORITY PROJECTS.—In carrying out this section after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall prioritize projects for the following locations:

''(A) Delaware beaches and watersheds, Delaware.

''(B) Louisiana Coastal Area, Louisiana.

''(C) Great Lakes Shores and Watersheds.

''(D) Oregon Coastal Area, Oregon.

''(E) Upper Missouri River Basin.

''(F) Ohio River Tributaries and their watersheds, West Virginia.

''(G) Chesapeake Bay watershed and Maryland beaches, Maryland.'';

(G) by striking subsections (f), (g), and (i);

(H) by redesignating subsection (h) as subsection (f); and

(I) in subsection (f) (as so redesignated), by striking paragraph (2) and inserting the following:

''(2) PROJECTS REQUIRING SPECIFIC AUTHORIZATION.—The Secretary shall not carry out a project until Congress enacts a law authorizing the Secretary to carry out the project, if the Federal share of the cost to design and construct the project exceeds—

''(A) $26,000,000, in the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260));

''(B) $23,000,000, in the case of a project other than a project benefitting an economically disadvantaged community (as so defined) that—

''(i) is for purposes of environmental restoration; or

''(ii) derives not less than 50 percent of the erosion, flood, or coastal storm risk reduction benefits from nonstructural measures or measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)); or

''(C) $18,500,000, for a project other than a project described in subparagraph (A) or (B).''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 212 and inserting the following:

''Sec. 212. Shoreline and riverine protection and restoration.''.

(c) EMERGENCY STREAMBANK AND SHORELINE PROTECTION.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 103. INLAND WATERWAY PROJECTS.

(a) IN GENERAL.—Section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''One-half of the costs'' and inserting ''75 percent of the costs''; and

(2) in the undesignated matter following paragraph (3), in the second sentence, by striking ''One-half of such costs'' and inserting ''25 percent of such costs''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply to new and ongoing projects beginning on October 1, 2022.

(c) CONFORMING AMENDMENT.—Section 109 of the Water Resources Development Act of 2020 (33 U.S.C. 2212 note; Public Law 116–260) is amended by striking ''fiscal years 2021 through 2031'' and inserting ''fiscal years 2021 through 2022''.

SEC. 104. PROTECTION AND RESTORATION OF OTHER FEDERAL LAND ALONG RIVERS AND COASTS.

(a) IN GENERAL.—The Secretary is authorized to use funds made available to the Secretary for water resources development purposes to construct, at full Federal expense, a measure benefitting Federal land under the administrative jurisdiction of another Federal agency, if the measure—

(1) is included in a report of the Chief of Engineers or other decision document for a water resources development project that is specifically authorized by Congress;

(2) is included in a detailed project report (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

(3) utilizes dredged material from a water resources development project beneficially.

(b) APPLICABILITY.—This section shall apply to a measure for which construction is initiated after the date of enactment of this Act.

(c) EXCLUSION.—In this section, the term ''Federal land'' does not include a military installation.

(d) SAVINGS PROVISIONS.—Nothing in this section precludes—

(1) a Federal agency with administrative jurisdiction over Federal land from contributing funds for any portion of the cost of a measure described in subsection (a) that benefits that land; or

(2) the Secretary, at the request of the non-Federal interest for a study for a project for flood or coastal storm risk management, from using funds made available to the Secretary for water resources development investigations to formulate measures to reduce risk to a military installation, if the non-Federal interest shares in the cost to formulate those measures to the same extent that the non-Federal interest is required to share in the cost of the study.

(e) REPEAL.—

(1) IN GENERAL.—Section 1025 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2226) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1193) is amended by striking the item relating to section 1025.

SEC. 105. POLICY AND TECHNICAL STANDARDS.

Consistent with the 5-year administrative publication life cycle of the Department of the Army, the Secretary shall revise, rescind, or certify as current, as applicable, each publication for the civil works programs of the Corps of Engineers.

SEC. 106. PLANNING ASSISTANCE TO STATES.

(a) IN GENERAL.—Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''section 236 of title 10'' and inserting ''section 4141 of title 10''; and

(B) by adding at the end the following:

''(4) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to address both inland and coastal life safety risks.'';

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

''(b) OUTREACH.—

''(1) IN GENERAL.—The Secretary is authorized to carry out activities, at full Federal expense—

''(A) to inform and educate States and other non-Federal interests about the missions, programs, policies, and procedures of the Corps of Engineers; and

''(B) to engage with States and other non-Federal interests to identify specific opportunities to partner with the Corps of Engineers to address water resources development needs.

''(2) STAFF.—The Secretary shall designate staff in each district office of the Corps of Engineers to provide assistance under this subsection.''; and

(4) in subsection (d) (as so redesignated), by adding at the end the following:

''(3) OUTREACH.—There is authorized to be appropriated $30,000,000 for each fiscal year to carry out subsection (b).

''(4) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).''.

(b) CONFORMING AMENDMENT.—Section 3014(b)(3)(B) of the Water Resources Reform and Development Act of 2014 (42 U.S.C. 4131(b)(3)(B)) is amended by striking section ''22(b) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(b))'' and inserting ''section 22(c) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(c))''.

SEC. 107. FLOODPLAIN MANAGEMENT SERVICES.

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended—

(1) in subsection (a)—

(A) in the second sentence, by striking ''Surveys and guides'' and inserting the following:

''(2) SURVEYS AND GUIDES.—Surveys and guides'';

(B) in the first sentence—

(i) by inserting ''identification of areas subject to floods due to accumulated snags and other debris,'' after ''inundation by floods of various magnitudes and frequencies,''; and

(ii) by striking ''In recognition'' and inserting the following:

''(1) IN GENERAL.—In recognition''; and

(C) by adding at the end the following:

''(3) IDENTIFICATION OF ASSISTANCE.—

''(A) IN GENERAL.—To the maximum extent practicable, in providing assistance under this subsection, the Secretary shall identify and communicate to States and non-Federal interests specific opportunities to partner with the Corps of Engineers to address flood hazards.

''(B) COORDINATION.—The Secretary shall coordinate activities under this paragraph with activities described in subsection (b) of section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16).'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

''(d) INSTITUTIONS OF HIGHER EDUCATION.—Notwithstanding section 4141 of title 10, United States Code, in carrying out this section, the Secretary may work with an institution of higher education, as determined appropriate by the Secretary.''.

SEC. 108. WORKFORCE PLANNING.

(a) DEFINITION OF HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—In this section, the term ''historically Black college or university'' has the meaning given the term ''part B institution'' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(b) AUTHORIZATION.—The Secretary is authorized to carry out activities, at full Federal expense—

(1) to foster, enhance, and support science, technology, engineering, and math education and awareness; and

(2) to recruit individuals for careers at the Corps of Engineers.

(c) PARTNERING ENTITIES.—In carrying out activities under this section, the Secretary may enter into partnerships with—

(1) public and nonprofit elementary and secondary schools;

(2) community colleges;

(3) technical schools;

(4) colleges and universities, including historically Black colleges and universities; and

(5) other institutions of learning.

(d) PRIORITIZATION.—The Secretary shall, to the maximum extent practicable, prioritize the recruitment of individuals under this section that are located in economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2023 through 2027.

SEC. 109. CREDIT IN LIEU OF REIMBURSEMENT.

(a) IN GENERAL.—Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a)—

(A) by striking ''or'' before ''an authorized coastal navigation project'';

(B) by inserting ''or any other water resources development project for which the Secretary is authorized to reimburse the non-Federal interest for the Federal share of construction or operation and maintenance,'' before ''the Secretary''; and

(C) by striking ''of the project'' and inserting ''to construct, periodically nourish, or operate and maintain the project'';

(2) in each of subsections (b) and (c), by striking ''flood damage reduction and coastal navigation'' each place it appears and inserting ''water resources development''; and

(3) by adding at the end the following:

''(d) APPLICABILITY.—With respect to a project constructed under section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232), the Secretary shall exercise the authority under this section to apply credits and reimbursements related to the project in a manner consistent with the requirements of subsection (d) of that section.''.

(b) TREATMENT OF CREDIT BETWEEN PROJECTS.—Section 7007(d) of the Water Resources Development Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended by inserting '', or may be applied to reduce the amounts required to be paid by the non-Federal interest under the terms of the deferred payment agreements entered into between the Secretary and the non-Federal interest for the projects authorized by section 7012(a)(1)'' before the period at the end.

SEC. 110. COASTAL COST CALCULATIONS.

Section 152(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2213a(a)) is amended by inserting ''or coastal storm risk management'' after ''flood risk management''.

SEC. 111. ADVANCE PAYMENT IN LIEU OF REIMBURSEMENT FOR CERTAIN FEDERAL COSTS.

The Secretary is authorized to provide in advance to the non-Federal interest the Federal share of funds required for the acquisition of land, easements, and rights-of-way and the performance of relocations for a project or separable element—

(1) authorized to be constructed at full Federal expense;

(2) described in section 103(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(b)(2)); or

(3) described in, or modified by an amendment made by, section 307(a) or 309(a), if at any time the cost to acquire the land, easements, and rights-of-way required for the project is projected to exceed the non-Federal share of the cost of the project.

SEC. 112. USE OF EMERGENCY FUNDS.

Section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), is amended—

(1) in paragraph (1), in the first sentence, by inserting '', increase resilience, increase effectiveness in preventing damages from inundation, wave attack, or erosion,'' after ''address major deficiencies''; and

(2) by adding at the end the following:

''(6) WORK CARRIED OUT BY A NON-FEDERAL SPONSOR.—

''(A) GENERAL RULE.—The Secretary may authorize a non-Federal sponsor to plan, design, or construct repair or restoration work described in paragraph (1).

''(B) REQUIREMENTS.—

''(i) IN GENERAL.—To be eligible for a payment under subparagraph (C) for the Federal share of a planning, design, or construction activity for repair or restoration work described in paragraph (1), the non-Federal sponsor shall enter into a written agreement with the Secretary before carrying out the activity.

''(ii) COMPLIANCE WITH OTHER LAWS.—The non-Federal sponsor shall carry out all activities under this paragraph in compliance with all laws and regulations that would apply if the activities were carried out by the Secretary.

''(C) PAYMENT.—

''(i) IN GENERAL.—The Secretary is authorized to provide payment, in the form of an advance or a reimbursement, to the non-Federal sponsor for the Federal share of the cost of a planning design, or construction activity for the repair or restoration work described in paragraph (1).

''(ii) ADDITIONAL AMOUNTS.—If the Federal share of the cost of the activity under this paragraph exceeds the amount obligated by the Secretary under an agreement under subparagraph (B), the advance or reimbursement of such additional amounts shall be at the discretion of the Secretary.

''(D) ANNUAL LIMIT ON REIMBURSEMENTS NOT APPLICABLE.—Section 102 of the Energy and Water Development Appropriations Act, 2006 (33 U.S.C. 2221), shall not apply to an agreement under subparagraph (B).''.

SEC. 113. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 7 of the Water Resources Development Act of 1988 (33 U.S.C. 2313) is amended—

(1) in the section heading, by striking ''**COLLABORATIVE**'';

(2) in subsection (b), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(3) by striking subsection (e);

(4) by redesignating subsections (b), (c), (d), and (f) as paragraphs (2), (3), (4), and (5), respectively, and indenting appropriately;

(5) in subsection (a), by striking ''of the Army Corps of Engineers, the Secretary is authorized to utilize Army'' and inserting the following: ''of the Corps of Engineers, the Secretary is authorized to engage in basic research, applied research, advanced research, and development projects, including such projects that are—

''(1) authorized by Congress; or

''(2) included in an Act making appropriations for the Corps of Engineers.

''(b) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—In carrying out subsection (a), the Secretary is authorized to utilize'';

(6) in subsection (b) (as so redesignated)—

(A) in paragraph (2)(B) (as so redesignated), by striking ''this section'' and inserting ''this subsection'';

(B) in paragraph (3) (as so redesignated), in the first sentence, by striking ''this section'' each place it appears and inserting ''this subsection'';

(C) in paragraph (4) (as so redesignated), by striking ''subsection (c)'' and inserting ''paragraph (3)''; and

(D) in paragraph (5) (as so redesignated), by striking ''this section'' and inserting ''this subsection;''; and

(7) by adding at the end the following:

''(c) OTHER TRANSACTIONS.—

''(1) AUTHORITY.—The Secretary may enter into transactions (other than contracts, cooperative agreements, and grants) in order to carry out this section.

''(2) EDUCATION AND TRAINING.—The Secretary shall—

''(A) ensure that management, technical, and contracting personnel of the Corps of Engineers involved in the award or administration of transactions under this section or other innovative forms of contracting are afforded opportunities for adequate education and training; and

''(B) establish minimum levels and requirements for continuous and experiential learning for such personnel, including levels and requirements for acquisition certification programs.

''(3) NOTIFICATION.—The Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives notice of a transaction under this subsection not less than 30 days before entering into the transaction.

''(4) REPORT.—Not later than 3 years and not later than 7 years after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the use of the authority under paragraph (1).

''(d) REPORT.—

''(1) IN GENERAL.—For fiscal year 2025, and annually thereafter, in conjunction with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on projects carried out under subsection (a).

''(2) CONTENTS.—A report under paragraph (1) shall include—

''(A) a description of each ongoing and new project, including—

''(i) the estimated total cost;

''(ii) the amount of Federal expenditures;

''(iii) the amount of expenditures by a non-Federal entity as described in subsection (b)(1), if applicable;

''(iv) the estimated timeline for completion;

''(v) the requesting district of the Corps of Engineers, if applicable; and

''(vi) how the project is consistent with subsection (a); and

''(B) any additional information that the Secretary determines to be appropriate.

''(e) COST SHARING.—

''(1) IN GENERAL.—Except as provided in subsection (b)(3) and paragraph (2), a project carried out under this section shall be at full Federal expense.

''(2) TREATMENT.—Nothing in this subsection waives applicable cost-share requirements for a water resources development project or feasibility study (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d))).

''(f) SAVINGS CLAUSE.—Nothing in this section limits the ability of the Secretary to carry out a project requested by a district of the Corps of Engineers in support of a water resources development project or feasibility study (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d))).

''(g) RESEARCH AND DEVELOPMENT ACCOUNT.—

''(1) IN GENERAL.—There is established a Research and Development account of the Corps of Engineers for the purposes of carrying out this section.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Research and Development account established by paragraph (1) $85,000,000 for each of fiscal years 2023 through 2027.''.

(b) FORECASTING MODELS FOR THE GREAT LAKES.—

(1) AUTHORIZATION.—There is authorized to be appropriated to the Secretary $10,000,000 to complete and maintain a model suite to forecast water levels, account for water level variability, and account for the impacts of extreme weather events and other natural disasters in the Great Lakes.

(2) SAVINGS PROVISION.—Nothing in this subsection precludes the Secretary from using funds made available under the Great Lakes Restoration Initiative established by section 118(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(7)) for activities described in paragraph (1) for the Great Lakes, if funds are not appropriated for such activities.

(c) MONITORING AND ASSESSMENT PROGRAM FOR SALINE LAKES IN THE GREAT BASIN.—

(1) IN GENERAL.—The Secretary is authorized to carry out a program (referred to in this subsection as the ''program'') to monitor and assess the hydrology of saline lake ecosystems in the Great Basin, including the Great Salt Lake, to inform and support Federal and non-Federal management and conservation activities to benefit those ecosystems.

(2) COORDINATION.—The Secretary shall coordinate implementation of the program with relevant—

(A) Federal and State agencies;

(B) Indian Tribes;

(C) local governments; and

(D) nonprofit organizations.

(3) CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into contracts, grant agreements, and cooperative agreements with institutions of higher education and with entities described in paragraph (2) to implement the program.

(4) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress an update on the progress of the Secretary in carrying out the program.

(5) ADDITIONAL INFORMATION.—In carrying out the program, the Secretary may use available studies, information, literature, or data on the Great Basin region published by relevant Federal, State, or local entities.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000.

(d) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1988 (102 Stat. 4012) is amended by striking the item relating to section 7 and inserting the following:

''Sec. 7. Research and development.''.

SEC. 114. TRIBAL AND ECONOMICALLY DISADVANTAGED COMMUNITIES ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) COMMITTEE.—The term ''Committee'' means the Tribal and Economically Disadvantaged Communities Advisory Committee established under subsection (b).

(2) ECONOMICALLY DISADVANTAGED COMMUNITY.—The term ''economically disadvantaged community'' has the meaning given the term pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260).

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the ''Tribal and Economically Disadvantaged Communities Advisory Committee'', to develop and make recommendations to the Secretary and the Chief of Engineers on activities and actions that should be undertaken by the Corps of Engineers to ensure more effective delivery of water resources development projects, programs, and other assistance to economically disadvantaged communities and Indian Tribes.

(c) MEMBERSHIP.—The Committee shall be composed of members, appointed by the Secretary, who have the requisite experiential or technical knowledge needed to address issues related to the water resources needs and challenges of economically disadvantaged communities and Indian Tribes, including—

(1) 5 individuals representing organizations with expertise in environmental policy, rural water resources, economically disadvantaged communities, Tribal rights, or civil rights; and

(2) 5 individuals, each representing a non-Federal interest for a Corps of Engineers project.

(d) DUTIES.—

(1) RECOMMENDATIONS.—The Committee shall provide advice and make recommendations to the Secretary and the Chief of Engineers to assist the Corps of Engineers in—

(A) efficiently and effectively delivering solutions to water resources development projects needs and challenges for economically disadvantaged communities and Indian Tribes;

(B) integrating consideration of economically disadvantaged communities and Indian Tribes, where applicable, in the development of water resources development projects and programs of the Corps of Engineers; and

(C) improving the capability and capacity of the workforce of the Corps of Engineers to assist economically disadvantaged communities and Indian Tribes.

(2) MEETINGS.—The Committee shall meet as appropriate to develop and make recommendations under paragraph (1).

(3) REPORT.—Recommendations provided under paragraph (1) shall be—

(A) included in a report submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) be made publicly available, including on a publicly available website.

(e) INDEPENDENT JUDGMENT.—Any recommendation made by the Committee to the Secretary and the Chief of Engineers under subsection (d)(1) shall reflect the independent judgment of the Committee.

(f) ADMINISTRATION.—

(1) COMPENSATION.—Except as provided in paragraph (2), the members of the Committee shall serve without compensation.

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

(3) TREATMENT.—The members of the Committee shall not be considered to be Federal employees, and the meetings and reports of the Committee shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

SEC. 115. NON-FEDERAL INTEREST ADVISORY COMMITTEE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the ''Non-Federal Interest Advisory Committee'' (referred to in this section as the ''Committee''), to develop and make recommendations to the Secretary and the Chief of Engineers on activities and actions that should be undertaken by the Corps of Engineers to ensure more effective and efficient delivery of water resources development projects, programs, and other assistance.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of the members described in paragraph (2), who shall—

(A) be appointed by the Secretary; and

(B) have the requisite experiential or technical knowledge needed to address issues related to water resources needs and challenges.

(2) REPRESENTATIVES.—The members of the Committee shall include the following:

(A) A representative of each of the following:

(i) A non-Federal interest for a project for navigation for an inland harbor.

(ii) A non-Federal interest for a project for navigation for a harbor.

(iii) A non-Federal interest for a project for flood risk management.

(iv) A non-Federal interest for a project for coastal storm risk management.

(v) A non-Federal interest for a project for aquatic ecosystem restoration.

(B) A representative of each of the following:

(i) A non-Federal stakeholder with respect to inland waterborne transportation.

(ii) A non-Federal stakeholder with respect to water supply.

(iii) A non-Federal stakeholder with respect to recreation.

(iv) A non-Federal stakeholder with respect to hydropower.

(v) A non-Federal stakeholder with respect to emergency preparedness, including coastal protection.

(C) A representative of each of the following:

(i) An organization with expertise in conservation.

(ii) An organization with expertise in environmental policy.

(iii) An organization with expertise in rural water resources.

(c) DUTIES.—

(1) RECOMMENDATIONS.—The Committee shall provide advice and make recommendations to the Secretary and the Chief of Engineers to assist the Corps of Engineers in—

(A) efficiently and effectively delivering water resources development projects;

(B) improving the capability and capacity of the workforce of the Corps of Engineers to deliver projects and other assistance;

(C) improving the capacity and effectiveness of Corps of Engineers consultation and liaison roles in communicating water resources needs and solutions, including regionally-specific recommendations; and

(D) strengthening partnerships with non-Federal interests to advance water resources solutions.

(2) MEETINGS.—The Committee shall meet as appropriate to develop and make recommendations under paragraph (1).

(3) REPORT.—Recommendations provided under paragraph (1) shall be—

(A) included in a report submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) made publicly available, including on a publicly available website.

(d) INDEPENDENT JUDGMENT.—Any recommendation made by the Committee to the Secretary and the Chief of Engineers under subsection (c)(1) shall reflect the independent judgment of the Committee.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(2) COMPENSATION.—Except as provided in paragraph (3), the members of the Committee shall serve without compensation.

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

(4) TREATMENT.—The members of the Committee shall not be considered to be Federal employees and the meetings and reports of the Committee shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 116. UNDERSERVED COMMUNITY HARBOR PROJECTS.

(a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ''project'' means a single cycle of dredging of an underserved community harbor and the associated placement of dredged material at a beneficial use placement site or disposal site.

(2) UNDERSERVED COMMUNITY HARBOR.—The term ''underserved community harbor'' means an emerging harbor (as defined in section 210(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(f))) for which—

(A) no Federal funds have been obligated for maintenance dredging in the current fiscal year or in any of the 4 preceding fiscal years; and

(B) State and local investments in infrastructure have been made during the preceding 4 fiscal years.

(b) IN GENERAL.—The Secretary may carry out projects to dredge underserved community harbors for purposes of sustaining water-dependent commercial and recreational activities at such harbors.

(c) JUSTIFICATION.—The Secretary may carry out a project under this section if the Secretary determines that the cost of the project is reasonable in relation to the sum of—

(1) the local or regional economic benefits; and

(2)(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetland and control of shoreline erosion; or

(B) other social effects, including protection against loss of life and contributions to local or regional cultural heritage.

(d) COST SHARE.—The non-Federal share of the cost of a project carried out under this section shall be determined in accordance with—

(1) subsection (a), (b), (c), or (d), as applicable, of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), for any portion of the cost of the project allocated to flood or coastal storm risk management, ecosystem restoration, or recreation; and

(2) section 101(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)(1)), for the portion of the cost of the project other than a portion described in paragraph (1).

(e) CLARIFICATION.—The Secretary shall not require the non-Federal interest for a project carried out under this section to perform additional operation and maintenance activities at the beneficial use placement site or the disposal site for such project.

(f) FEDERAL PARTICIPATION LIMIT.—The Federal share of the cost of a project under this section shall not exceed $10,000,000.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2023 through 2026.

(2) SPECIAL RULE.—Not less than 35 percent of the amounts made available to carry out this section for each fiscal year shall be used for projects that include the beneficial use of dredged material.

(h) SAVINGS PROVISION.—Carrying out a project under this section shall not affect the eligibility of an underserved community harbor for Federal operation and maintenance funding otherwise authorized for the underserved community harbor.

SEC. 117. CORPS OF ENGINEERS WESTERN WATER COOPERATIVE COMMITTEE.

(a) FINDINGS.—Congress finds that—

(1) a bipartisan coalition of 19 Western Senators wrote to the Office of Management and Budget on September 17, 2019, in opposition to the proposed rulemaking entitled ''Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply'' (81 Fed. Reg. 91556 (December 16, 2016)), describing the rule as counter to existing law and court precedent;

(2) on January 21, 2020, the proposed rulemaking described in paragraph (1) was withdrawn; and

(3) the Corps of Engineers should consult with Western States to ensure, to the maximum extent practicable, that operation of flood control projects in prior appropriation States is consistent with the principles of the first section of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 887, chapter 665; 33 U.S.C. 701–1) and section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a Western Water Cooperative Committee (referred to in this section as the ''Cooperative Committee'').

(2) PURPOSE.—The purpose of the Cooperative Committee is to ensure that Corps of Engineers flood control projects in Western States are operated consistent with congressional directives by identifying opportunities to avoid or minimize conflicts between operation of Corps of Engineers projects and State water rights and water laws.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Cooperative Committee shall be composed of—

(i) the Assistant Secretary of the Army for Civil Works (or a designee);

(ii) the Chief of Engineers (or a designee);

(iii) 1 representative from each of the States of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, who may serve on the Western States Water Council, to be appointed by the Governor of each State;

(iv) 1 representative with legal experience from each of the States of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, to be appointed by the Attorney General of each State; and

(v) 1 employee from each of the impacted regional offices of the Bureau of Indian Affairs.

(4) MEETINGS.—

(A) IN GENERAL.—The Cooperative Committee shall meet not less than once each year in a State represented on the Cooperative Committee.

(B) AVAILABLE TO PUBLIC.—Each meeting of the Cooperative Committee shall be open and accessible to the public.

(C) NOTIFICATION.—The Cooperative Committee shall publish in the Federal Register adequate advance notice of a meeting of the Cooperative Committee.

(5) DUTIES.—The Cooperative Committee shall develop and make recommendations to avoid or minimize conflicts between the operation of Corps of Engineers projects and State water rights and water laws, which may include recommendations for legislation or the promulgation of policy or regulations.

(6) STATUS UPDATES.—

(A) IN GENERAL.—On an annual basis, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written report that includes—

(i) a summary of the contents of meetings of the Cooperative Committee; and

(ii) a description of any recommendations made by the Cooperative Committee under paragraph (5), including actions taken by the Secretary in response to such recommendations.

(B) COMMENT.—

(i) IN GENERAL.—Not later than 45 days following the conclusion of a meeting of the Cooperative Committee, the Secretary shall provide to members of the Cooperative Committee an opportunity to comment on the

contents of the meeting and any recommendations.

(ii) INCLUSION.—Comments provided under clause (i) shall be included in the report provided under subparagraph (A).

(7) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the members of the Cooperative Committee shall serve without compensation.

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

(8) MAINTENANCE OF RECORDS.—The Cooperative Committee shall maintain records pertaining to operating costs and records of the Cooperative Committee for a period of not less than 3 years.

SEC. 118. UPDATES TO CERTAIN WATER CONTROL MANUALS.

On request of the Governor of State in which the Governor declared a statewide drought disaster in 2021, the Secretary is authorized to update water control manuals for waters in the State, with priority given to those waters that accommodate a water supply project.

SEC. 119. SENSE OF CONGRESS ON OPERATIONS AND MAINTENANCE OF RECREATION SITES.

It is the sense of Congress that the Secretary, as part of the annual work plan, should distribute amounts provided for the operations and maintenance of recreation sites of the Corps of Engineers so that each site receives an amount that is not less than 80 percent of the recreation fees generated by such site in a given year.

SEC. 120. RELOCATION ASSISTANCE.

In the case of a water resources development project using nonstructural measures for the elevation or modification of a dwelling that is the primary residence of an owner-occupant and that requires the owner-occupant to relocate temporarily from the dwelling during the period of construction, the Secretary may include in the value of the land, easements, and rights-of-way required for the project or measure the documented reasonable living expenses, excluding food and personal transportation, incurred by the owner-occupant during the period of relocation.

SEC. 121. REPROGRAMMING LIMITS.

(a) OPERATIONS AND MAINTENANCE.—In reprogramming funds made available to the Secretary for operations and maintenance—

(1) the Secretary may not reprogram more than 25 percent of the base amount up to a limit of—

(A) $8,500,000 for a project, study, or activity with a base level over $1,000,000; and

(B) $250,000 for a project, study, or activity with a base level of $1,000,000 or less; and

(2) $250,000 may be reprogrammed for any continuing study or activity of the Secretary that did not receive an appropriation.

(b) INVESTIGATIONS.—In reprogramming funds made available to the Secretary for investigations—

(1) the Secretary may not reprogram more than $150,000 for a project, study, or activity with a base level over $100,000; and

(2) $150,000 may be reprogrammed for any continuing study or activity of the Secretary that did not receive an appropriation for existing obligations and concomitant administrative expenses.

SEC. 122. LEASE DURATIONS.

The Secretary shall issue guidance on, in the case of a leasing decision pursuant to section 2667 of title 10, United States Code, or section 4 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 889, chapter 665; 16 U.S.C. 460d), instances in which a lease duration in excess of 25 years is appropriate.

SEC. 123. SENSE OF CONGRESS RELATING TO POST-DISASTER REPAIRS.

It is the sense of Congress that in permitting and funding post-disaster repairs, the Secretary should, to the maximum extent practicable, repair assets—

(1) to project design levels; or

(2) if the original project design is outdated, to above project design levels.

SEC. 124. PAYMENT OF PAY AND ALLOWANCES OF CERTAIN OFFICERS FROM APPROPRIATION FOR IMPROVEMENTS.

Section 36 of the Act of August 10, 1956 (70A Stat. 634, chapter 1041; 33 U.S.C. 583a), is amended—

(1) by striking ''Regular officers of the Corps of Engineers of the Army, and reserve officers of the Army who are assigned to the Corps of Engineers,'' and inserting the following:

''(a) IN GENERAL.—The personnel described in subsection (b)''; and

(2) by adding at the end the following:

''(b) PERSONNEL DESCRIBED.—The personnel referred to in subsection (a) are the following:

''(1) Regular officers of the Corps of Engineers of the Army.

''(2) The following members of the Army who are assigned to the Corps of Engineers:

''(A) Reserve component officers.

''(B) Warrant officers (whether regular or reserve component).

''(C) Enlisted members (whether regular or reserve component).''.

SEC. 125. REFORESTATION.

The Secretary is encouraged to consider measures to restore swamps and other wetland forests in studies for water resources development projects for ecosystem restoration and flood and coastal storm risk management.

SEC. 126. USE OF OTHER FEDERAL FUNDS.

Section 2007 of the Water Resources Development Act of 2007 (33 U.S.C. 2222) is amended—

(1) by striking ''water resources study or project'' and inserting ''water resources development study or project, including a study or project under a continuing authority program (as defined in section 7001(c)(1)(D) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(c)(1)(D))),''; and

(2) by striking ''the Federal agency that provides the funds determines that the funds are authorized to be used to carry out the study or project'' and inserting ''the funds appropriated to the Federal agency are for a purpose that is similar or complementary to the purpose of the study or project''.

SEC. 127. NATIONAL LOW-HEAD DAM INVENTORY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by adding at the end the following:

''SEC. 15. NATIONAL LOW-HEAD DAM INVENTORY.

''(a) DEFINITIONS.—In this section:

''(1) INVENTORY.—The term 'inventory' means the national low-head dam inventory developed under subsection (b)(1).

''(2) LOW-HEAD DAM.—The term 'low-head dam' means a river-wide dam that generally spans a stream channel, blocking the waterway and creating a backup of water behind the dam, with a drop off over the wall of not less than 6 inches and not more than 25 feet.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of the Army.

''(b) NATIONAL LOW-HEAD DAM INVENTORY.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary, in consultation with the heads of appropriate Federal and State agencies, shall—

''(A) develop an inventory of low-head dams in the United States that includes—

''(i) the location, ownership, description, current use, condition, height, and length of each low-head dam;

''(ii) any information on public safety conditions at each low-head dam;

''(iii) public safety information on the dangers of low-head dams;

''(iv) a directory of financial and technical assistance resources available to reduce safety hazards and fish passage barriers at low-head dams; and

''(v) any other relevant information concerning low-head dams; and

''(B) submit the inventory to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) DATA.—In carrying out this subsection, the Secretary shall—

''(A) coordinate with Federal and State agencies and other relevant entities; and

''(B) use data provided to the Secretary by those agencies.

''(3) UPDATES.—The Secretary, in consultation with appropriate Federal and State agencies, shall maintain and periodically publish updates to the inventory.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $30,000,000.

''(d) CLARIFICATION.—Nothing in this section provides authority to the Secretary to carry out an activity, with respect to a low-head dam, that is not explicitly authorized under this section.''.

SEC. 128. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—A credit described in paragraph (1) for a study or project with multiple non-Federal interests may be applied to the required non-Federal cost share for a study or project of any of those non-Federal interests, subject to the condition that each non-Federal interest for the study or project for which the credit described in paragraph (1) is provided concurs in writing.'';

(2) in subsection (b), by adding at the end the following:

''(3) CONDITIONAL APPROVAL OF EXCESS CREDIT.—The Secretary may approve credit in excess of the non-Federal share for a study or project prior to the identification of each authorized study or project to which the excess credit will be applied, subject to the condition that the non-Federal interest agrees to submit for approval by the Secretary an amendment to the comprehensive plan prepared under paragraph (2) that identifies each authorized study or project in advance of execution of the feasibility cost sharing agreement or project partnership agreement for that authorized study or project.'';

(3) by striking subsection (d); and

(4) by redesignating subsection (e) as subsection (d).

SEC. 129. NATIONAL LEVEE RESTORATION.

(a) DEFINITION OF REHABILITATION.—Section 9002(13) of the Water Resources Development Act of 2007 (33 U.S.C. 3301(13)) is amended—

(1) by inserting '', or improvement'' after ''removal''; and

(2) by inserting '', increase resiliency to extreme weather events,'' after ''flood risk''.

(b) LEVEE REHABILITATION ASSISTANCE PROGRAM.—Section 9005(h) of the Water Resources Development Act of 2007 (33 U.S.C. 3303a(h)) is amended—

(1) in paragraph (7), by striking ''$10,000,000'' and inserting ''$25,000,000''; and

(2) by adding at the end the following:

''(11) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).''.

SEC. 130. INLAND WATERWAYS REGIONAL DREDGE PILOT PROGRAM.

Section 1111 of the America's Water Infrastructure Act of 2018 (33 U.S.C. 2326 note; Public Law 115–270) is amended by adding at the end the following:

''(e) INLAND WATERWAYS REGIONAL DREDGE PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary is authorized to establish a pilot program (referred to in this subsection as the 'pilot program') to conduct a multiyear dredging demonstration program to award contracts with a duration of up to 5 years for projects on inland waterways.

''(2) PURPOSES.—The purposes of the pilot program shall be—

''(A) to increase the reliability, availability, and efficiency of federally-owned and federally-operated inland waterways projects;

''(B) to decrease operational risks across the inland waterways system; and

''(C) to provide cost-savings by combining work across multiple projects across different accounts of the Corps of Engineers.

''(3) DEMONSTRATION.—

''(A) IN GENERAL.—The Secretary shall, to the maximum extent practicable, award contracts for projects on inland waterways that combine work across the Construction and Operation and Maintenance accounts of the Corps of Engineers.

''(B) PROJECTS.— In awarding contracts under subparagraph (A), the Secretary shall consider projects that—

''(i) improve navigation reliability on inland waterways that are accessible yearround;

''(ii) increase freight capacity on inland waterways; and

''(iii) have the potential to enhance the availability of containerized cargo on inland waterways.

''(4) SAVINGS CLAUSE.—Nothing in this subsection affects the responsibility of the Secretary with respect to the construction and operations and maintenance of projects on the inland waterways system.

''(5) REPORT TO CONGRESS.—Not later than 1 year after the date on which the first contract is awarded pursuant to the pilot program, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that evaluates, with respect to the pilot program and any contracts awarded under the pilot program—

''(A) cost effectiveness;

''(B) reliability and performance;

''(C) cost savings attributable to mobilization and demobilization of dredge equipment; and

''(D) response times to address navigational impediments.

''(6) SUNSET.—The authority of the Secretary to enter into contracts pursuant to the pilot program shall expire on the date that is 10 years after the date of enactment of this Act.''.

SEC. 131. FUNDING TO PROCESS PERMITS.

Section 214(a)(2) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)(2)) is amended—

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

''(A) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(B) MULTI-USER MITIGATION BANK INSTRUMENT PROCESSING.—

''(i) IN GENERAL.—An activity carried out by the Secretary to expedite evaluation of a permit described in subparagraph (A) may include the evaluation of an instrument for a mitigation bank if—

''(I) the non-Federal public entity, public-utility company, natural gas company, or railroad carrier applying for the permit described in that subparagraph is the sponsor of the mitigation bank; and

''(II) expediting evaluation of the instrument is necessary to expedite evaluation of the permit described in that subparagraph.

''(ii) USE OF CREDITS.—The use of credits generated by the mitigation bank established using expedited processing under clause (i) shall be limited to current and future projects and activities of the entity, company, or carrier described in subclause (I) of that clause for a public purpose, except that in the case of a non-Federal public entity, not more than 25 percent of the credits may be sold to other public and private entities.''.

SEC. 132. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

Section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended—

(1) in paragraph (3), by inserting ''or discrete segment'' after ''separable element'' each place it appears; and

(2) by adding at the end the following:

''(10) DEFINITION OF DISCRETE SEGMENT.—In this subsection, the term 'discrete segment' means a physical portion of a project or separable element that the non-Federal interest can operate and maintain, independently and without creating a hazard, in advance of final completion of the water resources development project, or separable element thereof.''.

SEC. 133. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended by adding at the end the following:

''(c) APPLICATION TO STUDIES.—

''(1) INCLUSION.—For purposes of this section, the term 'study' includes watershed assessments.

''(2) APPLICATION.—The Secretary shall apply the waiver amount described in subsection (a) to reduce only the non-Federal share of study costs.''.

SEC. 134. WATER SUPPLY CONSERVATION.

Section 1116 of the WIIN Act (130 Stat. 1639) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''during the 1-year period ending on the date of enactment of this Act'' and inserting ''for at least 2 years during the 10-year period preceding a request from a non-Federal interest for assistance under this section''; and

(2) in subsection (b)(4), by inserting '', including measures utilizing a natural feature or nature-based feature (as those terms are defined in section 1184(a)) to reduce drought risk'' after ''water supply''.

SEC. 135. CRITERIA FOR FUNDING OPERATION AND MAINTENANCE OF SMALL, REMOTE, AND SUBSISTENCE HARBORS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop specific criteria for the annual evaluation and ranking of maintenance dredging requirements for small, remote, and subsistence harbors, taking into account the criteria provided in the joint explanatory statement of managers accompanying division D of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1352).

(b) INCLUSION IN GUIDANCE.—The Secretary shall include the criteria developed under subsection (a) in the annual Civil Works Direct Program Development Policy Guidance of the Secretary.

(c) REPORT TO CONGRESS.—For fiscal year 2024, and biennially thereafter, in conjunction with the annual budget submission of the President under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that identifies the ranking of projects in accordance with the criteria developed under subsection (a).

SEC. 136. PROTECTION OF LIGHTHOUSES.

Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by inserting ''lighthouses, including those lighthouses with historical value,'' after ''schools,''.

SEC. 137. EXPEDITING HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

Section 1008 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2321b) is amended—

(1) in subsection (b)(1), by inserting ''and to meet the requirements of subsection (b)'' after ''projects'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

''(b) IMPLEMENTATION OF POLICY.—The Secretary shall—

''(1) ensure that the policy described in subsection (a) is implemented nationwide in an efficient, consistent, and coordinated manner; and

''(2) assess opportunities—

''(A) to increase the development of hydroelectric power at existing hydroelectric water resources development projects of the Corps of Engineers; and

''(B) to develop new hydroelectric power at nonpowered water resources development projects of the Corps of Engineers.''.

SEC. 138. MATERIALS, SERVICES, AND FUNDS FOR REPAIR, RESTORATION, OR REHABILITATION OF CERTAIN PUBLIC RECREATION FACILITIES.

(a) DEFINITION OF ELIGIBLE PUBLIC RECREATION FACILITY.—In this section, the term ''eligible public recreation facility'' means a facility at a reservoir operated by the Corps of Engineers that—

(1) was constructed to enable public use of and access to the reservoir; and

(2) requires repair, restoration, or rehabilitation to function.

(b) AUTHORIZATION.—During a period of low water at an eligible public recreation facility, the Secretary is authorized—

(1) to accept and use materials, services, and funds from a non-Federal interest to repair, restore, or rehabilitate the facility; and

(2) to reimburse the non-Federal interest for the Federal share of the materials, services, or funds.

(c) REQUIREMENT.—The Secretary may not reimburse a non-Federal interest for the use of materials or services accepted under this section unless the materials or services—

(1) meet the specifications of the Secretary; and

(2) comply with all applicable laws and regulations that would apply if the materials and services were acquired by the Secretary,

including subchapter IV of chapter 31 and chapter 37 of title 40, United States Code, section 8302 of title 41, United States Code, and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) AGREEMENT.—Before the acceptance of materials, services, or funds under this section, the Secretary and the non-Federal interest shall enter into an agreement that—

(1) specifies that the non-Federal interest shall hold and save the United States free from any and all damages that arise from use of materials or services of the non-Federal interest, except for damages due to the fault or negligence of the United States or its contractors;

(2) requires that the non-Federal interest shall certify that the materials or services comply with all applicable laws and regulations under subsection (c); and

(3) includes any other term or condition required by the Secretary.

SEC. 139. DREDGED MATERIAL MANAGEMENT PLANS.

(a) IN GENERAL.—The Secretary shall prioritize implementation of section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2326h) at federally authorized harbors in the State of Ohio.

(b) REQUIREMENTS.—Each dredged material management plan prepared by the Secretary under section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2326h) for a federally authorized harbor in the State of Ohio shall—

(1) include, in the baseline conditions, a prohibition on use of funding for open-lake disposal of dredged material consistent with section 105 of the Energy and Water Development and Related Agencies Appropriations Act, 2022 (Public Law 117–103; 136 Stat. 217) ; and

(2) maximize beneficial use of dredged material under the base plan and under section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)).

(c) SAVINGS PROVISION.—This section does not—

(1) impose a prohibition on use of funding for open-lake disposal of dredged material; or

(2) require the development or implementation of a dredged material management plan in accordance with subsection (b) if use of funding for open-lake disposal is not otherwise prohibited by law.

SEC. 140. LEASE DEVIATIONS.

The Secretary shall fully implement the requirements of section 153 of the Water Resources Development Act of 2020 (134 Stat. 2658).

SEC. 141. COLUMBIA RIVER BASIN.

(a) STUDY OF FLOOD RISK MANAGEMENT ACTIVITIES.—

(1) IN GENERAL.—Using funds made available to carry out this section, the Secretary is authorized, at Federal expense, to carry out a study to determine the feasibility of a project for flood risk management and related purposes in the Columbia River basin and to report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate with recommendations thereon, including recommendations for a project to potentially reduce the reliance on Canada for flood risk management in the basin.

(2) COORDINATION.—The Secretary shall carry out the activities described in this subsection in coordination with other Federal and State agencies and Indian Tribes.

(b) FUNDS FOR COLUMBIA RIVER TREATY OBLIGATIONS.—

(1) IN GENERAL.—The Secretary is authorized to expend funds appropriated for the purpose of satisfying United States obligations under the Columbia River Treaty to compensate Canada for operating Canadian storage on behalf of the United States under such Treaty.

(2) NOTIFICATION.—If the U.S. entity calls upon Canada to operate Canadian reservoir storage for flood risk management on behalf of the United States, which operation may incur an obligation to compensate Canada under the Columbia River Treaty—

(A) the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate, by not later than 30 days after the initiation of the call, a written notice of the action and a justification, including a description of the circumstances necessitating the call;

(B) upon a determination by the United States of the amount of compensation that shall be paid to Canada, the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate a written notice specifying such amount and an explanation of how such amount was derived, which notification shall not delay or impede the flood risk management mission of the U.S. entity; and

(C) the Secretary shall make no payment to Canada for the call under the Columbia River Treaty until such time as funds appropriated for the purpose of compensating Canada under such Treaty are available.

(c) DEFINITIONS.—In this section:

(1) COLUMBIA RIVER BASIN.—The term ''Columbia River basin'' means the entire United States portion of the Columbia River watershed.

(2) COLUMBIA RIVER TREATY.—The term ''Columbia River Treaty'' means the Treaty relating to cooperative development of the water resources of the Columbia River Basin, signed at Washington January 17, 1961, and entered into force September 16, 1964.

(3) U.S. ENTITY.—The term ''U.S. entity'' means the entity designated by the United States under Article XIV of the Columbia River Treaty.

SEC. 142. CONTINUATION OF CONSTRUCTION.

(a) IN GENERAL.—The Secretary shall not include the amount of Federal obligations incurred and non-Federal contributions provided for an authorized water resources development project during the period beginning on the date of enactment of this Act and ending on September 30, 2025, for purposes of determining if the cost of the project exceeds the maximum cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).

(b) CONTINUATION OF CONSTRUCTION.—

(1) IN GENERAL.—The Secretary shall not, solely on the basis of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280)—

(A) defer the initiation or continuation of construction of a water resources development project during the period described in subsection (a); or

(B) terminate a contract for design or construction of a water resources development project entered into during the period described in subsection (a) after expiration of that period.

(2) RESUMPTION OF CONSTRUCTION.—The Secretary shall resume construction of any water resources development project for which construction was deferred on the basis of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) during the period beginning on October 1, 2021, and ending on the date of enactment of this Act.

(c) STATUTORY CONSTRUCTION.—Nothing in this section waives the obligation of the Secretary to submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a post-authorization change report recommending an increase in the authorized cost of a project if the project otherwise would exceed the maximum cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).

TITLE II—STUDIES AND REPORTS

SEC. 201. AUTHORIZATION OF FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary is authorized to investigate the feasibility of the following projects:

(1) Project for ecosystem restoration, Mill Creek Levee and Walla Walla River, Oregon.

(2) Project for flood risk management and ecosystem restoration, Tittabawassee River, Chippewa River, Pine River, and Tobacco River, Michigan.

(3) Project for flood risk management, Southeast Michigan.

(4) Project for flood risk management, McMicken Dam, Arizona.

(5) Project for flood risk management, Ellicott City and Howard County, Maryland.

(6) Project for flood risk management, Ten Mile River, North Attleboro, Massachusetts.

(7) Project for flood risk management and water supply, Fox-Wolf Basin, Wisconsin.

(8) Project for flood risk management and ecosystem restoration, Thatchbed Island, Essex, Connecticut.

(9) Project for flood and coastal storm risk management, Cape Fear River Basin, North Carolina.

(10) Project for flood risk management, Lower Clear Creek and Dickinson Bayou, Texas.

(11) Project for flood risk management and ecosystem restoration, the Resacas, Hidalgo and Cameron Counties, Texas.

(12) Project for flood risk management, including levee improvement, Papillion Creek, Nebraska.

(13) Project for flood risk management, Offutt Ditch Pump Station, Nebraska.

(14) Project for flood risk management, navigation, and ecosystem restoration, Mohawk River Basin, New York.

(15) Project for coastal storm risk management, Waikiki Beach, Hawaii.

(16) Project for ecosystem restoration and coastal storm risk management, Cumberland and Sea Islands, Georgia.

(17) Project for flood risk management, Wailupe Stream watershed, Hawaii.

(18) Project for flood and coastal storm risk management, Hawaii County, Hawaii.

(19) Project for coastal storm risk management, Maui County, Hawaii.

(20) Project for flood risk management, Sarpy County, Nebraska.

(21) Project for aquatic ecosystem restoration, including habitat for endangered salmon, Columbia River Basin.

(22) Project for ecosystem restoration, flood risk management, and recreation, Newport, Kentucky.

(23) Project for flood risk management and water supply, Jenkins, Kentucky.

(24) Project for flood risk management, including riverbank stabilization, Columbus, Kentucky.

(25) Project for flood and coastal storm risk management, navigation, and ecosystem restoration, South Shore, Long Island, New York.

(26) Project for flood risk management, coastal storm risk management, navigation, ecosystem restoration, and water supply, Blind Brook, New York.

(27) Project for navigation, Cumberland River, Kentucky.

(28) Project for ecosystem restoration and water supply, Great Salt Lake, Utah.

(b) PROJECT MODIFICATIONS.—The Secretary is authorized to investigate the feasibility of the following modifications to the following projects:

(1) Modifications to the project for navigation, South Haven Harbor, Michigan, for turning basin improvements.

(2) Modifications to the project for navigation, Rollinson Channel and channel from Hatteras Inlet to Hatteras, North Carolina, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1174), to incorporate the ocean bar.

(3) Modifications to the project for flood control, Saint Francis River Basin, Missouri and Arkansas, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 172, chapter 188), to provide flood risk management for the tributaries and drainage of Straight Slough, Craighead, Poinsett, and Cross Counties, Arkansas.

(4) Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366), consistent with the City of Cedar Rapids, Iowa, Cedar River Flood Control System Master Plan.

(5) Modifications to the project for navigation, Savannah Harbor, Georgia, without evaluation of additional deepening.

(6) Modifications to the project for navigation, Honolulu Harbor, Hawaii, for navigation improvements and coastal storm risk management.

(7) Modifications to the project for navigation, Port of Ogdensburg, New York, including deepening.

(8) Modifications to the Huntington Local Protection Project, Huntington, West Virginia.

SEC. 202. SPECIAL RULES.

(a) The studies authorized by paragraphs (12) and (13) of section 201(a) shall be considered a continuation of the study that resulted in the Chief's Report for the project for Papillion Creek and Tributaries Lakes, Nebraska, signed January 24, 2022.

(b) The study authorized by section 201(a)(17) shall be considered a resumption and a continuation of the general reevaluation initiated on December 30, 2003.

(c) In carrying out the study authorized by section 201(a)(21), the Secretary shall only formulate measures and alternatives to be consistent with the authorized purposes of existing Federal projects while also maintaining the benefits of such projects.

(d) In carrying out the study authorized by section 201(a)(25), the Secretary shall study the South Shore of Long Island, New York, as a whole system, including inlets that are Federal channels.

(e) The studies authorized by section 201(b) shall be considered new phase investigations afforded the same treatment as a general reevaluation.

SEC. 203. EXPEDITED COMPLETION OF STUDIES.

(a) FEASIBILITY REPORTS.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Modifications to the project for flood risk management, North Adams, Massachusetts, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1572, chapter 688; 33 U.S.C. 701h), and section 3 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 639, chapter 377), for flood risk management and ecosystem restoration.

(2) Project for coastal storm risk management, Charleston Peninsula, South Carolina.

(3) Project for flood and coastal storm risk management and ecosystem restoration, Boston North Shore, Revere, Saugus, Lynn, Maiden, and Everett, Massachusetts.

(4) Project for flood risk management, De Soto County, Mississippi.

(5) Project for coastal storm risk management, Chicago shoreline, Illinois.

(6) Project for flood risk management, Cave Buttes Dam, Arizona.

(7) Project for flood and coastal storm risk management, Chelsea, Massachusetts, authorized by a study resolution of the Committee on Public Works of the Senate dated September 12, 1969.

(8) Project for ecosystem restoration, Herring River Estuary, Barnstable County, Massachusetts, authorized by a study resolution of the Committee on Transportation and Infrastructure of the House of Representatives dated July 23, 1997.

(9) Project for coastal storm risk management, ecosystem restoration, and navigation, Nauset Barrier Beach and inlet system, Chatham, Massachusetts, authorized by a study resolution of the Committee on Public Works of the Senate dated September 12, 1969.

(10) Project for flood risk management, East Hartford Levee System, Connecticut.

(11) Project for flood risk management, Rahway, New Jersey, authorized by section 336 of the Water Resources Development Act of 2020 (134 Stat. 2712).

(12) Project for coastal storm risk management, Sea Bright to Manasquan, New Jersey.

(13) Project for coastal storm risk management, Raritan Bay and Sandy Hook Bay, New Jersey.

(14) Project for coastal storm risk management, St. Tammany Parish, Louisiana.

(15) Project for ecosystem restoration, Fox River, Illinois, authorized by section 519 of the Water Resources Development Act of 2000 (114 Stat. 2653).

(16) Project for ecosystem restoration, Chicago River, Illinois.

(17) Project for ecosystem restoration, Lake Okeechobee, Florida.

(18) Project for ecosystem restoration, Western Everglades, Florida.

(19) Modifications to the project for navigation, Hilo Harbor, Hawaii.

(20) Project for flood risk management, Kanawha River Basin, West Virginia, Virginia, North Carolina.

(21) Modifications to the project for navigation, Auke Bay, Alaska.

(b) POST-AUTHORIZATION CHANGE REPORTS.—The Secretary shall expedite completion of a post-authorization change report for the following projects:

(1) Project for ecosystem restoration, Tres Rios, Arizona, authorized by section 101(b)(4) of the Water Resources Development Act of 2000 (114 Stat. 2577).

(2) Project for coastal storm risk management, Surf City and North Topsail Beach, North Carolina, authorized by section 7002(3) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1367).

(3) Anchorage F modifications to the project for navigation, Norfolk Harbor and Channels, Virginia, authorized by section 201 of the Water Resources Development Act of 1986 (100 Stat. 4090) and modified by section 1403(a) of the Water Resources Development Act of 2018 (132 Stat. 3840).

(4) Project for navigation, Port Everglades, Florida, authorized by section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709).

(c) WATERSHED AND RIVER BASIN ASSESSMENTS.—The Secretary shall expedite the completion of the following assessments under section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a):

(1) Great Lakes Coastal Resiliency Study, Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

(2) Ouachita-Black Rivers, Arkansas and Louisiana.

(3) Project for watershed assessment, Hawaii County, Hawaii.

(d) DISPOSITION STUDY.—The Secretary shall expedite the completion of the disposition study for the Los Angeles County Drainage Area under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a).

(e) ADDITIONAL DIRECTION.—The post-authorization change report for the project described in subsection (b)(3) shall be completed not later than December 31, 2023.

SEC. 204. STUDIES FOR PERIODIC NOURISHMENT.

(a) IN GENERAL.—Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f)) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''15'' and inserting ''50''; and

(B) in paragraph (2), by striking ''15'';

(2) in subsection (e)—

(A) by striking ''10-year period'' and inserting ''16-year period''; and

(B) by striking ''6 years'' and inserting ''12 years''; and

(3) by adding at the end the following:

''(f) TREATMENT OF STUDIES.—A study carried out under subsection (b) shall be considered a new phase investigation afforded the same treatment as a general reevaluation.''.

(b) INDIAN RIVER INLET SAND BYPASS PLANT.—For purposes of the project for coastal storm risk management, Delaware Coast Protection, Delaware (commonly known as the ''Indian River Inlet Sand Bypass Plant''), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), a study carried out under section 156(b) of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f(b)) shall consider as an alternative for periodic nourishment continued reimbursement of the Federal share of the cost to the non-Federal interest for the project to operate and maintain a sand bypass plant.

SEC. 205. NEPA REPORTING.

(a) DEFINITIONS.—In this section:

(1) CATEGORICAL EXCLUSION.—The term ''categorical exclusion'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(2) 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).

(3) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means a detailed written statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(4) FINDING OF NO SIGNIFICANT IMPACT.—The term ''finding of no significant impact'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(5) NEPA PROCESS.—

(A) IN GENERAL.—The term ''NEPA process'' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(B) PERIOD.—For purposes of subparagraph (A), the NEPA process—

(i) begins on the date on which the Secretary initiates a project study; and

(ii) ends on the date on which the Secretary issues, with respect to the project study—

(I) a record of decision, including, if necessary, a revised record of decision;

(II) a finding of no significant impact; or

(III) a categorical exclusion under title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(6) PROJECT STUDY.—The term ''project study'' means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) for which a categorical exclusion, an environmental assessment, or an environmental impact statement is required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) REPORTS.—

(1) NEPA DATA.—

(A) IN GENERAL.—The Secretary shall carry out a process to track, and annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing, the information described in subparagraph (B).

(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is, with respect to the Corps of Engineers—

(i) the number of project studies for which a categorical exclusion was used during the reporting period;

(ii) the number of project studies for which the decision to use a categorical exclusion, to prepare an environmental assessment, or to prepare an environmental impact statement is pending on the date on which the report is submitted;

(iii) the number of project studies for which an environmental assessment was issued during the reporting period, broken down by whether a finding of no significant impact, if applicable, was based on mitigation;

(iv) the length of time the Corps of Engineers took to complete each environmental assessment described in clause (iii);

(v) the number of project studies pending on the date on which the report is submitted for which an environmental assessment is being drafted;

(vi) the number of project studies for which an environmental impact statement was issued during the reporting period;

(vii) the length of time the Corps of Engineers took to complete each environmental impact statement described in clause (vi); and

(viii) the number of project studies pending on the date on which the report is submitted for which an environmental impact statement is being drafted.

(2) PUBLIC ACCESS TO NEPA REPORTS.—The Secretary shall make publicly available each annual report required under paragraph (1).

SEC. 206. GAO AUDIT OF PROJECTS OVER BUDGET OR BEHIND SCHEDULE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the factors and conditions for each ongoing water resources development project carried out by the Secretary for which—

(1) the current estimated total project cost of the project exceeds the original estimated total project cost of the project by not less than $50,000,000; or

(2) the current estimated completion date of the project exceeds the original estimated completion date of the project by not less than 5 years.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a).

SEC. 207. GAO STUDY ON PROJECT DISTRIBUTION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an analysis of the geographic distribution of annual and supplemental funding for water resources development projects carried out by the Secretary over the previous 10 fiscal years and the factors that have led to that distribution.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis under subsection (a).

SEC. 208. GAO AUDIT OF JOINT COSTS FOR OPERATIONS AND MAINTENANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the practices of the Corps of Engineers with respect to the determination of joint costs associated with operations and maintenance of reservoirs owned and operated by the Secretary.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

SEC. 209. GAO REVIEW OF CORPS OF ENGINEERS MITIGATION PRACTICES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out a review of the water resources development project mitigation practices of the Corps of Engineers.

(b) CONTENT.—The review under subsection (a) shall include an evaluation of—

(1) the implementation by the Corps of Engineers of the final rule issued on April 10, 2008, entitled ''Compensatory Mitigation for Losses of Aquatic Resources'' (73 Fed. Reg. 19594), including, at a minimum—

(A) the extent to which the final rule is consistently implemented by the districts of the Corps of Engineers; and

(B) the performance of each of the mitigation mechanisms included in the final rule; and

(2) opportunities to utilize alternative methods to satisfy mitigation requirements of water resources development projects, including, at a minimum, performance-based contracts.

(c) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

(d) DEFINITION OF PERFORMANCE-BASED CONTRACT.—In this section, the term ''performance-based contract'' means a procurement mechanism by which the Corps of Engineers contracts with a public or private non-Federal entity for a specific mitigation outcome requirement, with payment to the entity linked to delivery of verifiable and successful mitigation performance.

SEC. 210. SABINE–NECHES WATERWAY NAVIGATION IMPROVEMENT PROJECT, TEXAS.

The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Sabine–Neches Waterway, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

SEC. 211. GREAT LAKES RECREATIONAL BOATING.

Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare, at full Federal expense, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report updating the findings of the report on the economic benefits of recreational boating in the Great Lakes basin prepared under section 455(c) of the Water Resources Development Act of 1999 (42 U.S.C. 1962d–21(c)).

SEC. 212. CENTRAL AND SOUTHERN FLORIDA.

(a) EVALUATION AND REPORT.—

(1) EVALUATION.—On request and at the expense of the St. Johns River Water Management District, the Secretary shall evaluate the effects of deauthorizing the southernmost 3.5-mile reach of the L–73 levee, Section 2, Osceola County, Florida, on the functioning of the project for flood control and other purposes, Upper St. Johns River Basin, Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(2) REPORT.—In carrying out the evaluation under paragraph (1), the Secretary shall—

(A) prepare a report that includes the results of the evaluation, including—

(i) the advisability of deauthorizing the levee described in that paragraph; and

(ii) any recommendations for conditions that should be placed on a deauthorization to protect the interests of the United States and the public; and

(B) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the report under subparagraph (A) as part of the annual report submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d).

(b) COMPREHENSIVE CENTRAL AND SOUTHERN FLORIDA STUDY.—

(1) IN GENERAL.—The Secretary is authorized to carry out a feasibility study for resiliency and comprehensive improvements or modifications to existing water resources development projects in central and southern Florida, for the purposes of flood risk management, water supply, ecosystem restoration (including preventing saltwater intrusion), recreation, and related purposes.

(2) REQUIREMENTS.—In carrying out the feasibility study under paragraph (1), the Secretary—

(A) is authorized—

(i) to review the report of the Chief of Engineers for central and southern Florida (House Document 643, 80th Congress, 2d Session), and other related reports of the Secretary; and

(ii) to recommend cost-effective structural and nonstructural projects for implementation that provide a systemwide approach for the purposes described in that paragraph; and

(B) shall ensure the study and any projects recommended under subparagraph (A)(ii) will not interfere with the efforts undertaken to carry out the Comprehensive Everglades Restoration Plan pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680; 121 Stat. 1268; 132 Stat. 3786).

SEC. 213. INVESTMENTS FOR RECREATION AREAS.

(a) FINDINGS.—Congress finds the following:

(1) The Corps of Engineers operates more recreation areas than any other Federal or State agency, apart from the Department of the Interior.

(2) Nationally, visitors to nearly 600 dams and lakes, managed by the Corps of Engineers, spend an estimated $12,000,000,000 per year and support 500,000 jobs.

(3) Lakes managed by the Corps of Engineers are economic drivers that support rural communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Corps of Engineers should use all available authorities to promote and enhance development and recreational opportunities at lakes that are part of authorized civil works projects under the administrative jurisdiction of the Corps of Engineers.

(c) REPORT.—Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on investments needed to support recreational activities that are part of authorized water resources development projects under the administrative jurisdiction of the Corps of Engineers.

(d) REQUIREMENTS.—The report under subsection (c) shall include—

(1) a list of deferred maintenance projects, including maintenance projects relating to recreational facilities, sites, and associated access roads;

(2) a plan to fund the projects described in paragraph (1) over the 5-year period following the date of enactment of this Act;

(3) a description of efforts made by the Corps of Engineers to coordinate investments in recreational facilities, sites, and associated access roads with—

(A) State and local governments; or

(B) private entities; and

(4) an assessment of whether the modification of Federal contracting requirements could accelerate the availability of funds for the projects described in paragraph (1).

SEC. 214. WESTERN INFRASTRUCTURE STUDY.

(a) DEFINITIONS OF NATURAL FEATURE AND NATURE-BASED FEATURE.—In this section, the terms ''natural feature'' and ''nature-based feature'' have the meanings given those terms in section 1184(a) of the WIIN Act (33 U.S.C. 2289a(a)).

(b) COMPREHENSIVE STUDY.—The Secretary shall conduct a comprehensive study (referred to in this section as the ''study'') to evaluate the effectiveness of carrying out additional measures, including measures that utilize natural features or nature-based features at or upstream of reservoirs for the purposes of—

(1) sustaining operations in response to changing hydrological and climatic conditions;

(2) mitigating the risk of drought or floods, including the loss of storage capacity due to sediment accumulation;

(3) increasing water supply; or

(4) aquatic ecosystem restoration.

(c) STUDY FOCUS.—In conducting the study, the Secretary shall include all reservoirs owned and operated by the Secretary and reservoirs for which the Secretary has flood control responsibilities under section 7 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665; 33 U.S.C. 709), in the South Pacific Division of the Corps of Engineers.

(d) CONSULTATION AND USE OF EXISTING DATA.—

(1) CONSULTATION.—In conducting the study, the Secretary shall consult with applicable—

(A) Federal, State, and local agencies;

(B) Indian Tribes;

(C) non-Federal interests; and

(D) other stakeholders, as determined appropriate by the Secretary.

(2) USE OF EXISTING DATA AND PRIOR STUDIES.—To the maximum extent practicable and where appropriate, the Secretary may—

(A) use existing data provided to the Secretary by entities described in paragraph (1); and

(B) incorporate—

(i) relevant information from prior studies and projects carried out by the Secretary; and

(ii) the latest technical data and scientific approaches with respect to changing hydrological and climatic conditions.

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the results of the study; and

(2) any recommendations on site-specific areas where additional study is recommended by the Secretary.

(f) SAVINGS PROVISION.—Nothing in this section provides authority to the Secretary to change the authorized purposes at any of the reservoirs described in subsection (c).

SEC. 215. UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM.

Section 8004(g) of the Water Resources Development Act of 2007 (33 U.S.C. 652 note; Public Law 110–114) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

''(2) REPORT ON WATER LEVEL MANAGEMENT.—Not later than 1 year after the date of completion of the comprehensive plan for Mississippi River water level management under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an implementation report on opportunities identified in the comprehensive plan to expand the use of water level management on the Upper Mississippi River and Illinois Waterway System for the purpose of ecosystem restoration.''.

SEC. 216. WEST VIRGINIA HYDROPOWER.

(a) IN GENERAL.—For water resources development projects described in subsection (b), the Secretary is authorized—

(1) to evaluate the feasibility of modifications to such projects for the purposes of adding Federal hydropower or energy storage development; and

(2) to grant approval for the use of such projects for non-Federal hydropower or energy storage development in accordance with section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (30 Stat. 1152, chapter 425; 33 U.S.C. 408).

(b) PROJECTS DESCRIBED.—The projects referred to in subsection (a) are the following:

(1) Sutton Dam, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(2) Hildebrand Lock and Dam, Monongahela County, West Virginia, authorized by section 101 of the River and Harbor Act of 1950 (64 Stat. 166, chapter 188).

(3) Bluestone Lake, Summers County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(4) R.D. Bailey Dam, Wyoming County, West Virginia, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1188).

(5) Stonewall Jackson Dam, Lewis County, West Virginia, authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1421).

(6) East Lynn Dam, Wayne County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(7) Burnsville Lake, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(c) DEMONSTRATION PROJECTS.—The authority for facility modifications under subsection (a) includes demonstration projects.

SEC. 217. RECREATION AND ECONOMIC DEVELOPMENT AT CORPS FACILITIES IN APPALACHIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to implement the recreational and economic development opportunities identified by the Secretary in the report prepared under section 206 of the Water Resources Development Act of 2020 (134 Stat. 2680) at Corps of Engineers facilities located within a distressed or at-risk county (as described in subsection (a)(1) of that section) in Appalachia.

(b) CONSIDERATIONS.—In preparing the plan under subsection (a), the Secretary shall consider options for Federal funding, partnerships, and outgrants to Federal, State, and local governments, nonprofit organizations, and commercial businesses.

SEC. 218. AUTOMATED FEE MACHINES.

For the purpose of mitigating adverse impacts to public access to outdoor recreation, to the maximum extent practicable, the Secretary shall consider alternatives to the use of automated fee machines for the collection of fees for the use of developed recreation sites and facilities in West Virginia.

SEC. 219. LAKE CHAMPLAIN CANAL, VERMONT AND NEW YORK.

Section 5146 of the Water Resources Development Act of 2007 (121 Stat. 1255) is amended by adding at the end the following:

''(c) CLARIFICATIONS.—

''(1) IN GENERAL.—At the request of the non-Federal interest for the study of the Lake Champlain Canal Aquatic Invasive Species Barrier carried out under section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150; 134 Stat. 2652), the Secretary shall scope the phase II portion of that study to satisfy the feasibility determination under subsection (a).

''(2) DISPERSAL BARRIER.—A dispersal barrier constructed, maintained, or operated under this section may include—

''(A) physical hydrologic separation;

''(B) nonstructural measures;

''(C) deployment of technologies;

''(D) buffer zones; or

''(E) any combination of the approaches described in subparagraphs (A) through (D).''.

SEC. 220. REPORT ON CONCESSIONAIRE PRACTICES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on concessionaire lease practices by the Corps of Engineers.

(b) INCLUSIONS.—The report under subsection (a) shall include, at a minimum—

(1) an assessment of the reasonableness of the formula of the Corps of Engineers for calculating concessionaire rental rates, taking into account the operating margins for sales of food and fuel; and

(2) the process for assessing administrative fees to concessionaires across districts of the Corps of Engineers.

TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

SEC. 301. ADDITIONAL ASSISTANCE FOR CRITICAL PROJECTS.

(a) ATLANTA, GEORGIA.—Section 219(e)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334) is amended by striking ''$25,000,000'' and inserting ''$75,000,000''.

(b) EASTERN SHORE AND SOUTHWEST VIRGINIA.—Section 219(f)(10)(A) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1255) is amended—

(1) by striking ''$20,000,000'' and inserting ''$52,000,000''; and

(2) by striking ''Accomac'' and inserting ''Accomack''.

(c) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 130 Stat. 1677; 134 Stat. 2719) is amended by striking ''$110,000,000'' and inserting ''$151,500,000''.

(d) LAKE COUNTY, ILLINOIS.—Section 219(f)(54) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–221) is amended—

(1) in the paragraph heading, by striking ''COOK COUNTY'' and inserting ''COOK COUNTY AND LAKE COUNTY''; and

(2) by striking ''$35,000,000'' and inserting ''$100,000,000''.

(e) MADISON AND ST. CLAIR COUNTIES, ILLINOIS.—Section 219(f)(55) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–221; 134 Stat. 2718) is amended by striking ''$45,000,000'' and inserting ''$100,000,000''.

(f) CALAVERAS COUNTY, CALIFORNIA.—Section 219(f)(86) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is amended by striking ''$3,000,000'' and inserting ''$13,280,000''.

(g) LOS ANGELES COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is amended by striking paragraph (93) and inserting the following:

''(93) LOS ANGELES COUNTY, CALIFORNIA.—

''(A) IN GENERAL.—$38,000,000 for wastewater and water related infrastructure, Los Angeles County, California.

''(B) ELIGIBILITY.—The Water Replenishment District of Southern California may be eligible for assistance under this paragraph.''.

(h) MICHIGAN.—Section 219(f)(157) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1262) is amended—

(1) by striking ''$35,000,000 for'' and inserting the following:

''(A) IN GENERAL.—$85,000,000 for''; and

(2) by adding at the end the following:

''(B) ADDITIONAL PROJECTS.—Amounts made available under subparagraph (A) may be used for design and construction projects for water-related environmental infrastructure and resource protection and development projects in Michigan, including for projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.''.

(i) MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267) is amended by striking paragraph (250) and inserting the following:

''(250) MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—$31,000,000 for environmental infrastructure, including ocean outfalls, Myrtle Beach and vicinity, South Carolina.''.

(j) NORTH MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267) is amended by striking paragraph (251) and inserting the following:

''(251) NORTH MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.—$74,000,000 for environmental infrastructure, including ocean outfalls, North Myrtle Beach and vicinity, South Carolina.''.

(k) HORRY COUNTY, SOUTH CAROLINA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) is amended by adding at the end the following:

''(274) HORRY COUNTY, SOUTH CAROLINA.—$19,000,000 for environmental infrastructure, including ocean outfalls, Horry County, South Carolina.''.

(l) LANE COUNTY, OREGON.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (k)) is amended by adding at the end the following:

''(275) LANE COUNTY, OREGON.—$20,000,000 for environmental infrastructure, Lane County, Oregon.''.

(m) PLACER COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (l)) is amended by adding at the end the following:

''(276) PLACER COUNTY, CALIFORNIA.—$21,000,000 for environmental infrastructure, Placer County, California.''.

(n) ALAMEDA COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (m)) is amended by adding at the end the following:

''(277) ALAMEDA COUNTY, CALIFORNIA.—$20,000,000 for environmental infrastructure, Alameda County, California.''.

(o) TEMECULA CITY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (n)) is amended by adding at the end the following:

''(278) TEMECULA CITY, CALIFORNIA.—$18,000,000 for environmental infrastructure, Temecula City, California.''.

(p) YOLO COUNTY, CALIFORNIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (o)) is amended by adding at the end the following:

''(279) YOLO COUNTY, CALIFORNIA.—$6,000,000 for environmental infrastructure, Yolo County, California.''.

(q) CLINTON, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (p)) is amended by adding at the end the following:

''(280) CLINTON, MISSISSIPPI.—$13,600,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Clinton, Mississippi.''.

(r) OXFORD, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (q)) is amended by adding at the end the following:

''(281) OXFORD, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Oxford, Mississippi.''.

(s) MADISON COUNTY, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (r)) is amended by adding at the end the following:

''(282) MADISON COUNTY, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Madison County, Mississippi.''.

(t) RANKIN COUNTY, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (s)) is amended by adding at the end the following:

''(283) RANKIN COUNTY, MISSISSIPPI.—$10,000,000 for environmental infrastructure, including stormwater management, drainage systems, and water quality enhancement, Rankin County, Mississippi.''.

(u) MERIDIAN, MISSISSIPPI.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (t)) is amended by adding at the end the following:

''(284) MERIDIAN, MISSISSIPPI.—$10,000,000 for wastewater infrastructure, including stormwater management, drainage systems, and water quality enhancement, Meridian, Mississippi.''.

(v) DELAWARE.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (u)) is amended by adding at the end the following:

''(285) DELAWARE.—$50,000,000 for sewer, stormwater system improvements, storage treatment, environmental restoration, and related water infrastructure, Delaware.''.

(w) QUEENS, NEW YORK.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (v)) is amended by adding at the end the following:

''(286) QUEENS, NEW YORK.—$20,000,000 for the design and construction of stormwater management and improvements to combined sewer overflows to reduce the risk of flood impacts, Queens, New York.''.

(x) GEORGIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (w)) is amended by adding at the end the following:

''(287) GEORGIA.—$75,000,000 for environmental infrastructure, Baldwin County, Bartow County, Floyd County, Haralson County, Jones County, Gilmer County, Towns County, Warren County, Lamar County, Lowndes County, Troup County, Madison County, Toombs County, Dade County, Bulloch County, Gordon County, Walker County, Dooly County, Butts County, Clarke County, Crisp County, Newton County, Bibb County, Baker County, Barrow County, Oglethorpe County, Peach County, Brooks County, Carroll County, Worth County, Jenkins County, Wheeler County, Calhoun County, Randolph County, Wilcox County, Stewart County, Telfair County, Clinch County, Hancock County, Ben Hill County, Jeff Davis County, Chattooga County, Lanier County, Brantley County, Charlton County, Tattnall County, Emanuel County, Mitchell County, Turner County, Bacon County, Terrell County, Macon County, Ware County, Bleckley County, Colquitt County, Washington County, Berrien County, Coffee County, Pulaski County, Cook County, Atkinson County, Candler County, Taliaferro County, Evans County, Johnson County, Irwin County, Dodge County, Jefferson County, Appling County, Taylor County, Wayne County, Clayton County, Decatur County, Schley County, Sumter County, Early County, Webster County, Clay County, Upson County, Long County, Twiggs County, Dougherty County, Quitman County, Meriwether County, Stephens County, Wilkinson County, Murray County, Wilkes County, Elbert County, McDuffie County, Heard County, Marion County, Talbot County, Laurens County, Montgomery County, Echols County, Pierce County, Richmond County, Chattahoochee County, Screven County, Habersham County, Lincoln County, Burke County, Liberty County, Tift County, Polk County, Glascock County, Grady County, Jasper County,

Banks County, Franklin County, Whitfield County, Treutlen County, Crawford County, Hart County, Georgia.''.

(y) MARYLAND.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (x)) is amended by adding at the end the following:

''(288) MARYLAND.—$100,000,000 for water, wastewater, and other environmental infrastructure, Maryland.''.

(z) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (y)) is amended by adding at the end the following:

''(289) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—$4,500,000 for water-related infrastructure, resource protection and development, stormwater management, and reduction of combined sewer overflows, Milwaukee metropolitan area, Wisconsin.''.

(aa) HAWAII.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (z)) is amended by adding at the end the following:

''(290) HAWAII.—$75,000,000 for water-related infrastructure, resource protection and development, wastewater treatment, water supply, urban storm water conveyance, environmental restoration, and surface water protection and development, Hawaii.''.

(bb) ALABAMA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (aa)) is amended by adding at the end the following:

''(291) ALABAMA.—$50,000,000 for water, wastewater, and other environmental infrastructure, Alabama.''.

(cc) MISSISSIPPI.—Section 592(g) of the Water Resources Development Act of 1999 (113 Stat. 380; 123 Stat. 2851) is amended by striking ''$200,000,000'' and inserting ''$300,000,000''.

(dd) CENTRAL NEW MEXICO.—Section 593(h) of the Water Resources Development Act of 1999 (113 Stat. 381; 119 Stat. 2255) is amended by striking ''$50,000,000'' and inserting ''$100,000,000''.

(ee) NORTH DAKOTA AND OHIO.—Section 594 of the Water Resources Development Act of 1999 (113 Stat. 381; 121 Stat. 1140; 121 Stat. 1944) is amended by adding at the end the following:

''(i) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—In addition to amounts authorized under subsection (h), there is authorized to be appropriated to carry out this section $100,000,000, to be divided between the States referred to in subsection (a).''.

(ff) WESTERN RURAL WATER.—Section 595(i) of the Water Resources Development Act of 1999 (113 Stat. 383; 134 Stat. 2719) is amended—

(1) in paragraph (1), by striking ''$435,000,000'' and inserting ''$490,000,000''; and

(2) in paragraph (2), by striking ''$150,000,000'' and inserting ''$200,000,000''.

(gg) LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.—Section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is amended—

(1) in subsection (b)(2)(C), by striking ''planning'' and inserting ''clean water infrastructure planning, design, and construction''; and

(2) in subsection (g), by striking ''$32,000,000'' and inserting ''$100,000,000''.

(hh) TEXAS.—Section 5138 of the Water Resources Development Act of 2007 (121 Stat. 1250) is amended—

(1) in subsection (b), by striking '', as identified by the Texas Water Development Board'';

(2) in subsection (e)(3), by inserting ''and construction'' after ''design work'';

(3) by redesignating subsection (g) as subsection (i); and

(4) by inserting after subsection (f) the following:

''(g) NONPROFIT ENTITIES.—In accordance with section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project carried out under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

''(h) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.''.

SEC. 302. SOUTHERN WEST VIRGINIA.

(a) IN GENERAL.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended—

(1) in the section heading, by striking ''**ENVIRONMENTAL RESTORATION INFRASTRUCTURE AND RESOURCE PROTECTION DEVELOPMENT PILOT PROGRAM**''; and

(2) by striking subsection (f) and inserting the following:

''(f) DEFINITION OF SOUTHERN WEST VIRGINIA.—In this section, the term 'southern West Virginia' means the counties of Boone, Braxton, Cabell, Calhoun, Clay, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pendleton, Pocahontas, Putnam, Raleigh, Roane, Summers, Wayne, Webster, Wirt, and Wyoming, West Virginia.''.

(b) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1992 (106 Stat. 4799) is amended by striking the item relating to section 340 and inserting the following:

''Sec. 340. Southern West Virginia.''.

SEC. 303. NORTHERN WEST VIRGINIA.

(a) IN GENERAL.—Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371; 121 Stat. 1257; 134 Stat. 2719) is amended—

(1) in the section heading, by striking ''**CENTRAL**'' and inserting ''**NORTHERN**'';

(2) by striking subsection (a) and inserting the following:

''(a) DEFINITION OF NORTHERN WEST VIRGINIA.—In this section, the term 'northern West Virginia' means the counties of Barbour, Berkeley, Brooke, Doddridge, Grant, Hampshire, Hancock, Hardy, Harrison, Jefferson, Lewis, Marion, Marshall, Mineral, Morgan, Monongalia, Ohio, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Wetzel, and Wood, West Virginia.'';

(3) in subsection (b), by striking ''central'' and inserting ''northern''; and

(4) in subsection (c), by striking ''central'' and inserting ''northern''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Development Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 571 and inserting the following:

''Sec. 571. Northern West Virginia.''.

SEC. 304. LOCAL COOPERATION AGREEMENTS, NORTHERN WEST VIRGINIA.

Section 219(f)(272) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) is amended—

(1) by striking ''$20,000,000 for water and wastewater'' and inserting the following:

''(A) IN GENERAL.—$20,000,000 for water and wastewater''; and

(2) by adding at the end the following:

''(B) LOCAL COOPERATION AGREEMENTS.—Notwithstanding subsection (a), at the request of a non-Federal interest for a project or a separable element of a project that receives assistance under this paragraph, the Secretary may adopt a model agreement developed in accordance with section 571(e) of the Water Resources Development Act of 1999 (113 Stat. 371).''.

SEC. 305. SPECIAL RULE FOR CERTAIN BEACH NOURISHMENT PROJECTS.

(a) IN GENERAL.—In the case of a water resources development project described in subsection (b), the Secretary shall—

(1) fund, at full Federal expense, any incremental increase in cost to the project that results from a legal requirement to use a borrow source determined by the Secretary to be other than the least-cost option; and

(2) exclude the cost described in paragraph (1) from the cost-benefit analysis for the project.

(b) AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECTS DESCRIBED.—An authorized water resources development project referred to in subsection (a) is any of the following:

(1) The Townsends Inlet to Cape May Inlet, New Jersey, coastal storm risk management project, authorized by section 101(a)(26) of the Water Resources Development Act of 1999 (113 Stat. 278).

(2) The Folly Beach, South Carolina, coastal storm risk management project, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4136) and modified by section 108 of the Energy and Water Development Appropriations Act, 1992 (105 Stat. 520).

(3) The Carolina Beach and Vicinity, North Carolina, coastal storm risk management project, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182) and modified by section 401(7) of the Water Resources Development Act of 2020 (134 Stat. 2741).

(4) The Wrightsville Beach, North Carolina, coastal storm risk management project, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182) and modified by section 401(7) of the Water Resources Development Act of 2020 (134 Stat. 2741).

(5) A project for coastal storm risk management for any shore included in a project described in this subsection that is specifically authorized by Congress on or after the date of enactment of this Act.

(6) Emergency repair and restoration of any project described in this subsection under section 5 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n).

(c) SAVINGS PROVISION.—Nothing in this section limits the eligibility for, or availability of, Federal expenditures or financial assistance for any water resources development project, including any beach nourishment or renourishment project, under any other provision of Federal law.

SEC. 306. COASTAL COMMUNITY FLOOD CONTROL AND OTHER PURPOSES.

Section 103(k)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) in the matter preceding clause (i) (as so redesignated), by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding'';

(3) in subparagraph (A) (as so redesignated)—

(A) in clause (i) (as so redesignated)—

(i) by striking ''$200 million'' and inserting ''$200,000,000''; and

(ii) by striking ''and'' at the end;

(B) in clause (ii) (as so redesignated)—

(i) by inserting ''an amount equal to ⅔ of'' after ''repays''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) the non-Federal interest repays the balance of remaining principal by June 1, 2032.''; and

(4) by adding at the end the following:

''(B) REPAYMENT OPTIONS.—Repayment of a non-Federal contribution under subparagraph (A)(iii) may be satisfied through the provision by the non-Federal interest of fish and wildlife mitigation for one or more projects or separable elements, if the Secretary determines that—

''(i) the non-Federal interest has incurred costs for the provision of mitigation that—

''(I) equal or exceed the amount of the required repayment; and

''(II) are in excess of any required non-Federal contribution for the project or separable element for which the mitigation is provided; and

''(ii) the mitigation is integral to the project for which it is provided.''.

SEC. 307. MODIFICATIONS.

(a) IN GENERAL.—The following modifications to studies and projects are authorized:

(1) MISSISSIPPI RIVER GULF OUTLET, LOUISIANA.—The Federal share of the cost of the project for ecosystem restoration, Mississippi River Gulf Outlet, Louisiana, authorized by section 7013(a)(4) of the Water Resources Development Act of 2007 (121 Stat. 1281), shall be 90 percent.

(2) GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, ILLINOIS.—Section 402(a)(1) of the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking ''80 percent'' and inserting ''90 percent''.

(3) LOWER MISSISSIPPI RIVER COMPREHENSIVE MANAGEMENT STUDY.—Section 213 of the Water Resources Development Act of 2020 (134 Stat. 2687) is amended by adding at the end the following:

''(j) COST-SHARE.—The Federal share of the cost of the comprehensive study described in subsection (a), and any feasibility study described in subsection (e), shall be 90 percent.''.

(4) PORT OF NOME, ALASKA.—

(A) IN GENERAL.—The Secretary shall carry out the project for navigation, Port of Nome, Alaska, authorized by section 401(1) of the Water Resources Development Act of 2020 (134 Stat. 2733).

(B) COST-SHARE.—The Federal share of the cost of the project described in subparagraph (A) shall be 90 percent.

(5) CHICAGO SHORELINE PROTECTION.—The project for storm damage reduction and shore protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois–Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to authorize the Secretary to provide 65 percent of the cost of the locally preferred plan, as described in the Report of the Chief of Engineers dated April 14, 1994, for the construction of the following segments of the project:

(A) Shoreline revetment at Morgan Shoal.

(B) Shoreline revetment at Promontory Point.

(6) LOWER MUD RIVER, MILTON, WEST VIRGINIA.—

(A) IN GENERAL.—Notwithstanding section 3170 of the Water Resources Development Act of 2007 (121 Stat. 1154), the Federal share of the cost of the project for flood control, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790), and modified by section 340 of the Water Resources Development Act of 2000 (114 Stat. 2612) and section 3170 of the Water Resources Development Act of 2007 (121 Stat. 1154), shall be 90 percent.

(B) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—For the project described in subparagraph (A), the Secretary shall include in the cost of the project, and credit toward the non-Federal share of that cost, the value of land, easements, and rights-of-way provided by the non-Federal interest for the project, including the value of land, easements, and rights-of-way required for the project that are owned or held by the non-Federal interest or other non-Federal public body.

(C) ADDITIONAL ELIGIBILITY.—Unless otherwise directed in an Act making annual appropriations for the Corps of Engineers for a fiscal year in which the Secretary has determined an additional appropriation is required to continue or complete construction of the project described in subparagraph (A), the project shall be eligible for additional funding appropriated by that Act in the Construction account of the Corps of Engineers—

(i) without a new investment decision; and

(ii) on the same terms as a project that is not the project described in subparagraph (A).

(7) SOUTH SHORE STATEN ISLAND, NEW YORK.—The Federal share of any portion of the cost to design and construct the project for coastal storm risk management, South Shore Staten Island, New York, authorized by section 401(3), that exceeds the estimated total project cost specified in the project partnership agreement for the project, signed by the Secretary on February 15, 2019, shall be 90 percent.

(b) AGREEMENTS.—

(1) STUDIES AND PROJECTS WITH MULTIPLE NON-FEDERAL INTERESTS.—At the request of the applicable non-Federal interests for the project described in section 402(a) of the Water Resources Development Act of 2020 (134 Stat. 2742) and for the studies described in subsection (j) of section 213 of that Act (134 Stat. 2687), the Secretary shall not require those non-Federal interests to be jointly and severally liable for all non-Federal obligations in the project partnership agreement for the project or in the feasibility cost share agreements for the studies.

(2) SOUTH SAN FRANCISCO BAY SHORELINE, CALIFORNIA.—

(A) IN GENERAL.—Except for funds required for a betterment or for a locally preferred plan, the Secretary shall not require the non-Federal interest for the project for flood risk management, ecosystem restoration, and recreation, South San Francisco Bay Shoreline, California, authorized by section 1401(6) of the Water Resources Development Act of 2016 (130 Stat. 1714), to contribute funds under an agreement entered into prior to the date of enactment of this Act in excess of the total cash contribution required from the non-Federal interest for the project under section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(B) REQUIREMENT.—The Secretary shall not, at any time, defer, suspend, or terminate construction of the project described in subparagraph (A) solely on the basis of a determination by the Secretary that an additional appropriation is required to cover the Federal share of the cost to complete construction of the project, if Federal funds in an amount determined by the Secretary to be sufficient to continue construction of the project remain available in the allocation for the project under the Long-Term Disaster Recovery Investment Plan for amounts appropriated under the heading ''CONSTRUCTION'' under the heading ''CORPS OF ENGINEERS—CIVIL—DEPARTMENT OF THE ARMY'' in title IV of subdivision 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115–123; 132 Stat. 76).

SEC. 308. PORT FOURCHON, LOUISIANA, DREDGED MATERIAL DISPOSAL PLAN.

The Secretary shall determine that the dredged material disposal plan recommended in the document entitled ''Port Fourchon Belle Pass Channel Deepening Project Section 203 Feasibility Study (January 2019, revised January 2020)'' is the least cost, environmentally acceptable dredged material disposal plan for the project for navigation, Port Fourchon Belle Passe Channel, Louisiana, authorized by section 403(a)(4) of the Water Resources Development Act of 2020 (134 Stat. 2743).

SEC. 309. DELAWARE SHORE PROTECTION AND RESTORATION.

(a) DELAWARE BENEFICIAL USE OF DREDGED MATERIAL FOR THE DELAWARE RIVER, DELAWARE.—

(1) IN GENERAL.—The project for coastal storm risk management, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) (referred to in this subsection as the ''project''), is modified—

(A) to direct the Secretary to implement the project using alternative borrow sources to the Delaware River, Philadelphia to the Sea, project, Delaware, New Jersey, Pennsylvania, authorized by the Act of June 25, 1910 (chapter 382, 36 Stat. 637; 46 Stat. 921; 52 Stat. 803; 59 Stat. 14; 68 Stat. 1249; 72 Stat. 297); and

(B) until the Secretary implements the modification under subparagraph (A), to authorize the Secretary, at the request of a non-Federal interest, to carry out initial construction or periodic nourishments at any site included in the project under—

(i) section 1122 of the Water Resources Development Act of 2016 (33 U.S.C. 2326 note; Public Law 114–322); or

(ii) section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)).

(2) TREATMENT.—If the Secretary determines that a study is required to carry out paragraph (1)(A), the study shall be considered to be a continuation of the study that formulated the project.

(3) COST-SHARE.—The Federal share of the cost of the project, including the cost of any modifications carried out under subsection (a)(1), shall be 90 percent.

(b) INDIAN RIVER INLET SAND BYPASS PLANT, DELAWARE.—

(1) IN GENERAL.—The Indian River Inlet Sand Bypass Plant, Delaware, coastal storm risk management project (referred to in this subsection as the ''project''), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), is modified to authorize the Secretary, at the request of a non-Federal interest, to provide periodic nourishment through dedicated dredging or other means to maintain or restore the functioning of the project when—

(A) the sand bypass plant is inoperative; or

(B) operation of the sand bypass plant is insufficient to maintain the functioning of the project.

(2) REQUIREMENTS.—A cycle of periodic nourishment provided pursuant to paragraph (1) shall be subject to the following requirements:

(A) COST-SHARE.—The non-Federal share of the cost of a cycle shall be the same percentage as the non-Federal share of the cost to operate the sand bypass plant.

(B) DECISION DOCUMENT.—If the Secretary determines that a decision document is required to support a request for funding for the Federal share of a cycle, the decision document may be prepared using funds made available to the Secretary for construction or for investigations.

(C) TREATMENT.—

(i) DECISION DOCUMENT.—A decision document prepared under subparagraph (B) shall

not be subject to a new investment determination.

(ii) CYCLES.—A cycle shall be considered continuing construction.

(c) DELAWARE EMERGENCY SHORE RESTORATION.—

(1) IN GENERAL.—The Secretary is authorized to repair or restore any beach or any federally authorized hurricane or shore protective structure or project located in the State of Delaware pursuant to section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), if—

(A) the structure, project, or beach is damaged by wind, wave, or water action associated with a storm of any magnitude; and

(B) the damage prevents the adequate functioning of the structure, project, or beach.

(2) BENEFIT-COST ANALYSIS.—The Secretary shall determine that the benefits attributable to the objectives set forth in section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) and section 904(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2281(a)) exceed the cost for work carried out under this subsection.

(3) SAVINGS PROVISION.—The authority provided by this subsection shall be in addition to any authority provided by section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) to repair or restore a beach or federally authorized hurricane or shore protection structure or project located in the State of Delaware damaged or destroyed by wind, wave, or water action of other than an ordinary nature.

(d) INDIAN RIVER INLET AND BAY, DELAWARE.—In carrying out major maintenance of the project for navigation, Indian River Inlet and Bay, Delaware, authorized by the Act of August 26, 1937 (50 Stat. 846, chapter 832), and section 2 of the Act of March 2, 1945 (59 Stat. 14, chapter 19), the Secretary shall repair, restore, or relocate any non-Federal facility or other infrastructure, that has been damaged, in whole or in part, by the deterioration or failure of the project.

(e) REPROGRAMMING FOR COASTAL STORM RISK MANAGEMENT PROJECT AT INDIAN RIVER INLET.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for each fiscal year, the Secretary may reprogram amounts made available for a coastal storm risk management project to use such amounts for the project for coastal storm risk management, Indian River Inlet Sand Bypass Plant, Delaware, authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182).

(2) LIMITATIONS.—

(A) IN GENERAL.—The Secretary may carry out not more than 2 reprogramming actions under paragraph (1) for each fiscal year.

(B) AMOUNT.—For each fiscal year, the Secretary may reprogram—

(i) not more than $100,000 per reprogramming action; and

(ii) not more than $200,000 for each fiscal year.

SEC. 310. GREAT LAKES ADVANCE MEASURES ASSISTANCE.

Section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) (as amended by section 112(2)), is amended by adding at the end the following:

''(7) SPECIAL RULE.—

''(A) IN GENERAL.—The Secretary shall not deny a request from the Governor of a State to provide advance measures assistance under this subsection to reduce the risk of damage from rising water levels in the Great Lakes solely on the basis that the damage is caused by erosion.

''(B) FEDERAL SHARE.—Assistance provided by the Secretary pursuant to a request under subparagraph (A) may be at full Federal expense if the assistance is to construct advanced measures to a temporary construction standard.''.

SEC. 311. REHABILITATION OF EXISTING LEVEES.

Section 3017(e) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) by striking ''this subsection'' and inserting ''this section''; and

(2) by striking ''10 years'' and inserting ''20 years''.

SEC. 312. PILOT PROGRAM FOR CERTAIN COMMUNITIES.

(a) PILOT PROGRAMS ON THE FORMULATION OF CORPS OF ENGINEERS PROJECTS IN RURAL COMMUNITIES AND ECONOMICALLY DISADVANTAGED COMMUNITIES.—Section 118 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended—

(1) in subsection (b)(2)(C), by striking ''10''; and

(2) in subsection (c)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking ''make a recommendation to Congress on up to 10 projects'' and inserting ''recommend projects to Congress''; and

(B) by adding at the end the following:

''(5) RECOMMENDATIONS.—In recommending projects under paragraph (2), the Secretary shall include such recommendations in the next annual report submitted to Congress under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) after the date of enactment of the Water Resources Development Act of 2022.''.

(b) PILOT PROGRAM FOR CAPS IN SMALL OR DISADVANTAGED COMMUNITIES.—Section 165(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended—

(1) in paragraph (2)(B), by striking ''a total of 10'';

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following:

''(4) MAXIMUM FEDERAL AMOUNT.—For a project carried out under this subsection, the maximum Federal amount, if applicable, shall be increased by the commensurate amount of the non-Federal share that would otherwise be required for the project under the applicable continuing authority program.''.

SEC. 313. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED PUMP STATIONS.

Section 133 of the Water Resources Development Act of 2020 (33 U.S.C. 2327a) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) ELIGIBLE PUMP STATION.—The term 'eligible pump station' means a pump station that—

''(A) is a feature of a federally authorized flood or coastal storm risk management project; or

''(B) if inoperable, would impair drainage of water from areas interior to a federally authorized flood or coastal storm risk management project.'';

(2) by striking subsection (b) and inserting the following:

''(b) AUTHORIZATION.—The Secretary may carry out rehabilitation of an eligible pump station, if the Secretary determines that—

''(1) the pump station has a major deficiency; and

''(2) the rehabilitation is feasible.''; and

(3) by striking subsection (f) and inserting the following:

''(f) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities.''.

SEC. 314. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

Section 510(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3759; 128 Stat. 1317) is amended—

(1) in subparagraph (B), by inserting ''and streambanks'' after ''shorelines'';

(2) in subparagraph (E), by striking ''and'' at the end;

(3) by redesignating subparagraph (F) as subparagraph (H); and

(4) by inserting after subparagraph (E) the following:

''(F) wastewater treatment and related facilities;

''(G) stormwater and drainage systems; and''.

SEC. 315. EVALUATION OF HYDROLOGIC CHANGES IN SOURIS RIVER BASIN.

The Secretary is authorized to evaluate hydrologic changes affecting the agreement entitled ''Agreement Between the Government of Canada and the United States of America for Water Supply and Flood Control in The Souris River Basin'', signed in 1989.

SEC. 316. MEMORANDUM OF UNDERSTANDING RELATING TO BALDHILL DAM, NORTH DAKOTA.

The Secretary may enter into a memorandum of understanding with the non-Federal interest for the Red River Valley Water Supply Project to accommodate flows for downstream users through Baldhill Dam, North Dakota.

SEC. 317. UPPER MISSISSIPPI RIVER RESTORATION PROGRAM.

Section 1103(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(3)) is amended by striking ''$40,000,000'' and inserting ''$75,000,000''.

SEC. 318. HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.

Section 128(c) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended by inserting ''the Upper Mississippi River and its tributaries,'' after ''New York,''.

SEC. 319. COLLETON COUNTY, SOUTH CAROLINA.

Section 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(C)(i)) shall not apply to construction carried out by the non-Federal interest before the date of enactment of this Act for the project for hurricane and storm damage risk reduction, Colleton County, South Carolina, authorized by section 1401(3) of the Water Resources Development Act of 2016 (130 Stat. 1711).

SEC. 320. ARKANSAS RIVER CORRIDOR, OKLAHOMA.

Section 3132 of the Water Resources Development Act of 2007 (121 Stat. 1141) is amended by striking subsection (b) and inserting the following:

''(b) AUTHORIZED COST.—The Secretary is authorized to carry out construction of a project under this section at a total cost of $128,400,000, with the cost shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

''(c) ADDITIONAL FEASIBILITY STUDIES AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to carry out feasibility studies for purposes of recommending to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives additional projects under this section.

''(2) TREATMENT.—An additional feasibility study carried out under this subsection shall be considered a continuation of the feasibility study that formulated the project carried out under subsection (b).''.

SEC. 321. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

Section 560 of the Water Resources Development Act of 1999 (33 U.S.C. 2336) is amended—

(1) in subsection (c), by inserting ''or on land taken into trust by the Secretary of the Interior on behalf of, and for the benefit of, an Indian Tribe'' after ''land owned by the United States''; and

(2) in subsection (f), by striking ''$30,000,000'' and inserting ''$50,000,000''.

SEC. 322. ASIAN CARP PREVENTION AND CONTROL PILOT PROGRAM.

Section 509(a)(2) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended—

(1) in subparagraph (A), by striking ''or Tennessee River Watershed'' and inserting '', Tennessee River Watershed, or Tombigbee River Watershed''; and

(2) in subparagraph (C)(i), by inserting '', of which not less than 1 shall be carried out on the Tennessee–Tombigbee Waterway'' before the period at the end.

SEC. 323. FORMS OF ASSISTANCE.

Section 592(b) of the Water Resources Development Act of 1999 (113 Stat. 379) is amended by striking ''and surface water resource protection and development'' and inserting ''surface water resource protection and development, stormwater management, drainage systems, and water quality enhancement''.

SEC. 324. DEBRIS REMOVAL, NEW YORK HARBOR, NEW YORK.

(a) IN GENERAL.—Beginning on the date of enactment of this Act, the project for New York Harbor collection and removal of drift, authorized by section 91 of the Water Resources Development Act of 1974 (88 Stat. 39), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) (as in effect on the day before the date of enactment of the WIIN Act (130 Stat. 1628)), is authorized to be carried out by the Secretary.

(b) FEASIBILITY STUDY.— The Secretary shall carry out, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of, a feasibility study for the project described in subsection (a).

SEC. 325. INVASIVE SPECIES MANAGEMENT.

Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) in subsection (b)(2)(A)(ii)—

(A) by striking ''$50,000,000'' and inserting ''$75,000,000''; and

(B) by striking ''2024'' and inserting ''2028''; and

(2) in subsection (g)(2)—

(A) in subparagraph (A)—

(i) by striking ''water quantity or water quality'' and inserting ''water quantity, water quality, or ecosystems''; and

(ii) by inserting ''the Lake Erie Basin, the Ohio River Basin,'' after ''the Upper Snake River Basin,''; and

(B) in subparagraph (B), by inserting '', hydrilla (*Hydrilla verticillata*),'' after ''*angustifolia*)''.

SEC. 326. WOLF RIVER HARBOR, TENNESSEE.

Beginning on the date of enactment of this Act, the project for navigation, Wolf River Harbor, Tennessee, authorized by title II of the Act of June 16, 1933 (48 Stat. 200, chapter 90) (commonly known as the ''National Industrial Recovery Act''), and modified by section 203 of the Flood Control Act of 1958 (72 Stat. 308), is modified to reduce the authorized dimensions of the project, such that the remaining authorized dimensions are a 250-foot-wide, 9-foot-depth channel with a center line beginning at a point 35.139634, -90.062343 and extending approximately 8,500 feet to a point 35.160848, -90.050566.

SEC. 327. MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

The matter under the heading ''MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA'' in section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143; 121 Stat. 1155), as modified by section 334 of the Water Resources Development Act of 1999 (113 Stat. 306), is amended by adding at the end the following: ''When acquiring land to meet the requirements of fish and wildlife mitigation, the Secretary may consider incidental flood risk management benefits.''.

SEC. 328. INVASIVE SPECIES MANAGEMENT PILOT PROGRAM.

Section 104(f)(4) of the River and Harbor Act of 1958 (33 U.S.C. 610(f)(4)) is amended by striking ''2024'' and inserting ''2026''.

SEC. 329. NUECES COUNTY, TEXAS, CONVEYANCES.

(a) IN GENERAL.—On receipt of a written request of the Port of Corpus Christi, the Secretary shall—

(1) review the land owned and easements held by the United States for purposes of navigation in Nueces County, Texas; and

(2) convey to the Port of Corpus Christi or, in the case of an easement, release to the owner of the fee title to the land subject to such easement, without consideration, all such land and easements described in paragraph (1) that the Secretary determines are no longer required for project purposes.

(b) CONDITIONS.—

(1) QUITCLAIM DEED.—Any conveyance of land under this section shall be by quitclaim deed.

(2) TERMS AND CONDITIONS.—The Secretary may subject any conveyance or release of easement under this section to such terms and conditions as the Secretary determines necessary and advisable to protect the United States.

(c) ADMINISTRATIVE COSTS.—In accordance with section 2695 of title 10, United States Code, the Port of Corpus Christi shall be responsible for the costs incurred by the Secretary to convey land or release easements under this section.

(d) WAIVER OF REAL PROPERTY SCREENING REQUIREMENTS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance of land or release of easements under this section.

SEC. 330. MISSISSIPPI DELTA HEADWATERS, MISSISSIPPI.

As part of the authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control, Yazoo Basin, Mississippi Delta Headwaters, Mississippi, authorized by the matter under the heading ''ENHANCEMENT OF WATER RESOURCE BENEFITS AND FOR EMERGENCY DISASTER WORK'' in title I of Public Law 98–8 (97 Stat. 22), the Secretary may carry out emergency maintenance activities, as the Secretary determines to be necessary, for features of the project completed before the date of enactment of this Act.

SEC. 331. ECOSYSTEM RESTORATION, HUDSON–RARITAN ESTUARY, NEW YORK AND NEW JERSEY.

(a) IN GENERAL.—The Secretary may carry out additional feasibility studies for ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey, including an examination of measures and alternatives at Baisley Pond Park and the Richmond Terrace Wetlands.

(b) TREATMENT.—A feasibility study carried out under subsection (a) shall be considered a continuation of the study that formulated the project for ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740).

SEC. 332. TIMELY REIMBURSEMENT.

(a) DEFINITION OF COVERED PROJECT.—In this section, the term ''covered project'' means a project for navigation authorized by section 1401(1) of the WIIN Act (130 Stat. 1708).

(b) REIMBURSEMENT REQUIRED.—In the case of a covered project for which the non-Federal interest has advanced funds for construction of the project, the Secretary shall reimburse the non-Federal interest for advanced funds that exceed the non-Federal share of the cost of construction of the project as soon as practicable after the completion of each individual contract for the project.

SEC. 333. NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.

Section 1319(c) of the WIIN Act (130 Stat. 1704) is amended by striking paragraph (2) and inserting the following:

''(2) COST-SHARE.—

''(A) IN GENERAL.—The costs of construction of a Project feature constructed pursuant to paragraph (1) shall be determined in accordance with section 101(a)(1)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)(B)).

''(B) SAVINGS PROVISION.—Any increase in costs for the Project due to the construction of a Project feature described in subparagraph (A) shall not be included in the total project cost for purposes of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).''.

SEC. 334. LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA.

(a) DEFINITION.—In this section, the term ''Lake Tahoe Basin'' means the entire watershed drainage of Lake Tahoe including that portion of the Truckee River 1,000 feet downstream from the United States Bureau of Reclamation dam in Tahoe City, California.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in Lake Tahoe Basin.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of planning, design, and construction assistance for water-related environmental infrastructure and resource protection and development projects in Lake Tahoe Basin—

(1) urban stormwater conveyance, treatment and related facilities;

(2) watershed planning, science and research;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of planning and design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2005, $50,000,000, to remain available until expended.

(h) REPEAL.—Section 108 of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2942), is repealed.

(i) TREATMENT.—The program authorized by this section shall be considered a continuation of the program authorized by section 108 of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2942) (as in effect on the day before the date of enactment of this Act).

SEC. 335. ADDITIONAL ASSISTANCE FOR EASTERN SANTA CLARA BASIN, CALIFORNIA.

Section 111 of title I of division B of the Miscellaneous Appropriations Act, 2001 (as enacted by section 1(a)(4) of the Consolidated Appropriations Act, 2001 (114 Stat. 2763; 114 Stat. 2763A–224; 121 Stat. 1209)), is amended—

(1) in subsection (a), by inserting ''and volatile organic compounds'' after ''perchlorates''; and

(2) in subsection (b)(3), by inserting ''and volatile organic compounds'' after ''perchlorates''.

SEC. 336. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (a), by striking ''(25 U.S.C. 450b)'' and inserting ''(25 U.S.C. 5304)'';

(2) in subsection (b)—

(A) in paragraph (2)(A)—

(i) by inserting ''or coastal storm'' after ''flood''; and

(ii) by inserting ''including erosion control,'' after ''reduction,'';

(B) in paragraph (3), by adding at the end the following:

''(C) FEDERAL INTEREST DETERMINATION.—The first $100,000 of the costs of a study under this section shall be at full Federal expense.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by striking ''$18,500,000'' and inserting ''$26,000,000''; and

(ii) in subparagraph (B), by striking ''$18,500,000'' and inserting ''$26,000,000''; and

(D) by adding at the end the following:

''(5) PROJECT JUSTIFICATION.—Notwithstanding any other provision of law or requirement for economic justification established under section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) for a project (other than a project for ecosystem restoration), the Secretary may implement a project under this section if the Secretary determines that the project will—

''(A) significantly reduce potential flood or coastal storm damages, which may include or be limited to damages due to shoreline erosion or riverbank or streambank failures;

''(B) improve the quality of the environment;

''(C) reduce risks to life safety associated with the damages described in subparagraph (A); and

''(D) improve the long-term viability of the community.'';

(3) in subsection (d)(5)(B)—

(A) by striking ''non-Federal'' and inserting ''Federal''; and

(B) by striking ''50 percent'' and inserting ''100 percent''; and

(4) in subsection (e), by striking ''2024'' and inserting ''2033''.

SEC. 337. SURPLUS WATER CONTRACTS AND WATER STORAGE AGREEMENTS.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1254; 132 Stat. 3784; 134 Stat. 2715) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

SEC. 338. COPAN LAKE, OKLAHOMA.

(a) IN GENERAL.—The Secretary shall amend Contract DACW56-81-C-0114 between the United States and the Copan Public Works Authority (referred to in this section as the ''Authority''), entered into on June 22, 1981, for the utilization by the Authority of storage space for water supply in Copan Lake, Oklahoma (referred to in this section as the ''project'')—

(1) to release to the United States all rights of the Authority to utilize 4,750 acre-feet of future use water storage space; and

(2) to relieve the Authority from all financial obligations, to include the initial project investment costs and the accumulated interest on unpaid project investment costs, for the volume of water storage space described in paragraph (1).

(b) REQUIREMENT.—During the 2-year period beginning on the effective date of execution of the contract amendment under subsection (a), the Secretary shall—

(1) provide the City of Bartlesville, Oklahoma, with the right of first refusal to contract for the utilization of storage space for water supply for any portion of the storage space that was released by the Authority under subsection (a); and

(2) ensure that the City of Bartlesville, Oklahoma, shall not pay more than 110 percent of the initial project investment cost per acre-foot of storage for the acre-feet of storage space sought under an agreement under paragraph (1).

SEC. 339. ENHANCED DEVELOPMENT PROGRAM.

The Secretary shall fully implement opportunities for enhanced development at Oklahoma Lakes under the authorities provided in section 3134 of the Water Resources Development Act of 2007 (121 Stat. 1142; 130 Stat. 1671) and section 164 of the Water Resources Development Act of 2020 (134 Stat. 2668).

SEC. 340. ECOSYSTEM RESTORATION COORDINATION.

(a) IN GENERAL.—In carrying out the project for ecosystem restoration, South Fork of the South Branch of the Chicago River, Bubbly Creek, Illinois, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740), the Secretary shall coordinate to the maximum extent practicable with the Administrator of the Environmental Protection Agency, State environmental agencies, and regional coordinating bodies responsible for the remediation of toxics.

(b) SAVINGS PROVISION.—Nothing in this section extends liability to the Secretary for any remediation of toxics present at the project site referred to in subsection (a) prior to the date of authorization of that project.

SEC. 341. ACEQUIAS IRRIGATION SYSTEMS.

Section 1113 of the Water Resources Development Act of 1986 (100 Stat. 4232) is amended—

(1) in subsection (b)—

(A) by striking ''(b) Subject to section 903(a) of this Act, the Secretary is authorized and directed to undertake'' and inserting the following:

''(b) AUTHORIZATION.—Subject to section 903(a), the Secretary shall carry out''; and

(B) by striking ''canals'' and all that follows through ''25 percent.'' and inserting the following: ''channels attendant to the operations of the community ditch and Acequia systems in New Mexico that—

''(1) are declared to be a political subdivision of the State; or

''(2) belong to a federally recognized Indian Tribe.'';

(2) by redesignating subsection (c) as subsection (e);

(3) by inserting after subsection (b) the following:

''(c) INCLUSIONS.—The measures described in subsection (b) shall, to the maximum extent practicable—

''(1) ensure greater resiliency of diversion structures, including to flow variations, prolonged drought conditions, invasive plant species, and threats from changing hydrological and climatic conditions; or

''(2) support research, development, and training for innovative management solutions, including those for controlling invasive aquatic plants that affect Acequias.

''(d) COSTS.—

''(1) TOTAL COST.—The measures described in subsection (b) shall be carried out at a total cost of $80,000,000.

''(2) COST SHARING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the non-Federal share of the cost of carrying out the measures described in subsection (b) shall be 25 percent.

''(B) SPECIAL RULE.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the cost of carrying out the measures described in subsection (b) shall be 90 percent.''; and

(4) in subsection (e) (as so redesignated)—

(A) in the first sentence—

(i) by striking ''(e) The Secretary is further authorized and directed to'' and inserting the following:

''(e) PUBLIC ENTITY STATUS.—

''(1) IN GENERAL.—The Secretary shall''; and

(ii) by inserting ''or belong to a federally recognized Indian Tribe within the State of New Mexico'' after ''that State''; and

(B) in the second sentence, by striking ''This public entity status will allow the officials of these Acequia systems'' and inserting the following:

''(2) EFFECT.—The public entity status provided pursuant to paragraph (1) shall allow the officials of the Acequia systems described in that paragraph''.

SEC. 342. ROGERS COUNTY, OKLAHOMA.

(a) CONVEYANCE.—The Secretary is authorized to convey to the City of Tulsa–Rogers County Port Authority (referred to in this section as the ''Port Authority''), for fair market value, all right, title, and interest of the United States in and to the Federal land described in subsection (b).

(b) FEDERAL LAND DESCRIBED.—

(1) IN GENERAL.—The Federal land to be conveyed under this section is the approximately 176 acres of Federal land located on the following 3 parcels in Rogers County, Oklahoma:

(A) Parcel 1 includes U.S. tract 119 (partial), U.S. tract 123, U.S. tract 120, U.S. tract 125, and U.S. tract 118 (partial).

(B) Parcel 2 includes U.S. tract 124 (partial) and U.S. tract 128 (partial).

(C) Parcel 3 includes U.S. tract 128 (partial).

(2) DETERMINATION REQUIRED.—

(A) IN GENERAL.—Subject to paragraph (1) and subparagraphs (B), (C), and (D), the Secretary shall determine the exact property description and acreage of the Federal land to be conveyed under this section.

(B) REQUIREMENT.—In making the determination under subparagraph (A), the Secretary shall reserve from conveyance such easements, rights-of-way, and other interests as the Secretary determines to be necessary and appropriate to ensure the continued operation of the McClellan-Kerr Arkansas River navigation project, including New Graham Lock and Dam 18 as a part of that project, as authorized under the comprehensive plan for the Arkansas River Basin by section 3 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596) and where applicable the provisions of the River and Harbor Act of 1946 (60 Stat. 634, chapter 595) and modified by section 108 of the Energy and Water Development Appropriation Act, 1988 (Public Law 100–202; 101 Stat. 1329–112), and section 136 of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137; 117 Stat. 1842).

(C) OBSTRUCTIONS TO NAVIGABLE CAPACITY.—A conveyance under this section shall not affect the jurisdiction of the Secretary under section 10 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (30 Stat. 1151, chapter 425; 33 U.S.C. 403) with respect to the Federal land conveyed.

(D) SURVEY REQUIRED.—The exact acreage and the legal description of any Federal land conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(c) APPLICABILITY.—Section 2696 of title 10, United States Code, shall not apply to the conveyance under this section.

(d) COSTS.—The Port Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(e) HOLD HARMLESS.—

(1) IN GENERAL.—The Port Authority shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance under this section on the Federal land conveyed.

(2) LIMITATION.—The United States shall remain responsible for any liability incurred with respect to activities carried out before the date of the conveyance under this section on the Federal land conveyed.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that the conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

SEC. 343. WATER SUPPLY STORAGE REPAIR, REHABILITATION, AND REPLACEMENT COSTS.

Section 301(b) of the Water Supply Act of 1958 (43 U.S.C. 390b(b)) is amended, in the fourth proviso, by striking the second sentence and inserting the following: ''For Corps of Engineers projects, all annual operation and maintenance costs for municipal and industrial water supply storage under this section shall be reimbursed from State or local interests on an annual basis, and all repair, rehabilitation, and replacement costs shall be reimbursed from State or local interests (1) without interest, during construction of the repair, rehabilitation, or replacement, (2) with interest, in lump sum on the completion of the repair, rehabilitation, or replacement, or (3) at the request of the State or local interest, with interest, over a period of not more than 25 years beginning on the date of completion of the repair, rehabilitation, or replacement, with repayment contracts providing for recalculation of the interest rate at 5-year intervals. At the request of the State or local interest, the Secretary of the Army shall amend a repayment contract entered into under this section on or before the date of enactment of this sentence for the purpose of incorporating the terms and conditions described in paragraph (3) of the preceding sentence.''.

SEC. 344. NON-FEDERAL PAYMENT FLEXIBILITY.

Section 103(l) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(l)) is amended—

(1) by striking the subsection designation and heading and all that follows through ''At the request of'' in the first sentence and inserting the following:

''(1) DELAY OF PAYMENT.—

''(1) INITIAL PAYMENT.—At the request of''; and

(2) by adding at the end the following:

''(2) INTEREST.—

''(A) IN GENERAL.—At the request of any non-Federal interest, the Secretary may waive the accrual of interest on any non-Federal cash contribution under this section or section 101 for a project for a period of not more than 1 year if the Secretary determines that—

''(i) the waiver will contribute to the ability of the non-Federal interest to make future contributions; and

''(ii) the non-Federal interest is in good standing under terms agreed to under subsection (k)(1).

''(B) LIMITATIONS.—The Secretary may grant not more than 1 waiver under subparagraph (A) for the same project.''.

SEC. 345. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration, North Padre Island, Corpus Christi Bay, Texas, constructed by the Secretary prior to the date of enactment of this Act under section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), shall not be eligible for repair and restoration assistance under section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)).

SEC. 346. WAIVER OF NON-FEDERAL SHARE OF DAMAGES RELATED TO CERTAIN CONTRACT CLAIMS.

In a case in which the Armed Services Board of Contract Appeals or a court of competent jurisdiction rendered a decision on a date that was at least 20 years before the date of enactment of this Act awarding damages to a contractor relating to the adjudication of claims arising from the construction of general navigation features of a project carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), notwithstanding the terms of the Project Partnership Agreement, the Secretary shall waive payment of the share of the non-Federal interest of such damages, including attorney's fees, if the Secretary—

(1) terminated construction of the project prior to completion of all features; and

(2) has not collected payment from the non-Federal interest before the date of enactment of this Act.

SEC. 347. ALGIERS CANAL LEVEES, LOUISIANA.

In accordance with section 328 of the Water Resources Development Act of 1999 (113 Stat. 304; 121 Stat. 1129), the Secretary shall resume operation, maintenance, repair, rehabilitation, and replacement of the Algiers Canal Levees, Louisiana, at full Federal expense.

SEC. 348. ISRAEL RIVER ICE CONTROL PROJECT, LANCASTER, NEW HAMPSHIRE.

Beginning on the date of enactment of this Act, the project for flood control, Israel River, Lancaster, New Hampshire, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is no longer authorized.

SEC. 349. CITY OF EL DORADO, KANSAS.

The Secretary shall amend Contract DACW56–72–C–0220, between the United States and the City of El Dorado, Kansas, entered into on June 30, 1972, for the utilization by the City of storage space for water supply in El Dorado Lake, Kansas, to change the method of calculation of the interest charges that began accruing on June 30, 1991, on the investment costs for the 72,087 acre-feet of future use storage space, from compounding interest annually to charging simple interest annually on the principal amount, until—

(1) the City desires to convert the future use storage space to present use; and

(2) the principal amount plus the accumulated interest becomes payable pursuant to the terms of the Contract.

SEC. 350. UPPER MISSISSIPPI RIVER PROTECTION.

Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270; 132 Stat. 3812) is amended by adding at the end the following:

''(f) LIMITATION.—The Secretary shall not recommend deauthorization of the Upper St. Anthony Falls Lock and Dam unless the Secretary identifies a willing and capable non-Federal public entity to assume ownership of the lock and dam.

''(g) MODIFICATION.—The Secretary is authorized to investigate the feasibility of modifying the Upper St. Anthony Falls Lock and Dam to add ecosystem restoration, including the prevention and control of invasive species, as an authorized purpose.''.

SEC. 351. REGIONAL CORPS OF ENGINEERS OFFICE, CORPUS CHRISTI, TEXAS.

(a) IN GENERAL.—At such time as new facilities are available to the Corps of Engineers, and subject to this section, the Secretary shall convey to the Port of Corpus Christi Authority, by deed and without warranty, all right, title, and interest of the United States in and to the property described in subsection (c).

(b) CONSIDERATION.—Consideration for the conveyance under subsection (a) shall be determined by an appraisal, satisfactory to the Secretary, of the market value of the property conveyed.

(c) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the land known as ''Tract 100'' and ''Tract 101'', including improvements on that land, in Corpus Christi, Texas, and described as follows:

(1) TRACT 100.— The 1.89 acres, more or less, as conveyed by the Nueces County Navigation District No. 1 of Nueces County, Texas, to the United States by instrument dated October 16, 1928, and recorded at Volume 193, pages 1 and 2, in the Deed Records of Nueces County, Texas.

(2) TRACT 101.—The 0.53 acres as conveyed by the City of Corpus Christi, Nueces County, Texas, to the United States by instrument dated September 24, 1971, and recorded at Volume 318, pages 523 and 524, in the Deed Records of Nueces County, Texas.

(3) IMPROVEMENTS.—

(A) Main Building (RPUID AO–C–3516), constructed January 9, 1974.

(B) Garage, vehicle with 5 bays (RPUID AO–C–3517), constructed January 9, 1985.

(C) Bulkhead, Upper (RPUID AO–C–2658), constructed January 1, 1941.

(D) Bulkhead, Lower (RPUID AO–C–3520), constructed January 1, 1933.

(E) Bulkhead Fence (RPUID AO–C–3521), constructed January 9, 1985.

(F) Bulkhead Fence (RPUID AO–C–3522), constructed January 9, 1985.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Before conveying the land described in subsection (c) to the Port of Corpus Christi Authority, the Secretary shall ensure that the conditions of buildings and facilities meet applicable requirements under Federal law, as determined by the Secretary.

(2) IMPROVEMENTS.—Improvements to conditions of buildings and facilities on the land described in subsection (c), if any, shall be incorporated into the consideration required under subsection (b).

(3) COSTS OF CONVEYANCE.—In addition to the fair market value for property rights conveyed, the Port of Corpus Christi Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance under subsection (a).

SEC. 352. PILOT PROGRAM FOR GOOD NEIGHBOR AUTHORITY ON CORPS OF ENGINEERS LAND.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED RESTORATION SERVICES.—The term ''authorized restoration services'' means similar and complementary forest, rangeland, and watershed restoration services carried out—

(A) on Federal land; and

(B) by the Secretary or Governor pursuant to a good neighbor agreement.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means land within the State that is administered by the Corps of Engineers.

(B) EXCLUSIONS.—The term ''Federal land'' does not include—

(i) a component of the National Wilderness Preservation System;

(ii) Federal land on which the removal of vegetation is prohibited or restricted by an Act of Congress or a Presidential proclamation (including the applicable implementation plan); or

(iii) a wilderness study area.

(3) FOREST, RANGELAND, AND WATERSHED SERVICES.—

(A) IN GENERAL.—The term ''forest, rangeland, and watershed restoration services'' means—

(i) activities to treat insect-infected and disease-infected trees;

(ii) activities to reduce hazardous fuels; and

(iii) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(B) EXCLUSIONS.—The term ''forest, rangeland, and watershed restoration services'' does not include—

(i) construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas, other than the reconstruction, repair, or restoration of a road that is necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

(ii) construction, alteration, repair or replacement of public buildings or public works.

(4) GOOD NEIGHBOR AGREEMENT.—The term ''good neighbor agreement'' means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and Governor under subsection (b)(1)(A) to carry out authorized restoration services under this section.

(5) GOVERNOR.—The term ''Governor'' means the Governor or any other appropriate executive official of the State.

(6) ROAD.—The term ''road'' has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on February 7, 2014).

(7) STATE.—The term ''State'' means the State of Idaho.

(b) GOOD NEIGHBOR AGREEMENTS.—

(1) GOOD NEIGHBOR AGREEMENTS.—

(A) IN GENERAL.—The Secretary may carry out a pilot program to enter into good neighbor agreements with the Governor to carry out authorized restoration services in the State in accordance with this section.

(B) PUBLIC AVAILABILITY.—The Secretary shall make each good neighbor agreement available to the public.

(C) ADMINISTRATIVE COSTS.—The Governor shall provide, and the Secretary may accept and expend, funds to cover the costs of the Secretary to enter into and administer a good neighbor agreement.

(D) TERMINATION.—The pilot program under subparagraph (A) shall terminate on October 1, 2028.

(2) TIMBER SALES.—

(A) APPROVAL OF SILVICULTURE PRESCRIPTIONS AND MARKING GUIDES.—The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

(B) TREATMENT OF REVENUE.—Except as provided in subparagraph (C), funds received from the sale of timber by the Governor under a good neighbor agreement shall be retained and used by the Governor to carry out authorized restoration services under the good neighbor agreement.

(C) EXCESS REVENUE.—

(i) IN GENERAL.—Any funds remaining after carrying out subparagraph (B) that are in excess of the amount provided by the Governor to the Secretary under paragraph (1)(C) shall be returned to the Secretary.

(ii) APPLICABILITY OF CERTAIN PROVISIONS.—Funds returned to the Secretary under clause (i) shall be subject to the first part of section 5 of the Act of June 13, 1902 (commonly known as the ''Rivers and Harbors Appropriations Act of 1902'') (32 Stat. 373, chapter 1079; 33 U.S.C. 558).

(3) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized restoration services to be provided under this section on Federal land shall not be delegated to the Governor.

SEC. 353. SOUTHEAST DES MOINES, SOUTHWEST PLEASANT HILL, IOWA.

(a) PROJECT MODIFICATIONS.—The project for flood risk management and other purposes, Red Rock Dam and Lake, Des Moines River, Iowa (referred to in this section as the ''Red Rock Dam Project''), authorized by section 10 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 896, chapter 665), and the project for flood risk management, Des Moines Local Flood Protection, Des Moines River, Iowa (referred to in this section as ''Flood Protection Project''), authorized by section 10 of that Act (58 Stat. 896, chapter 665), shall be modified as follows, subject to a new or amended agreement between the Secretary and the non-Federal interest for the Flood Protection Project, the City of Des Moines, Iowa (referred to in this section as the ''City''), in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b):

(1) That portion of the Red Rock Dam Project consisting of the segment of levee from Station 15+88.8W to Station 77+43.7W shall be transferred to the Flood Protection Project.

(2) The relocated levee improvement constructed by the City, from Station 77+43.7W to approximately Station 20+00, shall be included in the Flood Protection Project.

(b) FEDERAL EASEMENT CONVEYANCES.—

(1) The Secretary is authorized to convey the following easements, acquired by the Federal Government for the Red Rock Dam Project, to the City to become part of the Flood Protection Project in accordance with subsection (a):

(A) Easements identified as Tracts 3215E-1, 3235E, and 3227E.

(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, and 3217E-2.

(2) On counter-execution of the new or amended agreement pursuant to the Federal easement conveyances under paragraph (1), the Secretary is authorized to convey the following easements, by quitclaim deed, without consideration, acquired by the Federal Government for the Red Rock Dam project, to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority and no longer required for the Red Rock Dam Project or for the Des Moines Local Flood Protection Project:

(A) Easements identified as Tracts 3200E, 3202E-1, 3202E-2, 3202E-4, 3203E-2, 3215E-3, 3216E-1, and 3216E-5.

(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, and 3217E-2.

(3) All real property interests conveyed under this subsection shall be subject to the standard release of easement disposal process. All administrative fees associated with the transfer of the subject easements to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority will be borne by the transferee.

SEC. 354. MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELEN, NEW MEXICO.

In the case of the project for flood risk management, Middle Rio Grande, Bernalillo to Belen, New Mexico, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735), the non-Federal share of the cost of the project shall be the percentage described in section 103(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)(2)) (as in effect on the day before the date of enactment of the Water Resources Development Act of 1996 (110 Stat. 3658)).

SEC. 355. COMPREHENSIVE EVERGLADES RESTORATION PLAN, FLORIDA.

(a) IN GENERAL.—Section 601(e)(5) of the Water Resources Development Act of 2000 (114 Stat. 2685; 132 Stat. 3786) is amended by striking subparagraph (E) and inserting the following:

''(E) PERIODIC MONITORING.—

''(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each period of 5 fiscal years, beginning on October 1, 2022, the Secretary shall, for each project—

''(I) monitor the non-Federal provision of cash, in-kind services, and land; and

''(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

''(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i)

separately for the preconstruction engineering and design phase and the construction phase for each project in the Plan.

''(iii) CLARIFICATION.—Not later than 90 days after the end of each fiscal year, the Secretary shall provide to the non-Federal sponsor a financial accounting of non-Federal contributions under clause (i)(I) for such fiscal year.

''(iv) LIMITATION.—As applicable, and after including consideration of all expenditures and obligations incurred by the non-Federal sponsor for land and in-kind services for an authorized project for which a project partnership agreement has not been executed, the Secretary shall only require a cash contribution from the non-Federal sponsor to satisfy the cost share requirements of this subsection on the last day of each period of 5 fiscal years under clause (i).''.

(b) UPDATE.—The Secretary and the South Florida Water Management District shall revise the Master Agreement for the Comprehensive Everglades Restoration Plan, executed in 2009 pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680), to reflect the amendment made by subsection (a).

SEC. 356. MAINTENANCE DREDGING PERMITS.

(a) IN GENERAL.—The Secretary shall, to the maximum extent practicable and appropriate, prioritize the reissuance of any regional general permit for maintenance dredging that expired prior to May 1, 2021.

(b) SAVINGS PROVISION.—Nothing in this section affects, preempts, or interferes with any obligation to comply with the provisions of any Federal or State environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 357. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION, WASHINGTON.

In carrying out the project for ecosystem restoration, Puget Sound, Washington, authorized by section 1401(4) of the Water Resources Development Act of 2016 (130 Stat. 1713), the Secretary shall consider the removal and replacement of the Highway 101 causeway and bridges at the Duckabush River Estuary site to be a project feature the costs of which are shared as construction.

SEC. 358. TRIBAL ASSISTANCE.

(a) CLARIFICATION OF EXISTING AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary, in consultation with the heads of relevant Federal agencies, the Confederated Tribes of the Warm Springs Indian Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, Nez Perce Tribe, and the Confederated Tribes of the Umatilla Indian Reservation, shall revise and carry out the village development plan for Dalles Dam, Columbia River, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179, chapter 188) to address adverse impacts to Indian villages, housing sites, and related structures as a result of the construction of Bonneville Dam, McNary Dam, and John Day Dam, Washington and Oregon.

(2) EXAMINATION.—Before carrying out the requirements of paragraph (1), the Secretary shall conduct an examination and assessment of the extent to which Indian villages, housing sites, and related structures were displaced or destroyed by the construction of the following projects:

(A) Bonneville Dam, Oregon, as authorized by the first section of the Act of August 30, 1935 (49 Stat. 1038, chapter 831) and the first section and section 2(a) of the Act of August 20, 1937 (50 Stat. 731, chapter 720; 16 U.S.C. 832, 832a(a)).

(B) McNary Dam, Washington and Oregon, as authorized by section 2 of the Act of March 2, 1945 (commonly known as the ''River and Harbor Act of 1945'') (59 Stat. 22, chapter 19).

(C) John Day Dam, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179, chapter 188).

(3) REQUIREMENTS.—The village development plan under paragraph (1) shall include, at a minimum—

(A) an evaluation of sites on both sides of the Columbia River;

(B) an assessment of suitable Federal land and land owned by the States of Washington and Oregon; and

(C) an estimated cost and tentative schedule for the construction of each housing development.

(4) LOCATION OF ASSISTANCE.—The Secretary may provide housing and related assistance under this subsection at 1 or more sites in the States of Washington and Oregon.

(b) PROVISION OF ASSISTANCE ON FEDERAL LAND.—The Secretary may construct housing or provide related assistance on land owned by the United States under the village development plan under subsection (a)(1).

(c) ACQUISITION AND DISPOSAL OF LAND.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may acquire land or interests in land for the purpose of providing housing and related assistance under the village development plan under subsection (a)(1).

(2) ADVANCE ACQUISITION.—Acquisition of land or interests in land under paragraph (1) may be carried out in advance of completion of all required documentation and clearances for the construction of housing or related improvements on the land or on the interests in land.

(3) DISPOSAL OF UNSUITABLE LAND.—If the Secretary determines that any land or interest in land acquired by the Secretary under this section in advance of completion of all required documentation for the construction of housing or related improvements is unsuitable for that housing or for those related improvements, the Secretary may—

(A) dispose of the land or interest in land by sale; and

(B) credit the proceeds to the appropriation, fund, or account used to purchase the land or interest in land.

(d) LIMITATION.—The Secretary shall only acquire land from willing landowners in carrying out this section.

(e) CONFORMING AMENDMENT.—Section 1178(c) of the Water Resources Development Act of 2016 (130 Stat. 1675; 132 Stat. 3781) is repealed.

SEC. 359. RECREATIONAL OPPORTUNITIES AT CERTAIN PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COVERED PROJECT.—The term ''covered project'' means any of the following projects of the Corps of Engineers:

(A) Ball Mountain Lake, Vermont.

(B) Townshend Lake, Vermont.

(2) RECREATION.—The term ''recreation'' includes downstream whitewater recreation that is dependent on operations, recreational fishing, and boating at a covered project.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should—

(1) ensure that, to the extent compatible with other project purposes, each covered project is operated in such a manner as to protect and enhance recreation associated with the covered project; and

(2) manage land at each covered project to improve opportunities for recreation at the covered project.

(c) MODIFICATION OF WATER CONTROL PLANS.—The Secretary may modify, or undertake temporary deviations from, the water control plan for a covered project in order to enhance recreation, if the Secretary determines the modifications or deviations—

(1) will not adversely affect other authorized purposes of the covered project; and

(2) will not result in significant adverse impacts to the environment.

SEC. 360. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS.

Section 1177 of the Water Resources Development Act of 2016 (33 U.S.C. 467f–2 note; Public Law 114–322) is amended by adding at the end the following:

''(g) SPECIAL RULE.—Notwithstanding subsection (c), the non-Federal share of the cost to rehabilitate Waterbury Dam, Washington County, Vermont, under this section, including the cost of any required study, shall be the same share assigned to the non-Federal interest for the cost of initial construction of Waterbury Dam.''.

SEC. 361. SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE.

Section 528(f)(1)(J) of the Water Resources Development Act of 1996 (110 Stat. 3771) is amended—

(1) by striking ''2 representatives'' and inserting ''3 representatives''; and

(2) by inserting ''at least 1 of which shall be a representative of the Florida Department of Environmental Protection and at least 1 of which shall be a representative of the Florida Fish and Wildlife Conservation Commission,'' after ''Florida,''.

SEC. 362. NEW MADRID COUNTY HARBOR, MISSOURI.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339; 114 Stat. 2679) is amended by adding at the end the following:

''(18) Second harbor at New Madrid County Harbor, Missouri.''.

SEC. 363. TRINITY RIVER AND TRIBUTARIES, TEXAS.

Section 1201(7) of the Water Resources Development Act of 2018 (132 Stat. 3802) is amended by inserting ''flood risk management, and ecosystem restoration,'' after ''navigation,''.

SEC. 364. REND LAKE, CARLYLE LAKE, AND LAKE SHELBYVILLE, ILLINOIS.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Governor of Illinois to terminate a contract described in subsection (c), the Secretary shall amend the contract to release to the United States all rights of the State of Illinois to utilize water storage space in the reservoir project to which the contract applies.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.

(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of storage space for water supply in Rend Lake, Illinois.

(2) Contract DA–23–065–CIVENG–65–493, entered into on April 28, 1965, for utilization of storage space for water supply in Rend Lake, Illinois.

(3) Contract DACW43–83–C–0008, entered into on July 6, 1983, for utilization of storage space in Carlyle Lake, Illinois.

(4) Contract DACW43–83–C–0009, entered into on July 6, 1983, for utilization of storage space in Lake Shelbyville, Illinois.

SEC. 365. FEDERAL ASSISTANCE.

Section 1328(c) of the America's Water Infrastructure Act of 2018 (132 Stat. 3826) is amended by striking ''4 years'' and inserting ''8 years''.

SEC. 366. LAND TRANSFER AND TRUST LAND FOR CHOCTAW NATION OF OKLAHOMA.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Choctaw Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the operation by the Corps of Engineers of the Sardis Lake Project or any other authorized civil works project; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Sardis Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Choctaw Nation under this subsection as necessary to carry out an authorized purpose of the Sardis Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 247 acres of land located in Sections 18 and 19 of T2N R18E, and Sections 5 and 8 of T2N R19E, Pushmataha County, Oklahoma, generally depicted as ''USACE'' on the map entitled ''Sardis Lake – Choctaw Nation Proposal'' and dated February 22, 2022.

(2) SURVEY.—The exact acreage and legal descriptions of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Choctaw Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 367. LAKE BARKLEY, KENTUCKY, LAND CONVEYANCE.

(a) IN GENERAL.—The Secretary is authorized to convey to the Eddyville Riverport Authority (referred to in this section as the ''Authority''), for fair market value, all right, title, and interest of the United States in and to approximately 2.2 acres of land adjacent to the southwestern boundary of the port facilities of the Authority at the Barkley Dam and Lake Barkley, Kentucky, project, authorized by the River and Harbor Act of 1946 (60 Stat. 636, Public Law 79–525).

(b) CONDITIONS.—

(1) QUITCLAIM DEED.—Any conveyance of land under this section shall be by quitclaim deed.

(2) RESERVATION OF RIGHTS.—The Secretary shall reserve from a conveyance of land under this section such easements, rights-of-way, or other interests as the Secretary determines to be necessary and appropriate to the ensure the continued operation of the project described in subsection (a).

(3) TERMS AND CONDITIONS.—The Secretary may subject any conveyance under this section to such terms and conditions as the Secretary determines necessary and advisable to protect the United States.

(c) ADMINISTRATIVE COSTS.—The Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section.

(d) WAIVER OF REAL PROPERTY SCREENING REQUIREMENTS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance of land under this section.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

SEC. 401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. AK	Elim Subsistence Harbor	March 12, 2021	Federal: $74,905,000 Non-Federal: $1,896,000 Total: $76,801,000
2. CA	Port of Long Beach Deep Draft Navigation, Los Angeles	October 14, 2021; May 31, 2022	Federal: $73,533,500 Non-Federal: $74,995,500 Total: $148,529,000
3. WA	Tacoma Harbor Navigation Improvement	May 26, 2022	Federal: $120,701,000 Non-Federal: $174,627,000 Total: $295,328,000
4. NY, NJ	New Jersey Harbor Deepening Channel Improvement	June 3, 2022	Federal: $2,124,561,500 Non-Federal: $3,439,337,500 Total: $5,563,899,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. AL	Selma	October 7, 2021	Federal: $15,533,100 Non-Federal: $8,363,900 Total: $23,897,000
2. CA	Lower Cache Creek, Yolo County, Woodland, and Vicinity	June 21, 2021	Federal: $215,152,000 Non-Federal: $115,851,000 Total: $331,003,000
3. OR	Portland Metro Levee System	August 20, 2021	Federal: $77,111,100 Non-Federal: $41,521,300 Total: $118,632,400
4. NE	Papillion Creek and Tributaries Lakes	January 24, 2022	Federal: $91,491,400 Non-Federal: $52,156,300 Total: $143,647,700
5. AL	Valley Creek, Bessemer and Birmingham	October 29, 2021	Federal: $17,725,000 Non-Federal: $9,586,000 Total: $27,311,000
6. PR	Rio Guanajibo	May 24, 2022	Federal: $110,974,500 Non-Federal: $59,755,500 Total: $170,730,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. CT	Fairfield and New Haven Counties	January 19, 2021	Federal: $92,937,000 Non-Federal: $50,043,000 Total: $142,980,000
2. PR	San Juan Metro	September 16, 2021	Federal: $245,418,000 Non-Federal: $131,333,000 Total: $376,751,000
3. FL	Florida Keys, Monroe County	September 24, 2021	Federal: $1,513,531,000 Non-Federal: $814,978,000 Total: $2,328,509,000
4. FL	Okaloosa County	October 7, 2021	Initial Federal: $19,822,000 Initial Non-Federal: $11,535,000 Initial Total: $31,357,000 Renourishment Federal: $71,045,000 Renourishment Non-Federal: $73,787,000 Renourishment Total: $144,832,000

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
5. SC	Folly Beach	October 26, 2021	Initial Federal: $45,490,000 Initial Non-Federal: $5,054,000 Initial Total: $50,544,000 Renourishment Federal: $164,424,000 Renourishment Non-Federal: $26,767,000 Renourishment Total: $191,191,000
6. FL	Pinellas County	October 29, 2021	Initial Federal: $8,627,000 Initial Non-Federal: $5,332,000 Initial Total: $13,959,000 Renourishment Federal: $92,000,000 Renourishment Non-Federal: $101,690,000 Renourishment Total: $193,690,000
7. NY	South Shore of Staten Island, Fort Wadsworth to Oakwood Beach	October 27, 2016	Federal: $371,310,000 Non-Federal: $199,940,000 Total: $571,250,000
8. LA	Upper Barataria Basin	January 28, 2022	Federal: $1,005,001,000 Non-Federal: $541,155,000 Total: $1,546,156,000
9. LA	South Central Coast, St. Martin, St. Mary, and Iberia Parishes	June 23, 2022	Federal: $594,600,000 Non-Federal: $320,169,000 Total: $914,769,000

(4) HURRICANE AND STORM DAMAGE REDUCTION AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. TX	Coastal Texas Protection and Restoration Feasibility Study	September 16, 2021	Federal: $19,237,894,000 Non-Federal: $11,668,393,000 Total: $30,906,287,000

(5) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. CA	Prado Basin Ecosystem Restoration, San Bernardino, Riverside and Orange Counties	April 22, 2021	Federal: $33,976,000 Non-Federal: $18,294,000 Total: $52,270,000
2. KY	Three Forks of Beargrass Creek	May 24, 2022	Federal: $72,138,000 Non-Federal: $48,998,000 Total: $121,135,000

(6) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. LA	Lake Pontchartrain and Vicinity	December 16, 2021	Federal: $807,000,000 Non-Federal: $434,000,000 Total: $1,241,000,000
2. LA	West Bank and Vicinity	December 17, 2021	Federal: $431,000,000 Non-Federal: $232,000,000 Total: $663,000,000
3. GA	Brunswick Harbor, Glynn County	March 11, 2022	Federal: $10,774,500 Non-Federal: $3,594,500 Total: $14,369,000
4. DC	Washington, DC and Vicinity	July 22, 2021	Federal: $17,740,000 Non-Federal: $0 Total: $17,740,000
5. MI	Soo Locks, Sault Ste. Marie	June 6, 2022	Federal: $2,932,116,000 Non-Federal: $0 Total: $2,932,116,000
6. WA	Howard A. Hanson Dam Additional Water Storage	May 19, 2022	Federal: $815,207,000 Non-Federal: $39,979,000 Total: $855,185,000
7. MO	Critical Infrastructure Cyber Security – Mandatory Center of Expertise Lab and Office Facility	January 13, 2020	Federal: $5,956,404 Non-Federal: $0 Total: $5,956,404
8. FL	Central and Southern Florida, Indian River Lagoon	May 31, 2022	Federal: $2,500,686,000 Non-Federal: $2,500,686,000 Total: $5,001,372,000

SEC. 402. STORM DAMAGE PREVENTION AND REDUCTION, COASTAL EROSION, AND ICE AND GLACIAL DAMAGE, ALASKA.

(a) IN GENERAL.—The Secretary shall establish a program to carry out structural and nonstructural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in the State of Alaska, including—

(1) relocation of affected communities; and

(2) construction of replacement facilities.

(b) COST SHARE.—The non-Federal interest shall share in the cost to study, design, and construct a project carried out under this section in accordance with sections 103 and 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2213, 2215), except that, in the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the non-Federal share shall be 10 percent.

(c) REPEAL.—Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851), is repealed.

(d) TREATMENT.—The program authorized by subsection (a) shall be considered a continuation of the program authorized by section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851) (as in effect on the day before the date of enactment of this Act).

SEC. 403. EXPEDITED COMPLETION OF PROJECTS.

The Secretary shall expedite completion of the following projects:

(1) Project for flood risk management, Cumberland, Maryland, restoration and rewatering of the Chesapeake and Ohio Canal, authorized by section 580 of the Water Resources Development Act of 1999 (113 Stat. 375).

(2) Project for flood risk management, Tulsa and West–Tulsa Levee System, Tulsa County, Oklahoma, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735).

(3) Project for flood risk management, Little Colorado River at Winslow, Navajo County, Arizona, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735).

(4) Project for flood risk management, Rio De Flag, Flagstaff, Arizona, authorized by section 101(b)(3) of the Water Resources Development Act of 2000 (114 Stat. 2576).

(5) Project for flood risk management, Rose and Palm Garden Washes, Arizona, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(6) Project for ecosystem restoration, El Corazon, Arizona, authorized by section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(7) Projects for ecosystem restoration, Chesapeake Bay Comprehensive Water Resources and Restoration Plan, Chesapeake Bay Environmental Restoration and Protection Program, authorized by section 510 of the Water Resources Development Act of 1996 (110 Stat. 3759).

(8) Projects authorized under section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 121 Stat. 1258).

(9) Projects authorized under section 8004 of the Water Resources Development Act of 2007 (33 U.S.C. 652 note; Public Law 110–114).

(10) Projects authorized under section 519 of the Water Resources Development Act of 2000 (114 Stat. 2653).

(11) Project for flood risk management, Lower Santa Cruz River, Arizona, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(12) Project for flood risk management, McCormick Wash, Arizona, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(13) Project for navigation, including maintenance and channel deepening, McClellan–Kerr Arkansas River Navigation System.

(14) Project for dam safety modifications, Bluestone Dam, West Virginia.

(15) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Branford Harbor and Branford River, Branford, Connecticut, authorized by the first section of the Act of June 13, 1902 (32 Stat. 333, chapter 1079).

(16) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Guilford Harbor and Sluice Channel, Connecticut.

(17) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Milford Harbor, Connecticut.

(18) Assistance for ecosystem restoration, Lower Yellowstone Intake Diversion Dam, Montana, authorized by section 3109 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(19) Project for mitigation of shore damage from navigation works, Camp Ellis Beach, Saco, Maine, pursuant to section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(20) Project for ecosystem restoration, Lower Blackstone River, Rhode Island, pursuant to section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(21) Project for navigation, Kentucky Lock Addition, Kentucky.

(22) Maintenance dredging of the Federal channel for the project for navigation, Columbia, Snake, and Clearwater Rivers, Oregon, Washington, and Idaho, authorized by section 2 of the Act of March 2, 1945 (59 Stat. 21, chapter 19), at the Port of Clarkston, Washington, and the Port of Lewiston, Idaho.

(23) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Back Channels and Sagamore Creek, Portsmouth, New Castle, and Rye, New Hampshire, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(24) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Harbor and Piscataqua River, Portsmouth, New Castle, and Newington, New Hampshire, and Kittery and Elliot, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173).

SEC. 404. SPECIAL RULES.

(a) The following conditions apply to the project described in section 403(19):

(1) The project is authorized to be carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) at a Federal cost of $45,000,000.

(2) The project may include Federal participation in periodic nourishment.

(3) For purposes of subsection (b) of section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i), the Secretary shall determine that the navigation works to which the shore damages are attributable were constructed at full Federal expense.

(b) The following conditions apply to the project described in section 403(20):

(1) The project is authorized to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) at a Federal cost of $15,000,000.

(2) If the Secretary includes in the project a measure on Federal land under the jurisdiction of another Federal agency, the Secretary may enter into an agreement with the Federal agency that provides for the Secretary—

(A) to construct the measure; and

(B) to operate and maintain the measure using funds provided to the Secretary by the non-Federal interest for the project.

(3) If the Secretary includes in the project a measure for fish passage at a dam licensed for hydropower, the Secretary shall include in the project costs all costs for the measure, except that those costs that are in excess of the costs to provide fish passage at the dam if hydropower improvements were not in place shall be a 100 percent non-Federal expense.

SEC. 405. CHATTAHOOCHEE RIVER PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in the Chattahoochee River Basin.

(2) FORM.—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chattahoochee River Basin, based on the comprehensive plan under subsection (b), including projects for—

(A) sediment and erosion control;

(B) protection of eroding shorelines;

(C) ecosystem restoration, including restoration of submerged aquatic vegetation;

(D) protection of essential public works;

(E) beneficial uses of dredged material; and

(F) other related projects that may enhance the living resources of the Chattahoochee River Basin.

(b) COMPREHENSIVE PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chattahoochee River Basin restoration plan to guide the implementation of projects under subsection (a)(2).

(2) COORDINATION.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

(3) PRIORITIZATION.—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will also improve water quality or quantity or use natural hydrological features and systems.

(c) AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into an agreement with a non-Federal interest for the design and construction of a project carried out pursuant to the comprehensive Chattahoochee River Basin restoration plan described in subsection (b).

(2) REQUIREMENTS.—Each agreement entered into under this subsection shall provide for—

(A) the development by the Secretary, in consultation with appropriate Federal, State, and local officials, of a resource protection and restoration plan, including appropriate engineering plans and specifications and an estimate of expected resource benefits; and

(B) the establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation and maintenance of the project by the non-Federal interest.

(d) COST SHARING.—

(1) FEDERAL SHARE.—Except as provided in paragraph (2)(B), the Federal share of the total project costs of each agreement entered into under this section shall be 75 percent.

(2) NON-FEDERAL SHARE.—

(A) VALUE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—In determining the non-Federal contribution toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the total project costs.

(B) OPERATION AND MAINTENANCE COSTS.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(e) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies, including—

(A) the Administrator of the Environmental Protection Agency;

(B) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(f) PROTECTION OF RESOURCES.—A project established under this section shall be carried out using such measures as are necessary to protect environmental, historic, and cultural resources.

(g) PROJECT CAP.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) SAVINGS PROVISION.—Nothing in this section—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $90,000,000.

SEC. 406. LOWER MISSISSIPPI RIVER BASIN DEMONSTRATION PROGRAM.

(a) DEFINITION.—In this section, the term ''Lower Mississippi River Basin'' means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico, and its tributaries and distributaries.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a program to provide assistance to non-Federal interests in the Lower Mississippi River Basin.

(2) FORM.—

(A) IN GENERAL.—The assistance under paragraph (1) shall be in the form of design and construction assistance for flood or coastal storm risk management or aquatic ecosystem restoration projects in the Lower Mississippi River Basin, based on the comprehensive plan under subsection (c).

(B) ASSISTANCE.—Projects under subparagraph (A) may include measures for—

(i) sediment control;

(ii) protection of eroding riverbanks and streambanks and shorelines;

(iii) channel modifications;

(iv) beneficial uses of dredged material; or

(v) other related projects that may enhance the living resources of the Lower Mississippi River Basin.

(c) COMPREHENSIVE PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Lower Mississippi River Basin plan to guide the implementation of projects under subsection (b)(2).

(2) COORDINATION.—The plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

(3) PRIORITIZATION.—To the maximum extent practicable, the plan described in paragraph (1) shall give priority to projects eligible under subsection (b)(2) that will also improve water quality, reduce hypoxia in the Lower Mississippi River or Gulf of Mexico, or use a combination of structural and nonstructural measures.

(d) AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into an agreement with a non-Federal interest for the design and construction of a project carried out pursuant to the comprehensive Lower Mississippi River Basin plan described in subsection (c).

(2) REQUIREMENTS.—Each agreement entered into under this subsection shall provide for the establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation and maintenance of the project by the non-Federal interest.

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost to design and construct a project under each agreement entered into under this section shall be 75 percent.

(2) NON-FEDERAL SHARE.—

(A) VALUE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—In determining the non-Federal contribution toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the cost to design and construct the project.

(B) OPERATION AND MAINTENANCE COSTS.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(f) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies, including—

(A) the Secretary of Agriculture;

(B) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(C) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(g) PROJECT CAP.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the results of the program under this section, including a recommendation on whether the program should be reauthorized.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $90,000,000.

SEC. 407. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) IN GENERAL.—The Secretary is authorized to carry out a research study pilot program at 1 or more dams owned and operated by the Secretary in the North Atlantic Division of the Corps of Engineers to assess the viability of forecast-informed reservoir operations in the eastern United States.

(b) REPORT.—Not later than 1 year after completion of the research study pilot program under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study pilot program.

SEC. 408. MISSISSIPPI RIVER MAT SINKING UNIT.

The Secretary shall expedite the replacement of the Mississippi River mat sinking unit.

SEC. 409. SENSE OF CONGRESS RELATING TO OKATIBBEE LAKE.

It is the sense of Congress that—

(1) there is significant shoreline sloughing and erosion at the Okatibbee Lake portion of the project for flood protection, Chunky Creek, Chickasawhay and Pascagoula Rivers, Mississippi, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1183), which has the potential to impact infrastructure, damage property, and put lives at risk; and

(2) addressing shoreline sloughing and erosion at a project of the Secretary, including at a location leased by non-Federal entities such as Okatibbee Lake, is an activity that is eligible to be carried out by the Secretary as part of the operation and maintenance of the project.

SA 5141. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 41, strike line 19 and all that follows through line 7 on page 47, and insert the following:

''(C) REQUIRED AGREEMENT.—

''(i) IN GENERAL.—On or before the date on which the Secretary awards Federal financial assistance to a covered entity under this section, the covered entity shall enter into an agreement with the Secretary specifying that, beginning on the date of the award and continuing in perpetuity, the covered entity—

''(I) may not engage in any transaction involving any expansion of semiconductor manufacturing capacity in the People's Republic of China or any other foreign country of concern;

''(II) may not cooperate with the government of the People's Republic of China; and

''(III) will immediately withdraw all operations in the People's Republic of China in the event of an invasion of Taiwan by the People's Republic of China.

''(ii) STUDY.—Before the date on which the Secretary awards Federal financial assistance to a covered entity under this section, the Secretary shall—

''(I) conduct an ROI analysis of the proposed assistance that shows that the assistance will result in a net positive financial return for taxpayers, such that the forecasted revenue collections by the Treasury generated as a direct result of the assistance exceed the amount of the proposed assistance by the date that is 10 years after the date of the award of the assistance;

''(II) certify to Congress that the analysis required under subclause (I) has been conducted;

''(III) certify to Congress that the Secretary has determined that the covered entity will be able to repay any Federal financial assistance in the event that the covered entity breaches the required agreement with the Secretary under clause (i) and the Secretary recovers the Federal financial assistance under subparagraph (E)(iii); and

''(IV) make the analysis required under subclause (I) publicly available.

''(iii) AFFILIATED GROUP.—For the purpose of applying the requirements in an agreement required under clause (i), a covered entity shall include the covered entity receiving financial assistance under this section, as well as any member of the covered entity's affiliated group under section 1504(a) of the Internal Revenue Code of 1986, without regard to section 1504(b)(3) of such Code.

''(iv) ANALYSIS.—

''(I) IN GENERAL.—On the date that is 10 years after the date on which the Secretary awards Federal financial assistance under this section to a covered entity, the Secretary shall conduct an analysis to determine whether the revenue collections by the Treasury generated as a direct result of the Federal financial assistance exceeded the amount of the Federal financial assistance.

''(II) RECOVERY.—If the Secretary makes a negative determination under subclause (I), the Secretary shall recover from the covered entity the difference between the amount of the Federal financial assistance granted to the covered entity under this section and the revenue collections by the Treasury generated as a direct result of the Federal financial assistance.

''(D) NOTIFICATION REQUIREMENTS.—During the applicable term of the agreement of a covered entity required under subparagraph (C)(i), the covered entity shall notify the Secretary of any planned transaction of the covered entity involving any expansion of semiconductor manufacturing capacity in the People's Republic of China or any other foreign country of concern.

''(E) VIOLATION OF AGREEMENT.—

''(i) NOTIFICATION TO COVERED ENTITIES.—Not later than 90 days after the date of receipt of a notification described in subparagraph (D) from a covered entity, the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence, shall—

''(I) determine whether the transaction described in the notification would be a violation of the agreement of the covered entity required under subparagraph (C)(i); and

''(II) notify the covered entity of the Secretary's decision under subclause (I).

''(ii) OPPORTUNITY TO REMEDY.—Upon a notification under clause (i)(II) that a planned transaction of a covered entity is a violation of the agreement of the covered entity required under subparagraph (C)(i), the Secretary shall—

''(I) immediately request from the covered entity tangible proof that the planned transaction has ceased or been abandoned; and

''(II) provide the covered entity 45 days to produce and provide to the Secretary the tangible proof described in subclause (I).

''(iii) FAILURE BY THE COVERED ENTITY TO CEASE OR REMEDY THE ACTIVITY.—Subject to clause (iv), if a covered entity fails to remedy a violation as set forth under clause (ii), the Secretary shall recover the full amount of the Federal financial assistance provided to the covered entity under this section.

''(F) SUBMISSION OF RECORDS.—

''(i) IN GENERAL.—The Secretary may request from a covered entity records and other necessary information to review the compliance of the covered entity with the agreement required under subparagraph (C)(i).

''(ii) ELIGIBILITY.—In order to be eligible for Federal financial assistance under this

section, a covered entity shall agree to provide records and other necessary information requested by the Secretary under clause (i).

''(G) PUBLIC AVAILABILITY OF AGREEMENTS.—The Secretary shall make publicly available any agreement entered into between a covered entity and the Secretary under subparagraph (C)(i).

SA 5142. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

On page 821, between lines 19 and 20, insert the following:

SEC. 10638. PROHIBITION ON PROCUREMENT OF SEMICONDUCTORS FROM CHINA.

Effective on the date that is 5 years after the date of enactment of this Act, the Federal Government may not procure any semiconductor manufactured in China.

SA 5143. Mr. SCHUMER (for Mr. JOHNSON) proposed an amendment to the resolution S. Res. 694, expressing support for the designation of July 2022 as ''National Sarcoma Awareness Month''; as follows:

In paragraph (2) of the second whereas clause of the preamble, strike ''7,000'' and insert ''7,200''.

In paragraph (3) of the second whereas clause of the preamble, strike ''any 1 time'' and insert ''any given time''.

In the third whereas clause of the preamble, strike ''20'' and insert ''15''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have nine 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, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 11 a.m., to conduct a business meeting.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 10 a.m., to conduct a business meeting.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 2:30 p.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 Wednesday, July 20, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 3 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, July 20, 2022, at 2:30 p.m., to conduct a closed business meeting immediately followed by a closed briefing.

PRIVILEGES OF THE FLOOR

Mr. CASSIDY. Mr. President, I ask unanimous consent that Caroline Watson, in my office, be granted floor privileges until July 21, 2022.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the privileges of the floor be granted to my second-session summer interns for the month of July through August 5; that is, Jonathon Ford, Matthew Agron, Isabella Kershaw, Jocelyn Cannon, Devin Moorehead, Nicole Makar, Matthew Park, and Harold Monroe.

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

ORDERS FOR THURSDAY, JULY 21, 2022

Mr. MERKLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, July 21; 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 resume consideration of the House message to accompany H.R. 4346; further, that at 11:30 a.m., the Senate execute the previous order with respect to the Brigety nomination and the Senate vote on confirmation of that nomination; finally, that if any nominations are confirmed during Thursday'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.

Mr. MERKLEY. For the information of the Senate, the first vote of the day, tomorrow, will be at 11:30 a.m., and Senators should expect additional votes.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MERKLEY. Mr. President, if there is no further business to come before the Senate tonight, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:47 p.m., adjourned until Thursday, July 21, 2022, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 20, 2022:

DEPARTMENT OF STATE

BERNADETTE M. MEEHAN, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

THE JUDICIARY

GREGORY BRIAN WILLIAMS, OF DELAWARE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE.

DEPARTMENT OF THE INTERIOR

CARMEN G. CANTOR, OF PUERTO RICO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.