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Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARGARET WOOD HASSAN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Eternal Spirit, whose inward fellowship means cleansing, forgiveness, peace, and power, dissolve the barriers that keep our lawmakers from You. Take away the barrier of self-sufficiency that tempts them to live independent of Your will and way. Remove the obstacle of spiritual blindness that makes them unaware of invisible and eternal resources.

Lord, take our Senators over the hurdle of compromise that prompts them to deviate from integrity and to forget that You are the only constituent they must please. Give them the grace of receptive hearts and humble dependence on You.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 12, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARGARET WOOD HASSAN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Ms. HASSAN 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.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MINORITY LEADER

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

UKRAINE

Mr. MCCONNELL. Madam President, earlier this year, I had the opportunity to deliver an important message directed to our European allies in Munich. I told our friends that leading Republicans are as committed as ever to American leadership and a robust transatlantic alliance.

I emphasized our resolve for helping Ukraine to defeat Russian aggression, not because of some vague moral obligation but because of what it means for America's own core national interests.

Letting Putin's brutality succeed would mean putting some of America's closest trading partners one border closer to a violent and revanchist authoritarian regime. It would mean emboldening Putin's ''friend without limits'' President Xi in Beijing to assert even more aggressive influence over on the other side of the world.

I spoke yesterday about how our allies recognized what is at stake in Ukraine and about how Europe's biggest economies have woken up from holidays from history and made serious commitments to helping Ukraine actually win.

For some perspective on this important progress, more than half of the Javelin anti-tank weapons Ukraine has received have come from countries other than the United States. In fact, we now rank 13th in terms of assistance as a percentage of GDP.

Even as America continues to provide critical assistance to Ukraine, some nations are digging even deeper into their own arsenals and making a much greater relative investment of support. Russian aggression has spurred our European allies to heightened vigilance and greater resolve. Here at home, the American people overwhelmingly share that resolve.

According to a recent survey, three in four Americans—three in four Americans—including big majorities in each party, think it is important to us, to the United States, that Ukraine win the war. A clear majority also supports sending U.S. military aid to Ukraine. And more generally, 85 percent of Americans say a strong U.S. military is essential to maintain peace and prosperity.

So the American people's view of our national security is really quite clear, but here in Washington, providing for the common defense remains our biggest and most pressing piece of unfinished business. President Biden's defense budget request is woefully inadequate, especially as we look at the growing military requirements to deter or defend against Chinese aggression.

Folks in Washington are using the threat of China to justify all sorts of other policies and initiatives, but the reality is, the primary area of geopolitical competition is part power.

This growing threat makes our work on funding America's Armed Forces especially important, but the process of setting the Senate's national security priorities begins with a long-overdue annual Defense authorization.

I am hopeful that the Democratic leader is taking the necessary steps to bringing the NDAA to the Senate floor next week. I am hopeful this legislation will receive the thorough amendment process that it deserves.

The sooner we deliver on the NDAA, the sooner we can deliver the robust hard-power investments our Armed Forces need to replenish stocks, support our allies and partners, and deter growing threats to American security all around the world.

U.S. SUPREME COURT

Mr. MCCONNELL. Madam President, on another matter, last month, the Supreme Court included in its most consequential rulings of the term a major blow to the Biden administration's sprawling conception of executive branch power.

For years, the administration grasped for a way to deliver a big dose of catnip to Washington Democrats' wealthy blue-State base in the form of student loan socialism. They had dreamed up a reverse Robin Hood system of taking from working families to pay off the student loans of highly educated professionals, moving hundreds of billions of dollars in outstanding debt from high-earning doctors and lawyers onto the taxpayers' tab.

The median college graduate earns 55 percent more than the median worker who holds a high school diploma. And the wealthiest households in the country owe a disproportionate share of America's student debt.

But Democrats are hellbent on forgiving that debt at the expense of folks who carefully saved, paid off their debt, or avoided it altogether.

Of all the ways Washington Democrats have dreamed up to waste taxpayer dollars and betray the trust of working Americans, this one may well have taken the cake. But when the Biden administration picked an especially outlandish deal for enacting this particular scheme, the Supreme Court ended up being involved.

Just a couple of weeks ago, the Court ruled that 20-year-old emergency authorities designed during the War on Terror did not permit the President to ignore Congress and unilaterally cancel debt from his party's most reliable supporters.

As Chief Justice Roberts put it in the opinion of the Court, the administration's plan '''modified' the cited provisions'' of existing authorities ''only in the same sense that the French Revolution 'modified' the status of the French nobility.''

Washington Democrats tried to serve working families a raw deal. And by all accounts, they will probably try it again. But Senate Republicans continue to stand against radical student loan socialism—in whatever form it may take.

RECOGNITION OF THE MAJORITY LEADER

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

MILITARY PROMOTIONS

Mr. SCHUMER. First, Madam President, I want to reiterate a point I made yesterday about Senator TUBERVILLE's military holds. The bottom line is very, very simple: Republican leaders and many of Senator TUBERVILLE's Republican colleagues oppose what Senator TUBERVILLE is doing because it puts at serious risk our military preparedness, our military security, our national security.

Very simply, the onus is on Republican Senators to prevail on Senator TUBERVILLE and get him to back off his reckless pursuit. That is the crux of the matter. It is on the backs of his Republican colleagues to get Senator TUBERVILLE to back off. It is hurting our military security. It is dangerous, unprecedented, and they have the power and the ability to stop him from doing it.

INFLATION

Mr. SCHUMER. Madam President, on inflation, let me begin with some welcome news for the American people. This morning, reports came out with new signs that inflation came down last month. The price of gas has come down over 25 percent since last year, and wages are now up also. Wage growth is significantly above inflation for the first time since the spring of 2021, right after President Biden took office. This news means one thing: more money in people's pockets, greater financial security, and affirmation that Democrats' agenda is working. We made a promise to lower costs, and today we have proof that we are making progress towards keeping that promise.

ARTIFICIAL INTELLIGENCE

Mr. SCHUMER. Madam President, on the AI briefing, yesterday, the Senate held its first-ever—its first-ever—classified briefing on the national security implications of artificial intelligence. It was an eye-opening presentation. Many of us spent a lot of time educating ourselves on AI, talking to experts, and holding hearings, but yesterday's briefing was a candid wake-up call on how truly complicated AI is and how much work, hard work, we have before us.

This will be an ongoing effort. We want to move quickly but not too quickly. We need to move quickly so bad countries—authoritarian countries and bad actors, not countries themselves—don't get ahead of us, but we can't move too quickly because we have to get this right, and it is very complicated. Action on AI will not be a matter of weeks, nor of years but, rather, of months.

I want to thank my colleagues who attended yesterday's briefing. We had a terrific turnout of roughly 70 Members—even better than the first.

I want to thank the briefers by name: Dr. Arati Prabhakar, Director of the White House Office of Science and Tech; Avril Haines, Director of National Intelligence; Kath Hicks, Deputy Secretary of Defense; VADM Trey Whitworth, Director of the National Geospatial-Intelligence Agency; and Dr. Craig Martell, Chief Digital and AI Officer at DOD. Each briefer was clear, concise, and informative.

I was gratified my Republican colleagues came out of the briefing and said: Yes, this was a real back-and-forth, not just people reading a piece of paper and not just people answering questions.

For sure, we are not done. Very soon, I will announce the timing for our third all-Senate briefing and again urge my colleagues to attend, especially those who couldn't make the first two briefings. Learning as much as we can about AI as quickly as possible is essential.

AI is unlike anything Congress has dealt with before. It moves and changes so quickly. It is going to affect our world so dramatically. It is so much deeper in its complexity and lies so far outside our expertise. Coming up with legislative solutions will be one of the most difficult things Congress has ever, ever faced, so these briefings are an important initial step.

I don't kid myself on how difficult this is going to be. Some people asked why did I decide to take this on. Well, just because an issue is difficult or unfamiliar to Congress is no excuse to turn away, especially when it is so important and is going to have such a huge effect on every American and every person in the world's life. We can't throw our hands in the air and hope someone else figures it out.

Of the many things yesterday's briefing made clear, one of them was that government must play a role in making sure AI works for society's benefit. The private sector has made stunning progress innovating on AI, and Congress needs to be careful not to curb or hinder that innovation. But we are going to need guardrails, and the only agent that can do that is government.

Yes, some companies may put guardrails on on their own, but when another company refuses to put on those guardrails, that company, the original company, will feel the pressure—political or, more importantly, economic—and say: Look, we can't have those guardrails either. Even if many developers have good intentions, there are always going to be rogue actors, unscrupulous companies, and foreign adversaries

that seek to harm us and discard any guardrails at all. We can't expect companies to adopt guardrails, as I said, if their competitors won't be forced to do so as well.

So it is only a task that government can do with help and input from the experts. That was made clear at the hearings yesterday. Even those AI companies that are way out front on this now admit that they need some government action, we need some kinds of guardrails.

Later this year, Congress will host the first-ever AI Insight Forums to bring the best developers, experts, and legislators in one room to identify the areas where we can take action and to make sure we are asking the right questions to begin with. Ensuring our national security and safety will be one of the most important issues we discuss.

I want to thank everyone who attended yesterday. It was bipartisan, and we must keep this issue bipartisan. How to deal with AI is not a Republican issue; it is not a Democratic issue; it is a national issue.

I really want to thank our little group of Senators—HEINRICH, ROUNDS, and YOUNG—for helping organize these briefings. I look forward to the third briefing soon.

FEDERAL JUDICIARY

Mr. SCHUMER. Madam President, on forum shopping in the judiciary, our Federal judiciary is built on the trust and confidence of the American people, but right now, sadly, Americans' faith in the judicial system is at an alltime low thanks to the hijacking of our courts by the MAGA hard right and the unfair practice known as forum shopping.

Forum shopping essentially allows litigants in certain cases to handpick judges sympathetic to their cause. At its core, forum shopping undermines the spirit of a fair and balanced judiciary. That is why earlier this week I sent a letter to 18 of my Democratic colleagues and to the chair of the Advisory Committee on Civil Rights, calling on the Judicial Conference to consider reforms that would put an end to forum shopping.

If Americans want to see a clear example of why forum shopping is a serious problem, consider the Northern District of Texas. In that district, civil cases are often assigned to a single judge, if not one of just a few.

And it so happens, one of those judges is infamous—infamous—for his well-documented opposition to freedom of choice.

Do you know who knew that? The MAGA Republicans. So when MAGA Republicans sought to strip away access to FDA-approved abortion medication, widely available for decades, they intentionally targeted the Northern District of Texas, where only one judge sat. They knew which judge they would get.

To those who don't follow judiciary procedure, in most districts there are a bunch of judges. They put the case on wheel, and they spin the wheel around, and whomever the arrow lands on gets the case. You can't pick your judge.

But in this case, you can pick your judge, and in this case, it is an extreme MAGA judge, who we know has views that are so, so deeply held that no unbiassed bystander can think a fair trial will be held.

And, lo and behold, of course, that judge sided with the anti-choice extremists, marking the first time ever that a judge has ordered a drug to be taken off the market nationwide. It doesn't just affect Amarillo and northern Texas. It affects the whole country.

This isn't equal justice. This isn't a fair or impartial application of the rule of law. This is extremists using forum shopping to pull a fast one on the vast majority of Americans who opposed this ruling.

And, of course, women's freedom of choice isn't the only issue at stake. When extremists can manipulate our judiciary to get judges of their preference, it endangers everything from healthcare to immigration reform, to commonsense gun safety, to voting rights.

Forum shopping is a serious problem that will only worsen Americans' crisis of faith in the judiciary. The letter Democrats sent offers a path for sensible, good-faith reforms that will preserve an independent Federal judiciary, while letting in much needed fresh air into America's halls of justice.

NOMINATIONS

Mr. SCHUMER. Madam President, now on nominations, today, we will confirm two more district judges: Tiffany Cartwright to serve in the Western District of Washington and Myong Joun to serve in the District of Massachusetts. We will also move forward on two executive nominations: Kalpana Kotagal to be a member of the EEOC, and David Uhlmann to be an Assistant Administrator of the EPA.

Ms. Kotagal is exceptionally qualified to serve on the EEOC, and, if confirmed, she will shift the balance of the Commission.

So it is going to be a busy day here on the Senate floor with several votes on nominees, and I thank my colleagues for their cooperation.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Republican whip.

APPROPRIATIONS

Mr. THUNE. Madam President, summer has arrived, which means Congress is turning its attention to appropriations bills for the coming year, and my hope is that this year Congress will consider all 12 appropriations bills under regular order.

Now, what do I mean by regular order? Regular order refers to allowing bills to go through the committee process—including hearings and a markup, where members of the committee have a chance to amend and improve the bill—and then a referral by the committee to the Senate as a whole.

Bills are then considered on the Senate floor. Some bills pass the Senate by unanimous consent, while others undergo a full debate, including amendment votes, before being voted on by the Senate as a whole.

Then, if necessary, the bill goes to a conference committee or is passed back and forth between the House and the Senate to reconcile any differences between the House and Senate bills before the amended versions are then put to the full House and Senate.

That is what is considered the ''regular order'' process, and it is generally the best way to make laws. Regular order allows for a truly deliberative process. It provides the time to fully consider all aspects of legislation and to hear input from a broad array of Members. It promotes collaboration, compromise, and a sense of ownership of the final legislation, which makes bills more likely to pass. And, it is a transparent process, one that ensures that both Senators and the American people can see how the legislation in question is made and have ample time to digest it—not to mention the key fact that, by ensuring the input of more Senators, regular order helps ensure that a broader swath of the American people is represented in any final legislation.

Regular order is something that I think most Members generally aspire to. But the actual use of regular order has all too frequently been in short supply around here in recent years.

Too often, major legislation has been written behind closed doors and dropped on Members at the last minute—bypassing the chairmen, ranking members, and Senators who sit on the committees of jurisdiction and would otherwise have the opportunity to consider and amend the legislation in committee, before being brought up for a floor vote with little or no opportunity to offer amendments.

Fifty years ago, most bills were going through regular order. In fact, 83 percent of the legislation considered on the Senate floor during the 1970s was a product of the committee process. But by the 2010s, those numbers had dropped sharply, along with the number of Senate floor votes on amendments.

But, of course, even while the use of regular order has decreased, some legislation does still go through the regular order process. And I can personally attest to the fact that the use of regular order can bring major bipartisan successes.

During my time as chairman of the Commerce Committee, I focused on promoting collaboration and ensuring that bills in our committee's jurisdiction went through the regular order process, and we accomplished a lot: the first reauthorization of the Federal Communications Commission in more than a quarter century, the first reauthorization of the Surface Transportation Board in its 20-year history, multiple bills to advance the development and adoption of 5G, the longest surface transportation reauthorization since 1998, the longest reauthorization of the FAA since 1982, the first law to hold websites accountable for facilitating sex trafficking, and lots more. The vast majority of the bills that I just named ended up passing the Senate by strong bipartisan margins. And, of course, those are just examples of what was then our committee's jurisdiction.

There are plenty of others. For example, Democrats are more often associated with imposing burdensome government regulations than with lifting them. But Senator CRAPO's 2018 bill easing the regulatory burden for community banks and credit unions went through the regular order process, and, ultimately, 17 Senate Democrats joined Republicans to support the bill.

In 2015, the HELP Committee passed one of the largest rewrites of our Nation's K–12 laws, the Every Student Succeeds Act, which returned more power to States when it comes to how kids are educated, by holding numerous hearings and multiple days of markups and considering dozens of amendments. In the end, that law passed with 85 votes in the U.S. Senate.

The 2018 farm bill, which reauthorized important safety net programs for farmers and ranchers, passed the Senate with 87 votes, following robust consideration by the Agriculture Committee, amendment votes on the Senate floor, and a conference committee.

And the list goes on. Regular order promotes collaborative, bipartisan, and successful results. As I indicated, regular order has been in somewhat short supply in the Senate in recent years. But I am encouraged by the fact that there seems to be a growing desire to return to regular order and that the Democrat chair and Republican vice chair of the Senate Appropriations Committee have expressed a shared commitment to considering all 12 appropriations bills this year through the regular order process.

But there are concerning signs too. The Senate Health, Education, Labor, and Pensions Committee recently held its first partisan markup since the Affordable Care Act in 2009. That defeats the whole idea of a committee process that can yield a bipartisan result on the Senate floor, and it suggests the Democrats are still too entrenched in the partisan far-left mindset that saw them force legislation like the so-called American Rescue Plan Act through Congress. That was the bill that helped plunge our Nation into its current inflation crisis.

And perhaps even more concerning, recently, the majority leader, when referring to his plans on artificial intelligence, actually claimed that Congress will need ''to invent a new process to develop the right policies to implement our framework'' because the committee process ''won't suffice.''

I wonder how his committee chairs feel about that, and I would venture to suggest that the committee process has worked pretty well to develop all sorts of important legislation and to get buy-in from Senators.

As we continue with the appropriations process, I hope that the determination expressed by the Democrat chair of the Senate Appropriations Committee to pass all 12 appropriations bills through regular order will prevail, and I hope that this same attitude will be applied to other legislation that the Senate must consider this year—like the National Defense Authorization Act, the Federal Aviation Administration reauthorization, the farm bill, and more.

If we want to get anything done in divided government, we are going to have to compromise, and the regular order process promotes the kind of bipartisan, collaborative action that will allow us to accomplish real things for the American people.

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

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, since the President of the United States, President Biden, took office, America's southern border has faced unprecedented challenges. Unfortunately, none of these struggles seems to have captured President Biden's attention—not the 5.4 million border crossings or the more than 1.5 million ''got-aways''; not the 1.6 million pounds of illicit drugs that were seized by Border Patrol, the 108,000 Americans who died last year from drug overdoses; not the tractor/trailers filled with the bodies of dead migrants or city sidewalks lined with people who have nowhere to go; not even the fact that the cartels are making a fortune off the backs of vulnerable migrants and fueling America's drug crisis.

The American people have been stunned by the scope and the scale of President Biden's border crisis—and I call it that because it is a result of his policies. But it has been going on for 2½ years now, and the Biden administration doesn't seem to care. The administration has tried to deflect, distract, even deceive the American people into thinking things are just not that bad or maybe they could be worse. But the spin doctors can only accomplish so much. We have continued to learn about the many ways the Biden administration has fumbled its mission at the southern border. And the consequences have been absolutely devastating.

Reporting from the New York Times earlier this year looked at what has happened to unaccompanied migrant children once they arrive into the United States. Since President Biden took office, 300,000—300,000—unaccompanied children have arrived at the border. To be clear, these children did not cross the border with their parents, but they did get some help—mainly the coyotes or the human smugglers who, for a fee, will smuggle people into the United States. But these children, as we might expect, are particularly vulnerable as they make this dangerous journey north in the custody of these criminal organizations.

The sad reality is that many come to the United States in the care of these criminals, and parents who paid smugglers thousands of dollars to bring their children into the United States are taking an incredible risk with their children. We know this journey is not safe, and it is not easy. Many children are subjected to violence, exploitation, even sexual abuse at the hands of these criminal smugglers. Many, as you might expect, arrive in the United States traumatized and in poor physical health.

Now, you would think that once these children have made this dangerous journey across the southern border and they are taken from the custody of the cartels to that of the U.S. Government, that they would be safe. Unfortunately, we know that is not the case.

Of the more than 300,000 migrant children who arrived in the United States on President Biden's watch, roughly 85,000 could not be accounted for 30 days after they were placed with a sponsor.

Just to be clear, the process is, the Border Patrol receives these unaccompanied children and has a responsibility to turn them over to Health and Human Services and the Office of Refugee Relocation, or ORR, who then proceeds to identify a sponsor in the United States where this child may be sent to await an asylum hearing that will likely never occur. But the problem is not just that this asylum hearing will not likely ever be held, it is that these children may never be heard from again as far as the Federal Government is concerned.

So the practice is, 30 days after the children are placed with sponsors, the Federal Agency in charge is supposed to make a call, a wellness call, to see how the child is doing. But as this chart indicates, one out of three—in one out of three of these cases, there is no answer. Nobody responds.

And that is the last contact or attempted contact the Biden administration would have with these children or their sponsors, because beyond that, they would say: Our job is done. It is up to the child protective services agencies in the various States to take care of these children. But we know they are already overwhelmed with foster children and others just coming from the United States, much less adding another 300,000 to that list.

So, of the 300,000 migrant children placed by this administration, there are 85,000 cases where the child and the sponsor have never been heard from again.

We don't know where these children are. The Biden administration doesn't know where they are. We don't know whether they are being fed. We don't know whether they are going to school. We don't know whether they are being recruited into gangs. We don't know whether they are being abused or neglected or sexually exploited, and the Biden administration is fine with that because they don't care. I know that may sound harsh, but the fact is, if they did care, they could fix it, but they refuse to do so. The Biden administration has no idea what has happened to these migrant children. It has effectively abandoned them.

Well, the obvious question is, How did this happen? Aren't there policies in place that are designed to prevent this from happening? In short, the answer is yes, there are, but nearly all of those guidelines are set by the Agencies involved, not by Congress.

The Biden administration has full discretion to change its policies regarding the placement of migrant children. They don't need to wait on Congress to tell them; they can do it themselves. They have the ability to determine who can actually sponsor these children and the sort of vetting or background checks that would be necessary for the sponsors to pass. They have the ability to set guidelines for followup calls and wellness visits and other services that would ensure that these children are not being exploited and that they are not being neglected. The Biden administration has the complete authority to remove children from the custody of a sponsor if the sponsor refuses to cooperate or presents any sort of risk to the child.

In other words, the Biden administration made 85,000 phone calls to sponsors with children they had placed with those sponsors. There was no answer, and the sponsors cut off contact with the Agency. The Biden administration could go and take those children away from the sponsors because they have violated their agreements to cooperate with the U.S. Government. Well, they haven't done that.

The short answer is, the Biden administration could do as much or as little as it wants to protect these vulnerable children. Clearly it has made the decision to do as little as possible to protect them.

Unsurprisingly, the administration's negligence has led to the widespread mistreatment of migrant children. The New York Times has documented story after story of young people who are working in dangerous jobs in violation of State child labor laws—of children working in meat processing plants, on construction sites, in factories, and doing other dangerous jobs that are meant for adults, not children. These children obviously aren't going to school. They are not furthering their education. They are being forced into labor in violation of State child labor laws. The New York Times has documented it.

We also know from the New York Times' investigative stories that the Health and Human Services Department—the Agency responsible for this program—has received warning after warning that these children are at risk. These warnings have come through government staffers, outside contractors, and the Department's own hotline. Not only were whistleblowers ignored, but many were silenced. They were pushed out of their jobs. Some were retaliated against for trying to protect these vulnerable migrant children.

Yes, once again, the Biden administration was well aware of this. Health and Human Services Secretary Xavier Becerra knew about credible reports about trafficking and abuse, but he continued to push for the speedy placement of migrants with sponsors with little regard for the dangers that created.

In other words, when the Biden administration had a public relations problem—when we saw the crush of humanity at the border—their first reaction was, let's move these migrants out of the border region as fast as we can, and our public relations problem will go away.

So rather than making sure these children were protected, they actually relaxed the vetting requirement for the sponsors. They haven't even gone so far as to require background checks, criminal background checks or otherwise, of other people living in the same households as these children. They may have checked the sponsor himself or herself, but if a house is full of other people, they need to check everybody in the household to make sure they are not registered sex offenders or that they don't have backgrounds of abusing or neglecting children or otherwise. To solve the administration's public relations problem, they just decided to move these kids through the system as fast as possible and then wash their hands.

Then-Labor Secretary Marty Walsh was well aware of this situation. Last year, the Department's investigators identified major instances of child labor violations that took place in auto part factories and meatpacking plants, and all of this information was made available to the White House.

Until recently, Susan Rice served as the Director of the White House's Domestic Policy Council. Her job required her to oversee virtually every aspect of domestic policy matters, including the placement of migrant children. Both Health and Human Services and the Labor Department shared concerns about labor trafficking and child labor violations, but those reports were either ignored by the White House or were intentionally swept under the rug.

The Biden administration knew that countless numbers of migrant children were in danger, but it did absolutely nothing. The administration didn't just turn a blind eye; it intentionally tried to cover up the widespread exploitation of migrant children. It is a coverup.

In the wake of these damning reports, I wrote a letter to Chairman DURBIN of the Senate Judiciary Committee that was cosigned by every Republican member of that committee, and we asked for a hearing on this matter. We urged him to invite Biden administration leaders who failed to act on these warnings to testify in person in front of the committee, under oath. That included Secretary Becerra, former Labor Secretary Walsh, and former White House adviser Susan Rice.

The chairman scheduled a hearing last month, but none—none—of these officials bothered to show up, further indicating that they simply don't care. In fact, this so-called oversight hearing did not include a single Biden administration witness. How do you hold people accountable for their negligence or their intentional acts that harm innocent, vulnerable children if they can't be held accountable to show up for a hearing and testify, if they are proud of what they did, to the committee and the American people about what they did to protect these vulnerable children? But they didn't bother to show up, indicating once again that they simply don't care.

Now, after we pointed out to the chairman that the Biden administration's witnesses were no-shows, he promised to hold a followup hearing to make sure the Biden administration's witnesses appeared. I intend to hold him to that promise, and I look forward to the opportunity. I actually said: ''Thank you very much for doing that.'' He didn't have to do that, but I think Chairman DURBIN understands that this is the right thing to do. So I appreciate his willingness to hold a followup hearing with the Biden administration's witnesses, and I look forward to the opportunity to ask those officials who are charged with the care and custody of these vulnerable children why they have shirked their responsibilities.

Now, the Biden administration may be fine with abandoning migrant children in order to avoid a bad news cycle, but I am not, and I think all fair-minded Members of the Senate and the Congress are not.

I really question whether people are aware of what the situation is, which is why I am here on the floor of the Senate today to talk about it. I hope that once they become aware, they will become like me—concerned that something has to change, that people need to be held accountable, and that these children need to be protected.

If you were an American citizen and you treated an American citizen child like the Biden administration has treated these migrant children from other countries, you would be charged and convicted of the reckless endangerment of a child or of human trafficking. In other words, you would go to jail or prison if you treated an American citizen child this way. So how is it the Biden administration gets off with treating these migrant children with any less dignity and safety?

Well, in light of all of this reporting in the New York Times and elsewhere, we need answers, we need accountability, and we need policy changes to ensure that these practices come to an end. The Biden administration owes the American people answers, not just Members of Congress and not just members of the Senate Judiciary Committee. They need to tell us what is being done to keep track of these children. How are they ensuring their welfare? What is going to change to ensure that these migrant children are not victims of inhumane labor practices or worse?

Given everything that has happened over the last 2½ years, I have no confidence in Secretary Becerra, Secretary Mayorkas, or President Biden, because they know about the problem. They were warned about the problem, but they didn't do anything about it, which tells me they just don't care.

President Biden lives in a very nice government-provided house—the White House. He is not personally affected by this unprecedented level of human migration and the baffling pace of drug trafficking. He is not personally affected by the fact that 108,000 Americans died last year after consuming drugs that came across our southwestern border, and he is certainly not personally affected by the mistreatment of these migrant children, but it is his job. It is his responsibility. It is our responsibility to make sure this comes to an end because this is simply unacceptable.

Children endure abuse and exploitation on their journeys to the United States. The current system is not compassionate, but they sure shouldn't be met here on American soil with more of the same. We need to prioritize the safety of these children as they await their immigration court hearings. President Biden and his administration must change and take responsibility for this gross exploitation of these vulnerable children, and they need to take immediate action to end it.

I yield the floor.

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

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

Mr. MARKEY. Mr. President, I ask unanimous consent to speak for up to 3 minutes.

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

NOMINATION OF MYONG J. JOUN

Mr. MARKEY. Mr. President, I come to the floor today to speak in support of the confirmation of Judge Myong Joun to the U.S. Court for the District of Massachusetts.

In a few minutes, the Senate will vote to invoke cloture on Judge Joun's nomination. And this afternoon, once we have invoked cloture, we will vote on his confirmation.

When Judge Joun was a child, his family immigrated to the U.S. from South Korea with only a few dollars in their pockets. He was raised by his single mother who earned a living as a seamstress. He attended New York City Public Schools, served in the Massachusetts National Guard, and graduated from the University of Massachusetts Boston and Suffolk University Law School in Boston.

In private practice, including at his own law firm, Judge Joun litigated extensively before the Massachusetts State and Federal courts, eventually earning an appointment as a justice of the Boston Municipal Court.

Judge Joun has shown a steadfast commitment to civil rights and access to justice. In private practice, he often took on cases involving police misconduct, wage theft, and housing violations. As one of his many colleagues writing in on his behalf put it, Judge Joun's ''professional life has been devoted to working with people who need legal assistance but are unable to navigate the system because of language, financial, or educational barriers.''

Judge Joun has also consistently and generously given his time to service, holding leadership roles in organizations such as the Asian American Lawyers Association of Massachusetts, the Massachusetts Bar Association, and the National Lawyers Guild. For many years, he has taught trial advocacy to law students.

Over the course of his career, Judge Joun has exemplified the highest standards of the legal profession. He is a dedicated public servant who will bring knowledge, experience, and compassion to the Massachusetts Federal district court. As the first Asian-American man and first Korean American to serve on the district court of Massachusetts, Judge Joun will be a trailblazer. I have no doubt that he will continue to serve the people of Massachusetts with distinction, and I look forward to his confirmation.

Senator WARREN and I absolutely endorse his candidacy with the strongest possible recommendation to the full Senate, and I urge all of my colleagues to vote yes on cloture and on his nomination.

NOMINATION OF TIFFANY M. CARTWRIGHT

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Tiffany Cartwright to the U.S. District Court for the Western District of Washington.

Ms. Cartwright is an accomplished litigator who has dedicated her career to protecting the civil rights of all Americans. She received her Bachelor's degree from Stanford University and her law degree from Stanford Law School.

Ms. Cartwright began her legal career as a law clerk—first with Justice Dana Fabe on the Alaska Supreme Court, and then with Judge Betty Fletcher on the U.S. Court of Appeals for the Ninth Circuit. Most recently, she has worked as a trial lawyer at MacDonald Hoague & Bayless, where she has handled a number of cases on issues ranging from employee discrimination to voting rights.

In addition to her litigation practice, since 2016, Ms. Cartwright has served on the Local Rules Committee of the Federal Bar Association of the Western District of Washington, a role in which she has gained significant expertise in the District's rules and practices.

The American Bar Association has unanimously rated Ms. Cartwright ''Qualified,'' and she has the strong support of Senators Murray and Cantwell.

Given her considerable trial experience and deep knowledge of the Western District, Ms. Cartwright will be an excellent addition to the federal bench.

I strongly support her nomination and urge my colleagues to join me in voting for her confirmation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for 30 seconds before we take the vote.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Tiffany M. Cartwright, of Washington, to be United States District Judge for the Western District of Washington.

VOTE ON CARTWRIGHT NOMINATION

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Vermont (Mr. SANDERS), and the Senator from Vermont (Mr. WELCH) are necessarily absent.

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 180 Ex.]

YEAS—50

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

NAYS—47

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

NOT VOTING—3

Fetterman	Sanders	Welch

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 action.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 34, Myong J. Joun, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie K. Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

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

The question is, Is it the sense of the Senate that debate on the nomination of Myong J. Joun, of Massachusetts, to be United States District Judge for the District of Massachusetts, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Vermont (Mr. SANDERS), and the Senator from Vermont (Mr. WELCH) are necessarily absent.

The yeas and nays resulted—yeas 51, nays 46, as follows:

[Rollcall Vote No. 181 Ex.]

YEAS—51

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

NAYS—46

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

NOT VOTING—3

Fetterman	Sanders	Welch

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 51, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Myong J. Joun, of Massachusetts, to be United States District Judge for the District of Massachusetts.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Madam President, I ask unanimous consent that, notwithstanding rule XXII, all time on the Joun nomination be considered expired; that the confirmation vote on the Joun nomination occur at 4 p.m.; that the cloture motions on the Kotagal, Uhlmann, and Bloomekatz nominations ripen upon disposition of the Joun nomination; and that the order with respect to the postcloture time on the Kotagal nomination be vitiated.

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

LEGISLATIVE SESSION

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

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

The motion was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—MOTION TO PROCEED

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 119, S. 2226.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 119, S. 2226, a bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to executive session to resume consideration of the Kotagal nomination.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Kalpana Kotagal, of Ohio, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2027.

The PRESIDING OFFICER. The Senator from West Virginia.

THE ECONOMY

Mrs. CAPITO. Madam President, I rise today to talk about something we have been hearing a lot about recently, and that is Bidenomics. The President and his Cabinet have been traveling the country trying to convince the American people into believing that the President's economic vision for the

country has our Nation on the right path.

Well, I can assure you, after being home for the last 2 weeks, that these false messages are not really resonating with the American public. Polling data between June 6 and July 7 of this year shows that, on average, two-thirds of Americans believe that our Nation is going on the wrong track. If you spend a few minutes at the supermarket, a car dealership, or a retail store, or if you are looking to purchase or rent a home, or if you face energy and utility bills or the prices at the pump that middle-class American families are having to pay—everybody is paying—this should be no surprise.

So what exactly is Bidenomics? Let me break down a couple of definitions of this term as they relate to American folks outside of the beltway, and certainly those would include people whom I represent in West Virginia, which I consider the backbone of our country.

Bidenomics means you are getting less while spending more. According to data from the Bureau of Labor Statistics, since President Biden took office, grocery prices have increased 20 percent, energy prices have increased 38 percent, prices for fuel oil have increased 45 percent, gasoline prices have increased 52 percent, natural gas prices have increased 20 percent, electricity prices have increased 26 percent, prices for used cars and trucks have increased 35 percent, prices for new vehicles have increased 20 percent, apparel prices have increased 10 percent, and airline fares have increased 39 percent. But the list goes on and on.

Bidenomics means that inflation is just a part of everyday life. Today's inflation report marks the 30th straight month that year-over-year inflation is over the target rate of 2 percent. The President is touting this decreasing inflation as something to celebrate, but there is really nothing to celebrate here. Americans have felt the blunt and unapologetic force of inflation for over 2 years.

Bidenomics is certainly not a science. If it were, it would be a shifting one. Remember when inflation was only supposed to be transitory? The individual who voiced that opinion, who himself is not an economist, got a promotion from the President and is now Chair of the Council of Economic Advisers.

Bidenomics means, if you are looking to rent or buy a home, you might just be out of luck. Rampant spending from the American Rescue Plan and the Inflation Reduction Act were main contributors of high inflation and, in turn, the source of soaring interest rates.

So, on top of that, rental prices for a primary residence have increased 15 percent, furniture prices have increased 19 percent, the average rate of a 30-year fixed mortgage is now 7.22 percent, and, just this May, home prices hit record highs. All of this combined leaves the prospect of buying a home seemingly unattainable to many American families and compromises the American dream.

I would add here that young families can't get in the game of buying a house, fixing it up, living there for a while, and moving on to a little bit nicer, better, bigger home as their family grows.

Bidenomics means that if you have a small business, it will be harder to maintain and grow, and if you want to start a small business, it is nearly out of the question. Increased taxes felt directly by mom-and-pop shops combined with skyrocketing costs have made it very difficult to support a business along our Main Streets. Increased prices on consumer goods and basic needs means that wage growth cannot keep up with employers' rising costs.

Bidenomics means the destruction of the financial health of a lot of our American families. The Feds's ''Economic Well-Being of U.S. Households'' report was just released Monday. And it stated that ''[o]verall financial well-being declined markedly over the prior year'' and that one-third of Americans say they are worse off financially than they were the year before.

These are devastating statistics, but, unfortunately, they show the dire straits of an economy that has a 71-percent probability of recession, according to the New York Federal Reserve's recession probability model.

One aspect of Bidenomics that really baffles me is the President's willingness to take credit for the current state of our economy and his efforts to make this the centerpiece of his White House.

There is a long list of achievements that our President has failed to adequately address and accept accountability for. Certainly, the crisis at the southern border is one, the weakened status of our military another, and the out-of-control spending that has defined his time in power. Yet, surprisingly, President Biden is more than happy to accept responsibility for the state of our Nation's economy. And in this one instance, he does have the right of ownership because they are his policies that have been put into place.

So for my State of West Virginia, Bidenomics is costing West Virginia families an additional $713. That is not a year. That is a month. That is a month.

President Biden and his administration continue to lead our country down the wrong path, but if we look at Republican-led States where Republican Governors are in charge and have been able to prove their resilience among these enormous headwinds: increased earnings in States like North Dakota and my colleague's home State of Nebraska, booming manufacturing sectors in States like Florida and Texas, or States with record surpluses like my own State of West Virginia where Republican leadership is leading the way.

So moving forward, our Republican colleagues and I will continue to fight for proven solutions that rein in unnecessary spending, that bring down inflation, that increase market competition, that lower tax burdens on our small businesses, and spur the economic development that every State in this Nation needs.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, when it comes to the economy, we hear a lot about numbers, the inflation rate, how much more groceries cost, or how many businesses are struggling to find employees. Those numbers are important.

They tell us the big picture story of where our economy is and where it is going. And right now, that is not a pretty picture. But as elected representatives, we work for our people. It is critical that we listen to the voices of the people who live in our States and who are being deeply affected by the numbers we read in Bloomberg or the Wall Street Journal.

In a speech he made last week, President Biden promised that his economic policy is helping across the board ''in rural America, the heartland, all across America.''

He claimed that Bidenomics is the silver bullet for financial struggles among middle-class Americans around the country.

I don't know who the President is talking to, but my experience hearing from Americans in the heartland is a lot different than what he said in that speech. Many Nebraskans are struggling under an unforgiving load of inflation, kick-started by this administration's almost $2 trillion stimulus package in 2021.

So today let's zoom in on Nebraska. When I am back in my home State, I am constantly hearing stories of hardship from my fellow Nebraskans, whether they are farmers, teachers, or small business owners. It is truly painful to hear about some of the experiences people are having due to inflation.

So let me tell you about Bidenomics in Nebraska. When I stopped by a coffee shop in 2022, the owner told me his electric bill had skyrocketed from $40 a month to over $300 a month, and that coffee shop owner is now gone. He couldn't afford Bidenomics, and he closed his shop. That is Bidenomics in Nebraska.

A year later, not much has changed. As one of our Nebraska farmers told me a few weeks ago, ''prices take the elevator up, but the stairs down.''

Inflation causes costs to rise quickly, and they stay up there for a long time. One big economically irresponsible move from the administration—well, that sets the stage for years of struggle. That is Bidenomics in Nebraska.

Several rural businesses in the States shared their struggles with the local newspaper earlier this year. Many of these business owners feel ''at a loss'' for what to do as their livelihoods crumble under the pressure.

A honey farmer shared that consistently rising prices squeeze his family into a difficult position when doing things as simple as putting their honey in jars. Sometimes they could only afford to get the container; sometimes they could only afford to get the lids—but not both.

He said:

We're kind of forgotten about way out here.

That is Bidenomics in Nebraska.

That doesn't line up with the President's boasts of an economy that works for middle-class Americans in the heartland. Instead, while the Biden administration chatters on about its support for the middle class, thousands of people in that category are pulling out all the stops to pay their necessary expenses.

The Salvation Army of Lincoln, NE, reported a couple of months ago that it has seen a 50-percent increase in service requests in just a year. People are going to charities to get help paying rent and utilities as the economy suffers.

A Salvation Army officer said:

For people who are on medical equipment, having their electricity on is a very important aspect.

That is Bidenomics in Nebraska.

The President has a middle-class problem. Average Americans are hollowing out their savings, and they are taking on record debt just to keep up with the stunning levels of inflation—or as the White House likes to call it, Bidenomics.

The President said last week:

Bidenomics is just another way of saying restoring the American Dream.

Wrong.

Since when does the American dream include taking a second job just to be able to afford rent, or having to choose between containers and lids for honey jars, or racking your brain for ways to catch up on an electricity bill that will not stop rising?

The President should step off the podium; he should stop delivering empty promises; and he should actually get down to business fixing the bloated economy that he has created.

Nebraskans are not listening to the administration's inflated claims about helping the middle class, but they are listening to the mortgage increases and to their dwindling savings accounts. Americans know what Bidenomics looks like, and it looks like failed leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. We just heard my friend from Nebraska say that Biden wants Bidenomics to be all about restoring the American dream. Well, for most Americans, it is turning out to be a nightmare. Inflation brought on by the Biden administration's misguided policies has Americans trying to figure out how to afford everyday necessities. One thing that they are not buying is the Biden administration's latest catchphrase: Bidenomics.

Over the Fourth of July break, I held meetings in 24 of Iowa's 99 counties. There was a very common theme there. That common theme was that families and businesses are struggling with the economic impact of inflation.

It is not just Iowans who are feeling the pain from the economy under the Biden administration. According to a recent Associated Press survey, only 34 percent of Americans approve of President Biden's handling of our economy. President Biden's message to these Americans is: Don't believe your bank accounts.

Well, that message doesn't resonate. Iowa families are hit with ballooning bills and higher prices at every corner. For 2 years, Iowans have been stretched thin because of decades-high inflation stoked by Democrats' reckless $2 trillion spending spree, a spending spree that would not have happened if they had listened to their own Democratic economists, particularly the outstanding Harvard economist and former Secretary of Treasury in the Clinton administration and economic adviser to other Democratic Presidents. Their own Larry Summers told them, before this President took over, that the economy was already turning around; don't spend any more money or you will have inflation.

So what do we see? On average, American consumers are facing prices that are 16 percent higher today than when Biden took office. While prices have climbed, wages have failed to keep up. American workers have seen their paychecks shrink by more than 3 percent in real terms.

Now, we heard the word ''transitory''; that inflation was going to be transitory so you didn't need to worry about it. And this was what the Biden administration claimed when they took office, and of course inflation has proved persistent.

Just remember, 1.4 percent inflation the day this President took office. It rose to 9.1 percent a year ago, and it is still at 4.5 percent.

In its effort to tame inflation, the Fed has hiked interest rates to the highest level in 16 years, putting mortgages and businesses and their loans out of reach for more and more Americans. Half of the small businesses report delaying plans to grow their business due to rising interest costs.

A rebranding of his far-left agenda as Bidenomics is cold comfort for Iowans and Americans everywhere who are coping with rising prices, falling real wages, and ballooning interest rates.

As we saw with last year's partisan tax-and-spending package that the Democrats named the Inflation Reduction Act, as you see, labels are often deceiving. Contrary to the bill's name, this partisan tax-and-spending package had nothing to do with reducing inflation or providing relief to Americans struggling with inflation. The nonpartisan Congressional Budget Office—and I emphasize the word ''nonpartisan''—confirmed the Inflation Reduction Act will worsen inflation. And, of course, recent estimates show it will add hundreds of billions more to the Nation's credit card.

Rather than providing relief for Americans struggling to make ends meet, this legislation raised Americans' taxes while showering Democrat-favored industries with corporate handouts with the government taking an increasing role in choosing winners and losers in our economy. Unless you are a corporation or a wealthy individual looking to buy an $80,000 electric SUV, the Democrat ''Inflation Enhancement Act'' has little to offer. And I think changing the name from the Inflation Reduction Act to the ''Inflation Enhancement Act'' is exactly the intellectually honest thing to do.

Bidenomics isn't about growing the economy from the middle out or the bottom up, as the President claims in almost every speech. It is the same old top down, Big Government agenda Democrats have always pursued. It means then, as you know, higher taxes, more reckless spending, and a growing national debt as far as the eye can see into the future.

It is time for a change in policy, not merely a change in messaging. President Biden needs to redirect his message to the facts, the real facts of life, because Bidenomics is not selling.

I yield the floor.

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

Mr. MARSHALL. Bidenomics. Bidenomics. I think everyone knows that you don't give yourself a nickname. You don't get to do that. Your friends get to do that for you. Who could imagine back in grade school giving yourself a nickname? By the same token, you don't get to name an economy after yourself either. You have to earn it.

Just like JLo. Before there was JLo, there was Jennifer Lopez. For Jennifer Lopez to become JLo, she had to go out and prove herself. She had to become a great singer.

Before Taylor Swift was known as the Country Pop Princess, Taylor had to compose music, play instruments, and sing to the hearts and souls of millions of people across the world.

Margaret Thatcher, before she was the Iron Lady, she had to go out and earn that nickname because of her iron fist, the way she ruled her country.

Ronald Reagan, the Great Communicator. Could you imagine Ronald Reagan stepping onto his first stage telling you: Hey, I am the Great Communicator. It took him years to earn that nickname.

One of my favorites: Mr. October, Reggie Jackson. Reggie didn't get to name himself Mr. October. He had to go out and be a star player for the New York Yankees in October, not in May.

Derek Jeter—another great nickname, the Captain. Did Derek Jeter give himself that name? No, his teammates did.

Mr. President, you don't get to give yourself a nickname, and you don't get to name an economy after yourself. You have to earn it. The nickname this White House has earned for this economy is Bidenflation. He has earned it. It is deserved. When my grandkids and my great grandkids open up their history book and they get to the 46th President of the United States, the title will be ''Bidenflation'' and the subtitle, ''The Worst Economy in 40 Years.'' Certainly, it is the worst economy in my professional life time.

So when I say it is the worst economy, I want to start by saying I have not had one person in recent memory in the past 2 years who has come up and say: Hey, this economy is great. I just love that I am paying so much more to make a living. Whether it is food or groceries or housing, no one has come up to me and say: Hey, I love this economy.

It is actually just the opposite. I want to take a closer look. You may come up with some different conclusions, but you can't argue with these facts I am about to give you. The average Kansas family is paying $800 more per month just for basic needs—$800 more a month. When we gave them the tax cuts in the previous administration, the average Kansas family was able to put more than $2,000 back into their pocket. Now this administration is taking an extra $800 to pay for their basic necessities. I don't have to remind anybody that gas prices doubled under this President. Groceries are up 20 percent.

Utility bills. I can't tell you how many people called me to tell me: My utility bills have actually doubled compared to previous winters.

Housing, let's just take a minute and talk about housing. The average monthly payment for a person searching for a new home has doubled under this President. Let me say that again. The average monthly payment for a person searching for a new home has doubled under this President. The White House economy has made housing totally uncomfortable, especially for first-time home buyers.

Let's think about what the American dream is. I think every American dreams of owning a home—in Kansas, a truck and a fishing boat. But under this President, none of those are happening.

I recently had the Builders Association from Kansas in my office—the largest number from that group I ever had—all with long, long faces. I knew their concerns before they even gave them. I hear it every day, every week when I am back home. I hear it from friends. I hear it from family members, business owners, union workers, senior citizens. I really hear it from my senior citizens that the cost of living is just unbearable. Young families with kids starting off—maybe that first job out of high school or out of college—those are the ones that are being stung by Bidenflation. There is no one immune from it.

Before they could go through their list of concerns, I asked them a serious question: Is there any policy remaining that this White House could implement that would hurt their business more? Was there one policy the White House hasn't turned over yet that could hurt their business more? And they sat there silent—crickets. They couldn't think of one more thing this White House could do to hurt their business. They don't have workers because the White House pays more to stay home than go to work. They need lumber, they need nails, they need bolts, they need plumbing supplies, heat and air. If they could get them, those are all through the roof.

Interest rates. Nothing kills housing like higher interest rates. Of course, we know the higher interest rates are a direct reflection of Bidenflation. Just to state it very briefly, Bidenflation has made housing unaffordable. Think about this. This government spends millions—perhaps billions—of dollars on affordable housing, but inflation has destroyed any gain that we made recently.

Mr. President, you are not Ronald Reagan. You should not put your name on something that is a miserable failure. Reaganomics gave us a great opportunity—perhaps the greatest economy of my lifetime. But your economy—why would you put your name on the worst economy in nearly half a century?

No matter what you say, no matter how you spin it, you are not going to convince the folks back home that this economy is good. They are smarter than that. Americans know otherwise.

Bidenflation—that is the title of the chapter in the history book.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. I come to the floor to join my colleague from Kansas, Senator MARSHALL, in talking about the economy. President Biden has spent the last 2 weeks trying to define and then redefine what has been come to be known as Bidenomics. The President now wants to talk about his economic record. Well, I would say, let us have that conversation.

Here is what Bidenomics means to working families in my home State of Wyoming. It means record inflation. It means hollowed out savings. And it means crushing interest rates.

Bidenomics is a radical recipe causing more and more Americans to fall further and further behind. It means families are faced with tough decisions every single day—decisions about how they are going to make ends meet; decisions about what they can afford at the grocery store, how much gas they could put in the vehicle; decisions as they are trying to pay their bills sitting at the kitchen table. Bidenomics is spelling a summer of suffering for every single American.

Before the President took office, inflation was practically nonexistent, 1.4 percent. But under the Biden-Harris administration, prices have risen 16.6 percent. American households are spending $900 more per month just to keep up. The average household has spent over $2,300 more on energy alone since Joe Biden came to the White House—that is to fill a tank of gas, to keep the lights on, to heat the house in the winter and cool it in the summer.

Wyoming families are worried about our Nation and our Nation's future, and they believe this country is on the wrong track. It is what I heard all over the Fourth of July recess from families from Cody to Gillette, Casper to Pinedale. That is what they shared with me. They are so much in agreement with families all across this country because the high cost of everything is the top issue that people are talking about and thinking about nationally. That is the impact of Bidenomics. That is what Joe Biden has done to this country. The pain and suffering that the American families are feeling was nothing to celebrate over the Fourth of July, but that is what the White House is trying to do.

You wonder how we got here. Let me tell you. This agenda by the Democrats and Joe Biden and his colleagues in the House and in the Senate, the Democrats have an agenda of runaway spending, of government overreach, and of reckless tax hikes. We warned our Democratic colleagues that the Biden-Harris spending would send prices soaring. That is exactly what happened.

The spending also drove interest rates higher. Sky-high interest rates are sapping savings. They are putting an additional burden on working families. People are actually dipping into their savings account or taking on additional credit card debt just to pay current-day bills.

Credit card debt recently hit a record of nearly $1 trillion. That is roughly $10,000 per household in this country. These are drastic measures that people are being forced to take because inflation has outpaced wages for 26 months in a row.

Adding to the pain of record-high prices and more debt is the administration's excessive and continued government overreach. The Biden-Harris administration's regulatory agenda is the most expensive of any administration in modern history. The administration is surrendering America's energy and economic dominance and they are doing it to adversaries like China. And they are doing it right now as John Kerry prepares to go to China and continue this American surrender. The President wants all Americans driving electric cars no matter what it costs. Here is the catch. The electric cars are going to be slapped with ''Made in China'' stickers.

What happened last week? China choked off supply of critical minerals that are used for solar panels that Joe Biden wants us to make here.

China controls the supply chain for the minerals needed to build the electric cars and the batteries. But we are not allowed to mine for it here—no. His Department of Interior shut down mining in Minnesota for critical minerals. He is making China richer and America poorer.

Joe Biden is turning to China, not American workers, for the critical minerals needed for these cars. Bidenomics is selling out to communist China.

America isn't blind to the blunder of Bidenomics. Here is a quote from a recent CNN story. It says:

Most Americans are convinced the economy is in bad shape, and they blame the president.

A new poll from the Associated Press and the National Opinion Research Center found that 64 percent of Americans—almost two-thirds of Americans—disapprove of the way Joe Biden is handling the economy. A Harvard-Harris poll said that 74 percent of Americans say their financial situation is not improving under this administration. Yet you see Joe Biden touring the country, and Democrats giving victory speeches. Bidenomics is ravaging our wallets, wrecking our savings, and ruining our economy, and the Democrats are saying: Great.

Senate Republicans have solutions to get America back on track, and it starts with spending less and reducing redtape and unleashing American energy.

As the top Republican on the Senate Energy and Natural Resources Committee, I will tell you that unleashing American energy is my top priority. To accomplish that, we need to pass true permitting reform. Our plan is going to make life more affordable by making it easier to produce every type of American energy.

We will need traditional, reliable forms of energy like oil, coal, and natural gas for years and years to come in spite of what the President may foolishly believe. We also need to produce more energy from resources like nuclear, wind, and solar. We need it all.

Unleashing American energy with permitting reform is the key that unlocks American dominance again. This is what we need to do to reverse the damage, the destruction, and the devastation of Joe Biden and Bidenomics.

Bidenomics is a grim reality for too many people in Wyoming and across the country. Joe Biden, Kamala Harris, and Washington Democrats cannot keep ignoring the pain they are causing. Nobody can afford another bad day of bad Bidenomics.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Madam President, I join my colleagues on the floor to talk about Joe Biden's economy.

Over the past few weeks, the President has traveled across our great country. He has been giving speeches on what he calls Bidenomics. He is bragging about how good our economy is.

I have got news for the President: The American people aren't buying what you are selling.

Two-thirds of the American people disapprove of him on the economy—two-thirds. Three out of four Americans say our country is on the wrong track. Most economists think we are going to have a recession within the next year. We all hope that doesn't happen.

Nevertheless, I agree with the American people. Bidenomics has been a disaster, a complete disaster, for the people of this country.

When Joe Biden took office, this economy was ready to take off. We were opening back up after the pandemic, but obviously Joe Biden took credit for that too.

The Congressional Budget Office said the economy didn't need any stimulus—no more money. We were expected to fully recover within just a few months. Guess what. Our President didn't listen. He signed the biggest stimulus bill in history. Joe Biden spent $2 trillion that we didn't need. It wasn't paid for. We didn't have the money, but we approved it anyway, in this room. That $2 trillion is going straight to the national debt—$32 trillion. Embarrassing.

Even the Democrats' own experts warned them not to do this. President Obama's economic adviser, Jason Furman, said:

I don't know any economist who is advocating for a spending bill that size.

Bill Clinton's Treasury Secretary, Larry Summers, said it would cause inflation. Well, sure enough, a month after the Democrats passed their spending bill, inflation started going up, and now prices are 14 percent higher than they were when President Biden took office—14 percent. Gas prices are still up by more than a dollar a gallon since this President took office. The price of diesel is raising costs for farmers in my State of Alabama and across America, and they are struggling. In total, inflation has cost the typical American family more than $8,000 annually since Joe Biden took office.

Last summer, Joe Biden and the Democrats started spending trillions in taxpayer money again. Didn't learn a lesson. It was an election year, and they must have thought it was going to help them in the election.

As of today, Joe Biden has authorized more than 4 trillion—that is not billion; that is trillion—dollars in spending. That is more money than we spent in World War II. Again, this is after the Congressional Budget Office said we didn't need any stimulus, and again, it was money that we didn't have. We didn't have it. It is no wonder we have had the highest inflation in 40 years, and it is no wonder Joe Biden is the least popular President since Jimmy Carter.

Record inflation has caused the fastest increase in interest rates in 40 years, and it is self-inflicted. The American people didn't do that; this city did that. The interest rate on a mortgage has doubled since Joe Biden took office—doubled. More and more young people are giving up on the goal of owning their own home because they can't afford it.

Last summer, Joe Biden also raised taxes on nearly every person in this country. He wants 85,000 more IRS agents to shake people down because they need the money. They need the money to help pay this debt down, but they are going to take it away from the American people. That should never happen.

So now we are paying the price for inflation, and we are paying more because of higher taxes.

Last fall, there was a Gallup poll that showed that a record number of people have given up on the American dream—given up. That is what everybody wants to come to this country for, is the American dream.

Folks, it ain't here anymore. It is gone.

According to the poll, the majority of Americans do not think their kids will have a better standard of living than they had when they were growing up.

Joe Biden shouldn't be bragging right now. Joe Biden ought to be on an apology tour across this country because it is embarrassing what we have done to the debt and what we have done to inflation and prices all over the country. He ought to apologize to the American people for robbing them of thousands of dollars that they worked for, that they shouldn't have to send to this place to spend when they don't need it to be spent. He ought to apologize to the people who are giving up on the American dream.

Two-thirds of the American people disapprove of the handling of Joe Biden's economy. And I agree with the American people. Bidenomics has been a total disaster, and it will go down in history. It will go down in history. It will be remembered, and it will be studied—how not to run an economy. Totally wrong.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

NATO

Mr. DURBIN. Madam President, I got home last night or at least got back to Washington last night at midnight after completing a whirlwind trip of 3 days to Lithuania. I went there in a bipartisan delegation to be present for the NATO summit. It was a historic meeting. President Biden was there and the leaders of many countries from around the world—not just the NATO allies but, for instance, the President of the Republic of South Korea and the Prime Minister from Australia. What brought them all together was a historic event.

The NATO alliance, which has been in existence for over 70 years, was created after World War II to bring peace

to at least the European and American region of the world. It has been successful because we gathered nations—now 31—together in common purpose to fight off anyone who would attack us, to let those who are thinking of attacking us know the heavy price they would pay.

So the message from Vilnius, Lithuania, to Vladimir Putin this week is not a good one for him. The message is that the NATO alliance is bigger, stronger, and more unified than it ever has been in history. In a way, it is kind of a surprise. It wasn't that long ago that the previous President, Donald Trump, raised enough questions among leaders in the world that they wondered if there would be a NATO. Trump, of course, was a close friend—I still can't understand why—of Vladimir Putin's, often finding him so admirable and praising him for his crazy politics. Yet, when it came to the NATO alliance, President Trump was very critical—to the point where, when Joseph Biden became President of the United States and started meeting with world leaders, the first question they asked was, well, what is the position of the United States when it comes to this common security alliance? Biden assured them that it was strong and would continue to be, and he has proven it.

What happened in Lithuania at the NATO summit this week is a tribute to leadership by many people, not the least of whom is our President. He came together and understood that we are stronger when we stand together, and we saw it in Vilnius. The situation that we witnessed yesterday was historic.

My mother was born in that little country of Lithuania many years ago and immigrated to the United States at the age of 2. I have been back many times. My first visit was in 1979 before I was elected to Congress. I am glad I went. It was good for me to see what Lithuania looked like in Soviet times and to see the sharp contrast today with modern Lithuania.

It is just plain historic that a NATO summit would be held in that same former Soviet socialist republic, this year, 2023. The summit was hosted in Lithuania because of that country's extraordinary journey from Soviet tyranny to a thriving democratic voice.

Knowing Putin's tyranny all too well, Lithuania has been an outspoken supporter of Ukraine despite the invasion by Putin, as well as a supporter of the exiled voices from Belarus and Russia and has stood firm against Chinese economic bullying resulting from growing trade with Taiwan.

It brought back to mind what I witnessed over the years. That former Soviet socialist republic was literally the first republic to step forward and say: We are breaking with Moscow. We want our own independence.

They paid a heavy price: pressure, killing, invasion—all of the things which Gorbachev and Soviet leaders could conjure up to try to stop this little country from succeeding. But they failed. Lithuania is a proud nation now, and I am glad it hosted this NATO summit.

We saw at the summit an amazing array of international leaders, including Asian allies like Australia and South Korea as well as our own President and Secretary of State Tony Blinken. What struck me was the sustained resolve and common purpose in defeating Russia in their war with Ukraine. Our NATO allies, many former captives of the Soviet Union themselves, have enduring memories of war and are determined to not allow Russia's imperial actions of today.

I want to recognize President Joe Biden's clear-eyed vision and leadership in galvanizing and reinvigorating the critical NATO alliance and its support for Ukraine.

The chairs of our journey, the NATO observers from the Senate, were JEANNE SHAHEEN of New Hampshire and THOM TILLIS of North Carolina. They did an admirable job, and I was glad to be part of their effort.

We must never forget that NATO was born from the ashes of two horrific wars in Europe, with many newer members eventually joining after decades of Soviet oppression.

Despite Putin's warped paranoia to the contrary, NATO is not a threat to Russia, but it will defend every inch of member territory from Russia or any other such attack. The alliance is still growing, with this summit's newest member, Finland, and now Sweden on the way.

Putin's colossal strategic blunder in Ukraine has cost the lives of more than 100,000 Russian soldiers, and it lowered Russia's standing in the world. Much to his disappointment, Putin's senseless invasion in fact strengthened and expanded the NATO alliance, including along hundreds of miles of Russian border.

There were a few other key summit outcomes—notably, further security guarantees to Ukraine and an easier pathway for Ukraine to ultimately be part of NATO, which I hope it will be.

I believe Ukraine's future rests ultimately within NATO, and, until then, the United States and our allies must continue to support its defense against Russian aggression.

I think Lithuanian President Nauseda argued this well—that the Europeans understand that Ukraine's fight is their fight. That also is my feeling and of most of us here in the Senate of both political parties. Ukraine's fight for democracy and sovereignty is our fight too.

In Vilnius we also met with Belarusian opposition leader Svetlana Tsikhanouskaya. Her husband Sergei was jailed after trying to run in an election against Belarusian strongman Alyaksandr Lukashenka, the last dictator in Europe. So she ran in his place, and probably won. But with Lukashenka refusing to honor the election results, she tragically had to flee to neighboring Lithuania.

Her country has become a puppet state of Putin, even allowing Russia to move nuclear weapons into its territory. Countless Belarusians have been jailed for demanding basic freedoms, and yet she and so many others heroically continue their struggle, including some who were fighting to help Ukraine.

This poster shows two jailed Belarusian journalists who worked for Radio Free Europe, which is doing heroic quality journalism in the region: Andrey Kuznechyk and Ihar Losik. Both were jailed by Lukashenka for simply being reporters. They and all the country's political prisoners should be released, period.

I also hope the administration will soon announce a new special envoy for Belarus, and I plan to work with my Senate colleagues to update and strengthen the Belarus Democracy Act.

I want to close with a message to Vladimir Putin from the summit. The NATO alliance is stronger than ever, and we are united in our determination to stop your ruthless invasion of Ukraine.

U.S. SUPREME COURT

Madam President, yesterday the Associated Press published a series of articles detailing a range of ethical failures by the Supreme Court of the United States. The reports detailed Justices' involvement in fundraising at colleges and universities, the use of Supreme Court staff members to push sales of books, and donor-funded teaching positions that doubled as all-expense paid vacations.

The Supreme Court is now in recess, at home with their families and traveling on vacation. I wish them many sunny days. But even if the sun is shining, there is still a shadow over the Supreme Court.

For several months now, there has been a steady flow of reports documenting how the members of our Nation's highest Court have failed to live up to the public trust that they have been given.

Justice Clarence Thomas has traveled the world on billionaire Harlan Crow's yacht and private jet. Crow bought the home of Justice Thomas' mother and allowed her to continue living there rent-free. He even paid for the education of Justice Thomas's minor relative. None of this—none of this—was included in Justice Thomas' disclosure forms.

Then we learned that Justice Samuel Alito took an all-expense-paid, luxury fishing trip to Alaska. He traveled there on a private jet of billionaire hedge fund manager Paul Singer, and he stayed at the fishing lodge of conservative donor Robin Arkley. Justice Samuel Alito didn't disclose any of it to the public. In fact, he dismissed one trip on a private jet saying that it didn't really count because, in fact, the seat on the jet would have been empty if he didn't sit in it—what an argument from a Supreme Court Justice.

The solution to the problems we are seeing at the Supreme Court is a simple one. They need, like every other court in America, to adopt an enforceable code of ethics. Every Federal judge in the country is bound by a code of ethical conduct and a set of ethics rules and enforcement mechanisms, except for nine—the nine Justices of the Supreme Court who sit across the street from this building.

I first urged Chief Justice Roberts to adopt a binding, enforceable code of conduct over 11 years ago. Sadly, he didn't accept my suggestion, and he continues to ignore the issue today.

This is the John Roberts Court. It will go down in history as the John Roberts Court. He has the power and, I believe, the moral obligation to straighten up this mess and restore the integrity of this court.

When the Court reconvenes in October, there is a tradition for someone to announce: Oyez, oyez, oyez. This honorable Court—how can they call it an honorable Court in light of these disclosures?

I honestly believe that, before they broke for this vacation period, Justice Roberts would announce reforms that really count and finally start to restore the integrity and reputation of the Court, but so far, nothing.

Next week, the Senate Judiciary Committee, which I chair, will vote on the Supreme Court Ethics, Recusal, and Transparency Act. This bill, introduced by Senator SHELDON WHITEHOUSE of Rhode Island will require the Supreme Court to adopt an enforceable code of conduct, and it will also add new recusal and transparency requirements under Federal law.

The legislation does not distinguish between Justices appointed by a Democratic President or a Republican President. It requires a code of conduct enforceable against all Justices.

I was disappointed to learn today that one of the Republican leaders has publicly come out in opposition to any enforceable code of ethics established by the Judiciary Committee on the U.S. Supreme Court.

What is he thinking?

We live by those standards of disclosure and limitation and enforcement of ethics. Despite our unpopularity in many public opinion polls, think about if this Congress lived by the same standard or lack of standards as the U.S. Supreme Court. By making sure the highest Court in the land doesn't have the lowest ethical standards, our legislation would be the key first step in restoring confidence in the Supreme Court.

The markup will be next week. I sincerely hope that, before that time, Chief Justice Roberts will step up and accept the responsibility for his Supreme Court to establish credible standards of integrity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Ms. LUMMIS, Mr. BARRASSO, and Mr. CARPER pertaining to the introduction of S. 2274 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CARPER. I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Nebraska.

CHINA

Mrs. FISCHER. Madam President, last week, we celebrated the birth of our Nation. The first Americans took long, dangerous journeys across the Atlantic Ocean in search of better lives, far away from a regime that stripped away their God-given rights and their freedoms all too often.

Our Founders fought a revolution against absolute power. They chafed against the control of the British Empire. Americans united against encroachments on liberty and emerged victorious, just as we have done many times since then from Great Britain to the Soviet Union.

As we look back on our history, we should consider our future as well. The United States faces a threat environment growing more dangerous by the day. Authoritarian adversaries, including China, Russia, Iran, and North Korea, are accelerating their efforts to chip away at global stability and undermine America's national security.

A couple of weeks ago, a radio host asked me an important question: What is the point of modernizing our nuclear deterrents? Don't we already have the capabilities we need to defend ourselves? And, if we build up a stronger arsenal of nuclear weapons, doesn't that just increase the risk of nuclear war?

My answer was related to the history I have just discussed: From the Revolutionary War to the world wars to the Cold War, Americans have prioritized a strong national defense and the tools we need to achieve that when we are faced with existential threats. The character of war changed after the advent of nuclear weapons. And during the Cold War, the United States recognized that we needed to have a strong nuclear deterrent to preserve the hard-fought peace that we had won. We worked overtime to ensure that our Commander in Chief had every option to deter and, if necessary, to fight back against threats.

We were successful. We deterred the Soviet Union from using its nuclear weapons destructively because its leaders knew we could hit back harder with a push of a button. It is comparable to a game of chess: You are never going to make a move that leaves your king threatened on all sides. If the Soviet Union had deployed a nuclear weapon, it would have quickly been surrounded on all sides by a retaliatory strike Moscow knew it might not survive.

A diverse and effective nuclear deterrent gives our country the ability to say: Checkmate. Not today. And it makes other nations think hard about what moves they might make. In other words, it deters authoritarian regimes from attacking the United States and attacking our allies.

During the Cold War, we prioritized the production of nuclear weapons and delivery systems because we recognized their essential role in deterring nuclear conflict. We must return to that mindset if we want to get ahead of today's looming national security challenges.

Our adversaries understand this. Earlier this year, the U.S. Strategic Command—STRATCOM—publicly confirmed that China possesses more intercontinental ballistic missile launchers than we do here in the United States. China is on track to triple—to triple—its nuclear arsenal by 2035. That is just a decade away. Stated plainly, one of the most ominous authoritarian regimes in modern history is building a nuclear force that is fundamentally altering global deterrence dynamics, and they are doing it at a pace faster than anyone imagined.

As our adversaries race to expand their nuclear arsenals, what are we doing here in our country? Well, since the fall of the Berlin Wall, our Nation has sidelined our nuclear enterprise. We have underinvested in the modernization of our nuclear triad.

That word ''triad'' refers to the three military fronts of land, sea, and air. The land-based leg of the triad is comprised of our intercontinental ballistic missile fleet. The sea-based leg of the triad refers to our ballistic missile submarines, and the air-based leg of the triad refers to our bomber fleet and certain fighter aircraft.

A full triad expands the number of options that our Commander in Chief has at his disposal. Each leg of that triad presents unique advantages. Military planners need diverse capabilities to ensure that our Nation can act decisively in any scenario. If we can strike from anywhere at any time, our adversaries will hesitate before taking aggressive action.

The problem is that we have been too slow to replace and upgrade those systems. As former STRATCOM Commander Admiral Richard testified before the Senate Armed Services Committee last year, we have ''submarines [that were] built in the '80s and '90s, an air-launched cruise missile built in the '80s, intercontinental ballistic missiles built in the '70s, a bomber built in the '60s—part of our nuclear command and control that predates the internet, and a nuclear weapons complex that dates back to the Manhattan Project.''

Our nuclear deterrent only serves to deter our adversaries so that no one will ever use a nuclear weapon if that deterrent that we have is safe, reliable, and effective. To ensure it remains so in the future, it must be modernized. Underinvesting is a huge mistake, and we need to tip the scales back in our favor by bringing our systems rapidly into the 21st century. The good news is that there is big bipartisan support for modernization.

I am the ranking member of the Senate Armed Services Committee's Subcommittee on Strategic Forces, and

our subcommittee overseas STRATCOM, which is headquartered in my home State of Nebraska. STRATCOM does indispensable work at the helm of our Nation's strategic nuclear deterrence.

Over the last 10 years, I have worked with my colleagues on both sides of the aisle so that we can get key modernization provisions into the annual National Defense Authorization Act. We have continued this vital support in the fiscal year 2024 NDAA, which the Senate will consider this month.

This year, I have also fought to keep the Sea-Launched Cruise Missile Program—or SLCM—fully funded by the NDAA.

In the Strategic Forces Subcommittee, where we have held multiple hearings and briefings, classified and unclassified, with senior military and civilian leaders as well as a number of outside experts, we concluded—again, on a bipartisan basis—that the Biden administration's attempts to cancel the SLCM Program would make our nuclear deterrent less effective in the 2030s and beyond. So we have included a provision in the bill to create a program of record for SLCM. This will prevent the premature cancelation of the program without future congressional consent.

I also fought to secure provisions that would support the Sentinel Program, which will replace our aging ICBMs across the country. This program is the most significant and complex weapons system in recent U.S. history, and it will cover an aggregated land area almost as large as the State of South Carolina.

Both Chambers of Congress are considering their versions of the NDAA this month. I am proud of the work that my colleagues and I have accomplished with this legislative package that is coming to the floor. I urge my fellow lawmakers as well as the President to support the vital measures that we have included in this bill. I will continue to support modernization efforts, and I am confident that we will produce a strong final NDAA to send to President Biden's desk.

But our work in the Senate isn't done when the NDAA passes. We still have to back our defense priorities up with real dollars through the appropriations process. I am a member of the Appropriations Committee, as is the Presiding Officer, and I know that we are committed to working together to be able to allocate all the funds that are necessary so that we can maintain a strong national defense.

The world has changed since the fall of the Berlin Wall, and we are now, for the first time in history, facing two peer adversaries with significant nuclear arsenals. Now is not the time to shortchange our national security. It is a time for us to work together to strengthen our national security. This means that President Biden needs to cooperate with Congress so that we can get our NDAA passed.

America was born by uniting in defiance of outside threats, and we have done it many times since then. I am hopeful that we will live up to our history as new challenges loom.

As a Member of Congress, I will continue working with colleagues from across the aisle to strengthen our national security. For the sake of our safety, our legacy, and our freedom, I urge my fellow Members and the President himself to do the same.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Louisiana.

Mr. KENNEDY. Madam President, I ask unanimous consent to use several props during my remarks.

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

TRIBUTE TO SILAS JAMES HOGG

Mr. KENNEDY. Silas James Hogg. I want to introduce Silas to you, Madam President, to the American people and to my colleagues in the Senate.

I would love to be able to put his photograph up here because he is a fine-looking young man, but for privacy reasons, I have decided not to.

Silas and I go to the same church, so, in some ways, we have kind of grown up together. His mom and dad are Jeff and Shannon Hogg, two wonderful people, two great parents. Silas has a sister named Ellie Grace. Ellie Grace is splendid in her own right. Maybe someday I will come down to talk about Ellie Grace, but today I want to talk about Silas.

Silas is a rising eighth grader. He just finished the seventh grade. Next year, he is going to attend the Brighthouse Learning Academy.

In his spare time, he likes to play with his mom and dad and sister. He is very close to all three of them. He has a motorized bike that he likes to ride around his neighborhood. He likes to play LEGOs. He likes to play video games. He has three pets: two dogs and one cat. Toby and Milo are the pups. Kahn is the cat. Kahn probably rules the roost.

Silas, as I alluded to, is—I hope you are listening, Silas. Silas is whip-smart. He is kind. He is special in every way, and he is what cool looks like.

Why am I talking about Silas? I just want to thank him. Over the break, Silas gave me a present. It was heartfelt from him, I know, and it was heartfelt when I received it.

First, he gave it to me in this envelope. It was very safe. He stapled it together. He gave me a pen. Silas knows I am always losing pens. And he gave me—we are still talking about what it is, but it is a glass stone or crystal. We are in the process of researching it.

But, Silas, I can't tell you how much this meant to me and does mean to me, my new pen—we are not going to lose it; I am going to put it right here—and my new lucky stone.

You are special, Silas. You are special in many, many ways. And I want you to know, Silas, that I am bringing back home to you—in thanks for your gift, I am going to give you a gift. I am going to give you a gift of the seal of the U.S. Senate.

Silas is one of Louisiana's best and brightest. He has challenges—gosh, we all do—but he rises above them every day.

Thank you, Silas.

NEW ORLEANS

Madam President, let me talk about another subject quickly, one of my cities, my city of New Orleans. It is iconic. The whole world knows it.

I have told this story before. I am going to tell it again because it illustrates my point.

My first job in government was with a reform Governor called Governor ''Buddy'' Roemer. That was at a time when Japan and its economy—it is still strong today, but it was rising high and looking good back in the late eighties.

Governor Roemer decided to take a trip to Japan to try to entice our Japanese friends to come invest in Louisiana. Governor Roemer came back, and he said: Kennedy, you will never believe what happened to me.

I said: Tell me about it, Governor.

He said: My first meeting, I was meeting with 50 Japanese businesspeople.

He said: I thought I would break the ice, so I asked all of them, ''How many of you have been to Louisiana?''

Governor Roemer said three or four people raised their hands. So then he turned to this group of 50 Japanese businesspeople and said: OK. Second question, ''How many of you have been to New Orleans?''

He said 25 people raised their hands.

My point, of course, is that New Orleans is special. It is special to the world. It is special to America. It is special to me. I used to live there. My son was raised there for a while. I met my wife there.

Every State and country in the world would love to have a New Orleans. We are 300 years old. We were founded in 1718. We are envied for our food, our music, our architecture, our diversity, our dialects, our merriment, our festivals, our celebration of life. People in New Orleans dance with the music on and without. It is a special city.

But my city, Madam President, has hit a rough patch. Crime is strangling a free people nowhere more than the city of New Orleans. I regret to say this, but it is safer to walk down the streets of Mogadishu than it is some of the streets in my city of New Orleans.

I know others are having a crime problem. It doesn't make me feel any bit better.

Last year, New Orleans was the murder capital of the world. We had 265 people murdered. That is double since 2019. And that doesn't include the burglaries and the carjackings and the break-ins and the thefts and the other crimes of violence, the rapes, the property crimes. Our 9–1-1 program is a mess.

We are trying to deal with this, but we are not just taking it lying down.

We are right now looking for a new police chief, and we need a good one. We need a tried and tested police chief who has experience in a big city, and we are in the process of picking a police chief.

Now, our mayor, who has 2 more years on her term, is in charge of picking the police chief. Our new police chief has to be confirmed by our city council. But, more importantly than our city council, as important as our city council is, our new police chief has to have the confidence of the people of Louisiana and the good people of New Orleans.

Our mayor, as is her right, has decided to handle the selection of the new police chief herself. She has appointed an outside, third-party group to quarterback the selection of the new police chief. That outside, third-party group says it has done a nationwide search. It had 33 applicants for police chief. Apparently—we don't know this for a fact—most of them were not interviewed. Six were. And that is all we know. That is all we know of one of the most important and maybe the most important selection in municipal government in the last decade in New Orleans. Our mayor has shared nothing else with us—nothing, zero, zilch, nada.

To her credit, our mayor has been asked why—and, by the way, that includes our city council. You would think, since the city council has to confirm the new police chief, that our city council would have been brought in from day one, but our mayor decided not to do that.

At a press conference on July 5, our mayor was asked about this secrecy, and here is what she said. I am going to quote our mayor, for whom I have great respect, because I certainly don't want to put words in her mouth. This is what she told the press.

To the press: I have to say you all have a great way of doing that to people. You know you damage people, even though you try to say you are doing it fairly. That is not what I want.

The mayor goes on to say to the press: I don't want to do that for those who look at New Orleans as a place that they want to come and serve, and I definitely do not want to do that for men and women that have responded who are currently serving.

Now, look, I get it. I know all about the gifts and the gaps of our news media. We have an opinion. But you don't have to like or dislike a free press to serve your people. And I can assure you, right now in New Orleans, parts of which look like a scene out of ''Mad Max,'' that the people of New Orleans are vitally interested—not just the press—in who our new police chief will be.

Our mayor has 2 years left to serve. It is going to be a challenge to get a police chief to come to New Orleans and serve for 2 years—uproot wherever she or he is, come to New Orleans for 2 years with no guarantee that a new mayor will reappoint that new police chief. So it is going to be a challenge to begin with.

On top of that, we all in New Orleans have a lot of questions about crime in our city and our new police chief. I just jotted down a few. We want to know if our new police chief believes in broken-windows law enforcement. We want to know if our new police chief—how she or he is going to increase police response times.

We have got great cops in New Orleans. The morale is low. We don't have nearly enough of them. But their response times have tripled in 3 years. I am not blaming it on them, but it is a problem.

In picking a new police chief, we want to know our new police chief's opinion about whether we have enough investigators, about the Federal consent decree that we are under. Has it helped? Has it hurt? Is it time to ask to get out from under it?

We want to know if our new program called Ethical Policing Is Courageous is working. We launched it with high hopes. Is it working? What does our new police chief think about it?

We want to know what our new police chief thinks about our Adopt-a-Block Program. Is it working?

We want to know our police chief's opinion about whether police officers—we are trying hard to recruit them, but we are losing them. We lost 20 percent in the last 2 years. We want to know how our new police chief feels about requiring or not requiring police officers to live in the city. Can they live outside, in the suburbs?

We want to know what our new police chief thinks about computer analytics and camera technology and facial recognition technology.

I can keep going. These are all fair questions. And it is not just the press asking, even though the press is entitled to ask; it is the people of New Orleans because they are scared, because they love our city, because they think it is worth fighting for, because they want justice, but they understand that without order, there can be no justice.

So I say to my mayor of New Orleans with all the respect I can muster: Please, Mayor, please, Mayor, please, with sugar on top, call a press conference. Tell us who has applied. Tell us who didn't make the cut. Tell us why they didn't make the cut. Tell us the criteria that you and your team used, without an interview, to eliminate them. Tell us who the six remaining semifinalists are. Give us their names. Let us hear from them. Give us time to look at their record. Give us time to ask fair but tough questions. And let's make this decision together because we are all going to have to live with it. Please, Mayor, please, reconsider your position. Let's do this together.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MILITARY PROMOTIONS

Mr. KAINE. Madam President, I rise today to talk about a crisis in our military leadership driven by one of my Senate colleague's decision to place a blanket hold on now more than 250 apolitical nominations of senior military officers. The senior Senator from Alabama has done so. These 250 military nominations are soon to be joined by another 400 or so, which would mean that 650 individuals who volunteered to wear the uniform of this country and to defend the country, even at risk of their own lives, are being blocked in their professional advancement by a Senator punishing them for something they had nothing to do with—nothing to do with.

The Senator is concerned about a policy of the Pentagon's that would allow women servicemembers who cannot obtain reproductive healthcare where they are deployed or assigned to travel to other places to receive that care.

That is currently the way we treat members of the military. If they are assigned at a base in the United States or elsewhere and they need medical care that they cannot obtain where they are assigned, they are able to travel to seek that care. But because the Pentagon, in the aftermath of the Dobbs decision, has said that longstanding policy allowing travel would also apply to women troops seeking reproductive healthcare, the Senator from Alabama has taken the drastic, radical, extreme, unusual step of saying he will block confirmation and approval of now hundreds of our military officers.

I am a member of the Armed Services Committee. I have a child who is a U.S. marine. I want to take the floor today to talk about how destructive this policy is and ask the Republican minority in the Senate to drop this opposition, stop punishing people who are patriotically serving this country.

To be clear, my colleague who has placed a hold on these individuals has stated no challenge with their qualifications. And to be clear, my colleague who has placed a hold on these nominations has never suggested that they had anything to do with the policy he disagrees with. He is just using them as targets because he is dissatisfied with the way the Pentagon is operating.

There is a right way and a wrong way to do this. Before I get to the right way to raise the issue, let me talk about what this means when you are a member of the military and you have your career delayed because a Member of this body decides to hold you up so that you cannot be promoted.

Many of the promotions and appointments in the military that we are obligated to vote on in the Senate occur during the summer. The transition times occur during the summer. Why? Because this is the time, when someone

gets a promotion and they move, where they can move with their families—sometimes across the country, sometimes across the world—at a time when they can then maybe look for a new place to live or a new school for their children to attend.

When you are held up in a promotion or advancement, you don't know what to do. You might have sold a house, but you don't yet have orders where you can take a new position. Your children might be in a school, but you are not yet sure what you can do to try to find the next school they should go to.

Remember, these senior military officers—many of them have deployed not once or twice or moved three or four times in their careers; they have moved dozens of times—5, 10. We had a military leader before us recently whose family, during the course of his career—who is up for one of these positions, who is being blocked—has moved 20 times. It is not easy on a family to do that.

Blocking them from planning and moving and accepting an appointment is not just keeping them from an advancement that they have merited, that they have earned, but it is also hurting their families. What have they done to deserve it? I mean, they volunteered to wear the uniform of this country. They volunteered to risk their lives for this country. Why do they deserve to be punished? Why do they deserve to be disrespected? Why do they deserve to have their careers blocked?

Let me give you an example of a couple of the people—the positions that are being blocked by this. As of Monday, for the first time in 164 years, the United States of America does not have a confirmed Commandant of the Marine Corps. The proud Marine Corps is lacking a confirmed Commandant for the first time since the 1850s. That interregnum was caused because of the death of a Commandant when there was no successor confirmed. So obviously there was a brief period where there was no confirmed Commandant.

This one, we have seen coming for months. General Berger had an announced retirement date that was Monday. There should have been a Commandant in place. Yet there is not a confirmed Commandant because of this block.

Eric Smith can't take over as Commandant of the Marines. It impacts the Marine Corps' ability to develop and implement long-term plans and policies. It is especially damaging because, as those of us know who have been on the Armed Services Committee and are working with our marines, they are in the midst of a force design transformation that is midstream right now. We don't need a gap in leadership in the Marine Corps.

It goes deeper in the Marine Corps. Forgive me for being a little Marine Corps centric, with a marine in the family, but it goes deeper in the Marine Corps. The hold is also impacting the leadership of the I Marine Expeditionary Force, which is in California, and the III Marine Expeditionary Force, which is based in Okinawa, Japan. The I Expeditionary Force is the Marine Corps' combat power focused on the Indo-Pacific.

We are spending all this time talking about the challenges of the Indo-Pacific, the challenges of China, but the leadership of this critical Marine Expeditionary Force is now not in place because of this hold.

The III Marine Expeditionary Force is our standing force that would be called upon if there were any challenges in the first island chain in the Indo-Pacific.

So these holds are affecting these critical units just in the Marine Corps Commandant and the leadership of key expeditionary forces that the Nation needs for defense and to protect allies.

I have been working on a really exciting initiative of President Biden's, the AUKUS partnership, which would combine the military capacities of the United States, the UK, and Australia to do submarine construction and other work. These are nuclear subs managed by naval reactors.

The appointment for the current Director of Naval Reactor expires next month. The hold that has been used by the Senator from Alabama would block our ability to put someone into this key position, challenging not only the AUKUS advance, but our nuclear submarines are one of the most important capacities that we have to promote security all around the world and protect this country.

I said there is a right way and a wrong way to do this. I am on the Armed Services Committee. I will be honest, there are things in the Pentagon I am not happy with, and every year I have a chance to do something about it.

Just 3 weeks ago, in the committee—and the Senator from Alabama sits on that committee with me—we had an opportunity to mark up the Defense authorizing bill, and any of us could advance any policy change we wanted. If we wanted something in Pentagon policy that wasn't there, we got to make our case. If we wanted to take something out of Pentagon policy that we didn't like, we got to make our case.

I have done this year after year after year. I have a pretty good batting average when I offer an amendment, but I know when I offer one, if I can't convince a majority of my colleagues on the Armed Services Committee, I am not going to win. When I don't win, I am disappointed, but never would it even occur to me to offer an amendment to my committee colleagues, to fail to persuade them, and then take my disappointment and use it as a weapon to block the promotion of hundreds of military officers.

Indeed, the Senator from Alabama had that opportunity, and he exercised that opportunity. In the debate—we had a very full debate—every Member gets to offer any amendment they want, and there was an amendment specifically drawn and designed to change the Pentagon policy with which he disagrees. He lost the amendment vote. He lost the amendment vote. He couldn't convince a majority of the committee that this was a Pentagon policy that should be changed. That is the right way to go about this. If you don't like a Pentagon policy, convince your colleagues on the Armed Services Committee, convince your colleagues in the U.S. Senate to change the policy. But if you fail, if you fall short, if you are not persuasive enough to convince your colleagues to change the policy, that is on you.

When I lose amendment votes in the committee, I don't take it out on people who have had nothing to do with the policy. I try to work with my colleagues, come up with a better argument, change it, shape it, do something so that, if it matters to me, I might find some success in the future. But it shocks me because it never would have occurred to me—every time I have lost an amendment vote in working on 10 or 11 Defense authorizing bills, it never occurred to me: I know what I am going to do. I did not get my way on the committee, and so what I am going to do is I am going to punish hundreds of people who have volunteered to serve this country and risk their lives in doing so. That is what I am going to do.

I will conclude and just say that we are facing recruiting challenges in the military right now and particularly in the Army.

We had the hearing this morning for General George, who is the nominee to be the new Secretary of the Army. He is the Vice Chief right now—not Secretary; he would be the Service Chief for the Army. He is Vice Chief right now.

We have been talking about some of the recruiting challenges that the Army is facing. In the last fiscal year, they had a goal of trying to get about 60,000 people in, and they fell 20,000 short—40,000. The good news is, they have upped their goal to 65, and they will probably come in at about 53 this year. They are still not getting what they need, but they are kind of closing that gap.

But we talked about, well, what is it that makes recruiting into the military hard? And the Army, to their credit, has done a really good job of kind of surveying what it is that makes it hard to recruit people into the military, and I was surprised at this. I would have guessed that the No. 1 obstacle would have been people thinking: It is dangerous. I might risk my life. I might see something bad happen to somebody I care about.

But, you know, that wasn't the top reason. People coming into the military are patriotic, and they are willing to be patriotic even to the point of risking their lives. The No. 1 reason that was cited by people for being reluctant to join our volunteer military,

which just celebrated 50 years of being an All-Volunteer Force, is their belief that if they do so, they will have to put a lot of their lives on hold, that others who don't join the military will move ahead while they might find themselves limited or put on hold by conditions beyond their control.

What message does it send to someone who is thinking about going into an ROTC Program and being an officer, going to a service academy; what message does it send to someone who might be a young officer who is thinking ''Do I make this a career or do I leave and go somewhere else?'' when a single Member of this body has decided to take it upon himself to punish hundreds of officers and block their professional advancement because of something they had nothing to do with?

We should be sending a message to these officers that we are proud of them. We should be sending a message to them that we are thankful to them for the sacrifices they and their families have made. We should not be sending a loud message that we are going to hold their careers hostage, disrespect them, delay or postpone their appointments.

I would urge my colleague from Alabama, but what I really want to urge is I want to urge the Republican minority in this because I don't want to see Members of this body enable this kind of behavior because where do we stop? All the hundred Members of this body could find things in the Pentagon they are not happy about. It might be the travel policy for Senator TUBERVILLE. It might be cluster munitions for someone else. It might be whether the military is doing enough to battle sexual harassment for somebody else. We can all find things in the Pentagon that we are not wild about, and to the extent that we do, we should be trying to persuade our colleagues to make the policies better. But when we make that effort in good faith and fall short, the last thing we should do—the last thing we should do—is take our own disappointment out on and punish people who are serving this country who have had nothing to do with the policy we disagree with.

With that, I yield the floor.

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

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

MANHATTAN PROJECT

Mr. HAWLEY. Madam President, today, there are new revelations, new evidence about the extent of the radioactive contamination that has plagued the St. Louis area since the forties.

Where did this radioactive contamination come from? Simple, it came from the Federal Government. Beginning in the forties in the Manhattan Project, St. Louis was a center of development for uranium. But what did the Federal Government do when the Manhattan Project concluded? Well, we know more today after 15,000 pages of documents that had previously not been released were obtained by a parents' rights group in St. Louis and shared with news organizations.

Here is what we learned. The Federal Government gave this radioactive waste, fobbed it off, onto companies in the region—who did what?—who poisoned the water, who poisoned the soil, who poisoned the air, and the government knew about it. Oh, yes, they knew about it. They knew about it for decades, and for year upon year upon year, they played down the threats. They tried to hide the evidence. They told the people of St. Louis: Oh, everything is fine. Don't be worried. Don't worry at all. It is all fine.

Meanwhile, kids were playing along a creek filled with radioactive waste. Kids were going to school in buildings contaminated by the waste. Residents were coming out to houses, building homes in areas contaminated.

And then the government wonders why the levels of cancer and autoimmune diseases and rare genetic disorders have spiked in the St. Louis region. Oh, we know. We know. It is because of the radioactive material from the Federal Government dumped into the St. Louis water and air and soil.

Let's just review what we have learned. We now know that as early as 1949—that is right, 1949—the Federal Government paid a contractor—a private contractor—to dispose of waste. But instead, that contractor left the radioactive waste in steel drums sitting out in the open in the elements, right next to a creek called Coldwater Creek, familiar to just about everybody who lives in the St. Louis region.

It is familiar because whole housing developments and neighborhoods and—oh, yeah—schools have been built along Coldwater Creek. As early as the forties, that radioactive waste begins to leech out of those steel drums into the water.

And it gets worse. The same Federal Government paid another contractor to dispose of other waste. And what did they do? Rather than dispose of it, they drove it to a public landfill. And in the early seventies, they just dumped the waste right into the landfill. They dumped it right into the landfill.

''How did this happen?'' you might ask. Well, as it turns out, that is a violation of Federal law.

You think?

But what did the Federal Government do about it in the seventies, when they learned that this government-paid contractor had carried out this illegal act? Did they prosecute him? Did they fine him? Did they at least have a hearing and ask some questions? No, no, and no. They did nothing. So the waste seeped into the soil, spread into the soil, and all the time the people of St. Louis were told: Don't worry. Don't worry. It is all going to be fine.

In 1976, government tests—government tests—revealed that the levels of radiation in the creek water were at extremely dangerous levels—1976. Here we sit in 2023, and we are told by the same Federal Government—the EPA, Department of Energy, Army Corps—that the cleanup of Coldwater Creek won't be done until at least 2038.

Earlier this year, the school alongside Coldwater Creek, an elementary school, had to close, apparently permanently, because of radioactive contamination found inside the school. In response to that, this body took action and passed my bill to mandate Federal cleanup of the school and, if it can't be cleaned up, a new school to be built.

I thank my colleagues for their unanimous support for that activity, but that is not going to be enough. No, it is clear today that further action is needed because the Federal Government has caused this harm. I want to be crystal clear about this. This is not the people of St. Louis saying that we had a weather incident, which would be bad enough. It is not a natural disaster, which would be terrible. No, no, no, this is their government using them, essentially, as human guinea pigs. This is their government dumping radioactive material into their water, into their soil, and then lying to them about it, not even for a year or 2 years but for three-quarters of a century.

And it still continues today. As I stand here, the Army Corps of Engineers insists there needs to be no further testing either around the elementary school, which is now closed, or anywhere else in the St. Louis region. And, at the same time, the EPA is admitting that the radioactive contamination of the soil has spread further than they previously admitted.

I mean, what is it going to take to get some basic justice for the people of St. Louis? We are talking about working people. These are people who moved to these regions of the city in search of a quiet neighborhood, a good school for their kids, an opportunity for a better future. These are parents who allowed their kids to play in the creek because wasn't it awesome to have a creek right by their neighborhood. These are parents who sent their kids to the school trusting they would get a great education. And what did they get instead? Exposure to radioactive contamination.

This shouldn't happen in this country. When it does happen, the Federal Government should make it right. That is what needs to happen now. I am sick to death of hearing the excuses from this government for decades on end. I am sick of the lies that they have told to the people of St. Louis, to working people from neighborhoods all across the city, that everything is just going to be fine: Just trust us; it is all going to work out.

I am tired of this administration, which has still refused to answer my repeated pleas—repeated—to mount a cleanup effort at Jana Elementary

School, to clean up Coldwater Creek. All we get is finger-pointing and blame-shifting. The Department of Energy says it is the Army Corps' fault. The Army Corps says it is the Department of Energy's fault. Heck, for the recent news reports, the Department of Energy wouldn't even comment. They referred the reporter to the Department of Justice. I mean, what is next?

Here is what needs to happen next. It is time for this body to act. In the past, when we have asked citizens—members of this Nation—when we asked them to bear unique burdens, when we have put them in harm's way, we have said: If you will serve your country in this way, we will stand with you. That is essentially what the people of St. Louis have been asked to do.

The Manhattan Project was a national project for war. The people of St. Louis have borne the burden of it. It is time for the government to make it right.

What should happen is this. The Federal Government should pay medical bills for any single resident who has contracted cancer or an autoimmune virus or genetic disorder because of exposure to radioactive contamination. The Federal Government needs to act.

I will introduce legislation that will create a fund to make the people of St. Louis whole. Sadly, for some, it is too late. This has been going on for decades and too many members of our community have already been lost to cancer, to disease, to the hazards that were imposed on them by their government without their knowledge and without their consent. But that is no reason not to act now. We should act and act swiftly to provide remediation, to provide support for every member of this community who has suffered because of the actions of the Federal Government. We have done it in the past. We have done it for our veterans. We have done it for other folks who have been negatively impacted by the nuclear program dating back to the forties. We should do it now in the city and region of St. Louis. I will introduce legislation that will provide this support, that will provide this justice to the people of St. Louis.

I will close by saying this. It is justice that we are talking about. This is not a handout to the people of St. Louis. They are not asking for a giveaway. They are asking for some basic fairness. When their government imposes on them disease and disaster because of nuclear contamination, the least their government can do is to make it right. And I will come to this floor as long as it takes until we make it right for the men and women and children of St. Louis.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, I ask unanimous consent that notwithstanding rule XXII, if cloture is invoked on the Kotagal nomination, all postcloture time be considered expired at 11:30 a.m. on Thursday, July 13; further, that if cloture is invoked on the Uhlmann nomination, all postcloture time be considered expired and the vote on the confirmation be at a time to be determined by the majority leader in consultation with the Republican leader; further, that following the cloture vote on the Uhlmann nomination, the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; further, that at 1:45 p.m., the Senate proceed to executive session to vote on the motion to invoke cloture on the Bloomekatz nomination.

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

Mr. SCHUMER. For the information of the Senate, the 4 p.m. votes will be the last votes of the day.

The PRESIDING OFFICER. The junior Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to be allowed to speak for 10 minutes prior to the scheduled vote.

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

REMEMBERING LOWELL PALMER WEICKER, JR.

Mr. MURPHY. I come to the floor to talk about one of the greatest citizens, leaders, and public servants in the history of my State, Lowell Palmer Weicker, Jr., who died June 28.

We held services for him in Greenwich on Monday, and I want to celebrate him for a moment with my colleagues, because they don't make them like Lowell Weicker any longer.

Lowell Weicker served virtually every capacity you could helping to lead our State. He was a first selectman. He was a State representative. He was a Congressman. He was a Senator here in this Chamber, and he was a Governor. But throughout his long, storied tenure as an elected official—for most of that time a Republican, as Governor an Independent—he led a life that was led by one simple axiom: Do what is right.

He put his principles, his convictions, and what he thought was right for our State above every other political consideration—certainly above party. He bucked his party here over and over and over again. His autobiography was titled ''Maverick.'' But he also made decisions for the betterment of the State that ran directly contrary to his own political interests. And I will talk about the most famous of those decisions, those calls that he made, in a moment, when he was Governor.

I got to know Lowell Weicker only in the last decade of his life, and I am sorry for that because he played a very big role in my decision to pursue public service as a vocation.

Lowell Weicker was born in Paris. He was raised on Park Avenue in Manhattan and Oyster Bay on Long Island. He followed his father's footsteps through prep school, to college at Yale. He graduated Yale in 1953, University of Virginia Law School in 1958. He served 2 years in the Army as an artillery officer.

He began his political career as a local representative serving his town of Greenwich. He was a State representative, and then he was first selectman. He ran first for Congress in 1968. He unseated a three-term Democrat representing Fairfield County. And from that first race, you could see that Lowell Weicker was going to be a different kind of political leader.

He ran to the left of his Democratic opponent on the issue of Vietnam. He ran for Congress as a Republican who opposed President Nixon's war. And as Congressman, he staked out a series of contrary positions to his party, earning him, early on, the reputation of someone who was just going to do what he thought was right over and over and over. Later in life, he said: There is going to be this crucial moment in your career. The question is whether you mature or whether you are going to be an ideologue. Lowell Weicker was never an ideologue. And there is no question of whether he matured. He was proud of the fact that he changed his stance on issues over the course of his career.

When he got to Congress, he supported prayer in schools. He ended up as a Senator, here, successfully leading the opposition to President Reagan's push for a constitutional amendment to allow organized prayer in public schools. He changed. He matured. He didn't run from that. He was proud of it.

In the Senate, he is probably best known to be the first Republican to call for President Nixon's resignation. Speaking about his Republican Party that he was so proud of, he said:

> Let me [be] clear, because I have got to have my partisan moment, Republicans do not cover up; Republicans do not go ahead and threaten; Republicans do not go ahead and commit illegal acts; and, God knows, Republicans don't view their fellow Americans as enemies to be harassed. . . . I can assure you, this Republican and those I serve with, look upon all Americans as human beings to be loved and won.

In 1981, he was the only Republican to vote against President Reagan's first budget. As I mentioned, he fought hard against that constitutional amendment to allow organized prayer in schools because he came to believe very deeply in the separation of church and State. But maybe what defines Lowell Weicker's career in the Senate, more than Watergate, was his ability to see the future. He always talked about the fact that he was living for the future.

When standing up for people living with HIV and AIDS was controversial, Lowell Weicker was leading the fight on the Senate floor to put early money into AIDS research. When it wasn't a foregone conclusion that we would make sure that people with disabilities had access to buildings in this country, Lowell Weicker wrote the Americans with Disabilities Act. It passed just

after he left the Senate, but he was the originator of that legislation.

Today, SHELDON WHITEHOUSE reminds us of our obligation to our oceans. Before anybody else was talking about the oceans, it was Lowell Weicker down here talking about the need to invest in oceans and oceans' research.

But I remember Lowell Weicker when he became Governor. Lowell Weicker ran as an Independent for Governor. He won a three-way race. And he was facing a State crisis, a fiscal crisis of epic proportions. He didn't like the idea of a State income tax. He, frankly, opposed the idea earlier in his career. But he surveyed every other option necessary to rescue Connecticut from its political and fiscal crisis, and he judged that an income tax was the only path forward.

And so he took a step that he knew would mean that he could only serve one term in office. He was a young man when he became Governor. He was in his late fifties or early sixties, but he stood up and said the only way for Connecticut to be fiscally sound going into the future is to have an income tax. He fought both Republicans and Democrats to get that done, and he got it done.

I was 17 years old at the time when Lowell Weicker became Governor and made that proposal. I don't think I had any thoughts on whether an income tax was the right or the wrong thing, but what I saw, for the first time, was a political leader standing up and doing what they thought was right, even though they knew it was unpopular, even though he knew it was likely going to be the end of his political career. And I was mesmerized. I was mesmerized by this act of political courage, by this act of political statesmanship, and it was one of the early examples that convinced me that there was honor in public service.

And so I am deeply grateful to the example that Lowell Weicker set for all of us, during his time in the Senate, the first Republican to call for Nixon's resignation, to the time as Governor, where he set the State on a course of fiscal sanity.

During those income tax debates, thousands of people would show up at the capitol. In fact, one day 40,000 people showed up at the State capitol. They hung Governor Lowell Weicker in effigy. He didn't sit in his office. He walked into the crowd to try to reason and negotiate with them. It didn't last long. He was pelted with cans and bottles of sodas. He had to be hustled out of the crowd as quickly as he went in, but it caused Howard Baker, one of his great friends in the Senate, to say: Lowell Weicker, ''[t]hat is the only man I ever met who would strike a match to look into a gas tank.''

It has been popular to say, over the last few days as we have been eulogizing Lowell Weicker, that he belonged to a different era in which you could just be for what you thought was right and not worry about the political consequences. But I think that is a copout, and I think my friend Lowell would say that is a copout. Doing the right thing should be timeless. Putting country over party should be timeless.

There is no reason why all of us can't learn a little bit about Governor Senator Lowell Weicker's record upon his passing and use him as a model for how we act as public servants as well.

Lowell Weicker died last week at age 92, one of the most consequential people in Connecticut's history, and I choose to remember Lowell Weicker and the example he set as timeless.

I yield the floor.

NOMINATION OF MYONG JIN JOUN

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Judge Myong Jin Joun to the U.S. District Court for the District of Massachusetts.

Judge Joun is a long-serving State court judge with extensive experience as a litigator. And with his confirmation, this Senate will take another important step forward in building a Federal judiciary that reflects the personal and professional diversity of America and the legal profession.

Born in South Korea, Judge Joun received his J.D. from Suffolk University Law School in 1999. Prior to law school, he served for 6 years in the U.S. Army Massachusetts National Guard as an E–4 specialist. He even served throughout his undergraduate studies at the University of Massachusetts, where he earned a B.A. and graduated magna cum laude. After earning his law degree, Judge Joun began his legal career at a civil rights law firm, where he worked for 6 years before starting his own firm in 2007. During his 15 years in practice, Judge Joun tried approximately 20 cases to verdict, including 17 jury trials. In 2014, Judge Joun was appointed as associate justice of the Boston Municipal Court. Over the past 8 years, he has presided over approximately 140 trials, including 98 jury trials, for both criminal and civil matters. Importantly, if confirmed, Judge Joun would make history as the first Asian-American man and first Korean American to serve on the District Court for the District of Massachusetts.

With his extensive trial experience on and off the bench, Judge Joun will make an excellent addition to the district court. He enjoys the strong support of Senators WARREN and MARKEY. And the American Bar Association has unanimously rated him ''well qualified'' to serve on the District of Massachusetts.

I support this outstanding nominee, and I urge my colleagues to join me in doing so.

VOTE ON JOUN NOMINATION

The PRESIDING OFFICER. Under the previous order, The question is, Will the Senate advise and consent to the Joun nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

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

[Rollcall Vote No. 182 Ex.]

YEAS—52

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

NAYS—46

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

NOT VOTING—2

Sanders	Welch

The nomination was confirmed.

(Mr. MURPHY assumed the Chair.)

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

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 114, Kalpana Kotagal, of Ohio, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2027.

Charles E. Schumer, Tina Smith, Tammy Baldwin, Alex Padilla, Michael F. Bennet, Richard J. Durbin, Christopher Murphy, Sheldon Whitehouse, Jeff Merkley, Margaret Wood Hassan, Catherine Cortez Masto, Debbie Stabenow, Jack Reed, Richard Blumenthal, Chris Van Hollen, Tammy Duckworth, Peter Welch.

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

The question is, Is it the sense of the Senate that debate on the nomination of Kalpana Kotagal, of Ohio, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2027, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 183 Ex.]

YEAS—50

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

NAYS—50

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

(Mr. OSSOFF assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative.

The motion is agreed to.

The majority leader.

Mr. SCHUMER. Madam President and Madam Vice President, I want to note that this is a history-making moment for the United States Senate.

Today, Vice President KAMALA HARRIS matches the record for the most tie-breaking votes ever passed in the United States by a Vice President.

The Constitution says that ''the Vice President Of The United States shall be the President of the Senate,'' and with that comes the immense burden of casting votes whenever this Chamber is evenly split.

When it has mattered most, Vice President HARRIS has provided the decisive vote on some of the most historic bills of modern times, from the American Rescue Plan to the Inflation Reduction Act, to so many Federal judges who now preside and provide balance on the Federal bench. She has carried out her duties with supreme excellence, and today, all of us—all of us—thank her for making the work of the Senate possible.

We also thank Vice President HARRIS for doing all this work despite all the other demands she faces as the Nation's Vice President, from leading the charge on protecting freedom of choice to speaking out on criminal justice reform and gun safety, to pushing for climate justice. Our Nation is stronger, fairer, and more prosperous because of the work of the Vice President.

So, Madam Vice President, on this historic day, thank you. Thank you for your leadership and your service to this institution and to the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. OSSOFF). Without objection, it is so ordered.

The Senator from Vermont.

VERMONT FLOODS

Mr. WELCH. Mr. President, I would like to address the Senate.

Today was an inspiring day but also a sad day. Vermont, in the past few days, has suffered a severe flood from a storm that in some places dropped 9 inches of rain. It tumbled down off the mountains into our streams, flooded those streams and rivers, and overflowed into our villages and some of our major cities.

To my right, we are looking at a depiction of downtown Montpelier, the capital of Vermont. Here, we are seeing damage in what is called the Northeast Kingdom to infrastructure. There are scenes like this everywhere.

Senator SANDERS, Congresswoman BALINT, and the entire Vermont delegation with me toured Vermont with the Governor of Vermont, Phil Scott, and with our FEMA Administrator, Deanne Criswell. It was an inspiring day because we saw firsthand the extraordinary response of our government.

President Biden immediately declared a state of emergency that unleashed the ability of FEMA to provide resources. We saw our Governor and our first responders in Vermont, our National Guard, our medical personnel—our first responders who did so much to rescue people and animals.

We saw Vermont volunteers who were along the Main Street of Montpelier when Senator SANDERS and Congresswoman BALINT and I were there coming out of their homes to help folks whose businesses had been devastated.

We saw the press, the Vermont press, reporting constantly and giving detailed information about every location in Vermont that was underwater, giving an update in a report about how things were coming and where people could help.

By the way, it is just a testament to the vital importance of local journalism. We are grateful as well for the hard work that our news organizations and the reporters did, oftentimes putting themselves in some significant peril. That was very inspiring.

What is sad is that the damage of these storms and this particular storm is just overwhelming. Meeting homeowners in Barre who—one man we spoke to had lived in his home, a very modest home but very beautifully taken care of, where he raised his child and where he tended his garden. He had 4 feet of water in his basement, and that was the good news because the water had been up to his first floor. He was desperately trying to get the water out to try to get the place in a position where it was not going to have mold in his lifelong home, which means so much to him and will be repaired.

We saw a woman who lived in a mobile home. All of us know that when these weather catastrophes occur, it is oftentimes the people with the least who suffer the most. She came out of her mobile home and walked across a steep, mud-drenched field in Barre, VT, toward us and the Governor with a little pail that represented toys of her children, and she really had no place to go. Her mom had suffered flood damage as well, and they were huddling together with her partner and her kids.

What is so hard is—it is easy to understand the challenge that father had and that mother had, and we were there, and it is hopeful for them that we show up, that our Federal FEMA Administrator was there with her team, but what we know is that tomorrow, when the Sun is shining hopefully, because more rain could be forecast, her life has to go on, but it is without the foundation that she built and that father I mentioned built over 30 years.

So that is the hard part. It is really, really hard for folks who have established stability in their lives to see that business that they had committed themselves to and worked so hard to establish or that home they cared for and tended—that home where they provided security to their families. The mystery to them is what is going to happen.

It is why it is so important for us—and I am asking my colleagues for their support—that we do the minimum. The minimum is to at least get those Federal resources from FEMA back to Vermont, which is in a state of emergency and where so many Vermonters have suffered a very significant loss. They are willing to face it. People do that. They know they have got to clean that house up, but they have got to have some help. It is the help they get from their neighbors, but it also has to be the help they get from the government. It has to back folks up when, through no fault of their own, there is a catastrophic weather event and it does so much damage to the lives and livelihoods of so many.

Senator SANDERS and Congresswoman BALINT and I certainly were very proud of the Vermont response,

from the Governor to the Administrators, to our press that is on the case, but we have got a job here.

I am going to be asking my colleagues for us to do that which only the Federal Government can do, and that is to provide those financial resources to help folks when there has been a weather emergency where they live.

If there is any base-level function of government to try to bring us together as a community, as a United States of America, it is to stand up and help folks, whether it is in Vermont or it is in Louisiana or it is in deep Texas. Wherever it is, when there is an event through no fault of their own where the weather is doing so much damage, I think each of us reveres the opportunity we can have to help our colleague and the folks whom our colleague represents. Vermont needs help now, and Senator SANDERS and I will be seeking to obtain that help on behalf of Vermonters.

I want to wind down here a little bit by describing a photograph of a sight I saw, and I took a photograph that we don't have here.

Along the river in Barre, where the mud had come down and the silt had settled way outside of the banks of the river, there were three beautiful bicycles that were in a tangled mess and half-buried. What it represented clearly were the bikes of three young kids, of boys and girls who looked forward at the end of the day, on a beautiful Vermont summer day, to riding those bikes and having some fun. They don't know where those bikes are. They are buried, they are twisted, they are out of their reach, and it is having an effect on their lives.

I know Vermonters are going to respond, and I hope our Federal Government responds. We have got to get bikes for those kids.

One of the things we have to do is to make some contributions to funds that Vermonters made before when we suffered Tropical Storm Irene—when we were trying to get families the help they needed—to be able to have those kids back out on those bicycles in the beautiful Vermont summer that can, after this storm, resume.

What I hope we do here—and I am going to be, as I mentioned, joined fully by Senator SANDERS, who led today's delegation—is seek the assistance of our colleagues so that this government can be a friend at the time of need for the Vermonters who in times of others' needs have always been there.

I want to thank many of my colleagues who have approached me, Senator KENNEDY foremost among them, who has had a lot of experience with natural disasters in Louisiana. There has been one colleague after another saying: PETER, if there is anything we can do, we want to help. So I take everyone at their word.

I want to end where I began, and that is with my expression of gratitude to the response from Vermonters, from President Biden, from Administrator Criswell, and from my colleagues as well.

Vermont is strong, and we will get through this. But make no mistake—it is asking so much of a family who has lost a home. It is asking so much of kids whose summer expectations are that they are going to be able to ride on those Vermont country roads and enjoy being out with their friends and no longer have the bikes. It is asking a lot of families who are wondering what is going to happen now after mom's business has closed. It is going to ask a lot of Vermonters who are trying to figure out how in the world, even with help here, they are going to navigate the paperwork that is necessary in order to get that assistance.

What we are going to do here, in addition to seeking the assistance that is required, is that Senator SANDERS, Congresswoman BALINT, and I are coordinating our casework response because there are a lot of concrete challenges that folks face. We want them to absolutely call us, and we are going to work it out between the three of us to make sure that we can help the most Vermonters as quickly as possible get access to things that will be helpful to them to rebuild their futures. We will be strong. We will recover.

I just want to end by acknowledging the sadness I feel for so many families who and businesses that have been so hammered by this storm. This storm, by the way, was dropping so much rain as a result of the change in our climate that this point is undeniable. The warmer temperatures over the ocean create much more moisture in the air, and what was going to be a ''normal'' rainstorm becomes a deluge as 3 inches turn into 6 or 7 or 8 or 9 inches.

We do owe it to the future to act with alacrity, effectiveness, and determination and address the climate factors that are going into creating these mega storms.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Will the Senator withhold his suggestion of a quorum?

Mr. WELCH. Yes.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO ELVERDA LINCOLN

Mr. SULLIVAN. Mr. President, it is my favorite time of the week here in the U.S. Senate. I like to come down on a regular basis and talk about the Alaskan of the Week. The Alaskan of the Week can be someone who is doing something great for their local community, their State, their country. Maybe it is someone who is helping to actually save the world. That is who we have today—someone who literally helped to save the world.

Before we begin, I know we have some Alaskans in the Galleries here. Today, the Boys & Girls Club is in town, and we have some of our great, young leaders from my State who are here, and I am really glad to see them. It is appropriate, I think, as some of the Boys & Girls Clubs' awardees can probably be Alaskans of the Week soon, right?

But I always like to begin my Alaskan of the Week remarks by just giving a little update of what is going on back home in Alaska. We are having a great summer. It is actually a really cold summer for us. The Sun is high in the sky. People are fishing. Tourists are flocking to our State.

By the way, if you are watching on TV, come up to Alaska, and you will have the best vacation of a lifetime, I guarantee it. The midnight Sun is out, and the scenery is spectacular. Of course, we are a place of big skies, big places, a big ocean, big rivers, some of the most resilient, interesting, special people in the world, and some of the most patriotic. We have more veterans per capita than any State in the country.

I have the pleasure of frequently speaking about our veterans in Alaska, about our military in Alaska. Many of them have been honored by being Alaskans of the Week. That is going to happen again today with a very special veteran, Elverda Lincoln.

So let's talk a little bit about our Alaskan of the Week. She served in the U.S. Navy during the Second World War. And I am going to talk a little bit about a program, the WAVES Program. It is a very famous program, the Women Accepted for Volunteer Emergency Service. That is the acronym, WAVES.

Elverda is a World War II vet, an Alaskan pioneer literally. She is an author, a mother, a grandmother, a great-great-grandmother. She has such an amazing story, and here is the deal: She is turning 100 in a couple of days—100—and is still going strong.

So let me spend a few minutes talking about this extraordinary woman who is such an inspiration to so many in Alaska and hopefully, after millions of Americans listen to this speech, to so many Americans across the country.

Elverda was born in 1923 in Minnesota as the oldest of 14 kids. She was about 6 years old when the Great Depression began. Of course, it was a very tough time for most Americans. In her words, there was no work. Her family literally did not know where the next meal was coming from. They ate a lot of soup, she said, and when there was not enough to go around for the 14 kids her parents had to take care of, they just added water to the soup. They were tough times, but she and her family survived.

She said, ''We,'' like so many other Americans, ''were all in the same boat.''

After graduating from high school, Elverda worked for some time in Washington State, from working in a fruit cannery to waitressing, but none of these jobs gave her a sense of fulfillment or adventure or satisfaction.

Then December 7, 1941, happened, and our great Nation was at war. So what did this young woman do? She said she noticed a huge sign in her local post office. You know what the sign was—one of the most famous recruiting posters ever. It was Uncle Sam literally pointing at her. Every day, she said she walked past that sign that said: ''I WANT YOU.'' She was a patriot, so eventually Elverda heeded Uncle Sam's call, and she joined the Navy—like I said, the WAVES Program. She was soon on a train to New York and on a journey then that took her across the country—a 5-day train ride.

The WAVES Program was set up in 1942 by President Roosevelt to free up positions primarily stateside but very important positions. You are going to hear about what Elverda actually did for her country and the Navy so that male sailors could deploy overseas.

So she got on a plane with eight other women who had also joined WAVES. They had to take turns sleeping on the floor of the lavatory for 5 days because there were no assigned seats on this train going across our great Nation.

There were 4 weeks of boot camp—tough duty—from 4:30 a.m. to 9:30 p.m. every day for 4 weeks straight.

When she completed boot camp, Elverda was filled with a sense of accomplishment and patriotism. She had done something hard, something fulfilling, something worthwhile. Beyond that, she felt connected with her fellow WAVES. These were sailors in the U.S. Navy, women sailors. Then, of course, she was connected with probably one of the most important causes our country has ever undertaken—to win World War II and free the world from tyranny and oppression.

Her confidence soared, she said, when she received her Navy uniform and her $50-per-month paycheck—a lot of money back then. She was first stationed in Seattle. Get this: Her job was to keep track of the exact locations of U.S. ships and enemy ships and planes throughout the Pacific. She then was transferred to Tongue Point Naval Air Station in Astoria, OR. At this point, of course, the Pacific theatre—the war in the Pacific—was in full force.

She aided in modifying, updating, and correcting naval communications manuals. She helped to code a great deal of radio signals and manuals that were used in battles like the Battle of Iwo Jima and were also used in the invasion of the Aleutian Islands by Japan. A lot of people don't know that Alaska was actually invaded by the forces of Imperial Japan and occupied in the Aleutian Islands. Our military had to go fight brutal battles in the Aleutian Islands to kick out the Japanese on American territory, our great State.

It was only after the war that Elverda realized the great importance of what she had done. Like I said, she is an Alaskan of the Week who helped save the world—literally helped save the world.

She saw her time in the Navy as a great transition in her life, where she found out what hard work and dedication and patriotism were all about. And, importantly, she also met her husband, Bob Lincoln, a U.S. marine—so we know Elverda has very good taste by marrying a U.S. marine—while he was stationed in Oregon.

Both Elverda and Bob wanted to live a continued life of adventure and travel, so after the war in 1950, with one child already born and another one on the way, they packed up their car, and they drove north to the great State of Alaska. Now, it wasn't a State back then. It was still a territory, but you get the picture. They wanted an Alaskan adventure, and they got it. They settled in the Matanuska Valley in the town of Wasilla on a homestead.

Elverda and her husband Bob added to Wasilla's population, which, back then, was 100 people. It is much bigger today. They felled trees. They built a cabin. They built a life. They raised three wonderful kids. Bob did everything from dairy farming to putting up telephone lines to being a butcher. And, of course, they fell in love with Alaska.

''It's like one big family,'' Elverda said. ''Our friends range from the preachers to the alcoholics and everybody in between.''

Eventually, Elverda began to write about her life in Alaska—some funny and some very serious stories about life on the homestead in the Last Frontier. She has written four books so far; and talking to her, you have no doubt that she has at least four more in her.

Unfortunately, her husband, Bob, passed away. But before he did, he and Elverda traveled the world, something that she continued to do until recently.

Elverda now lives in the senior center in Wasilla, and she stays busy. She walks every day. She quilts for charities, including Quilts of Valor and quilts for Children's Place. During COVID, she made masks.

She has 5 grandchildren, 19 great-grandchildren, and 2 great-great-grandchildren. In her hundred years of life—hundred years of wisdom—Elverda attributes her longevity to the following—and this is a great lesson for everybody: living healthy, staying active, being positive, and staying out of other people's business.

''I've loved every minute of my life,'' Elverda recently said. And what a life it has been.

So, Elverda, thank you for your service to our country. Thank you for your service in the U.S. Navy in WAVES, to the great State of Alaska, and to Wasilla. Thank you for being such a positive inspiration for so many. Happy hundredth birthday from the U.S. Senate. And, of course, congratulations on the great honor of being our Alaskan of the Week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I always consider it good fortune when I come to deliver remarks on the Senate floor and get to follow Senator SULLIVAN's Alaskan of the Week speeches.

His discussion of his constituent Elverda reminds me of a very, very dear person in my life, Florence Kerins Murray, born just a little bit ahead of Elverda—1916—but like Elverda, served in the U.S. military. She was a WAC—Women's Army Corps—lieutenant colonel and then broke, essentially, every glass ceiling you could break in Rhode Island politics and in the Rhode Island judiciary, becoming a very respected Rhode Island Supreme Court Justice.

So I will take the liberty of joining my colleague Senator SULLIVAN in wishing his constituent a happy birthday, but I also wanted to share the memory of a very dear Rhode Islander who I think would have gotten along very well—I would like to be a witness, a fly on the wall, to the conversation between Florence and Elverda.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. To my friend and colleague from Rhode Island, I will gladly pass along your birthday greetings to Elverda. Thank you very much.

The PRESIDING OFFICER. The Senator from Rhode Island.

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I rise this evening, now for the 22nd time, to keep unmasking the far-right scheme to capture and control our Supreme Court. This scheme is funded by creepy rightwing billionaires who stay out of the limelight and let others—namely, Leonard Leo and his crew—operate their scheme.

How are they benefiting from the scheme? It is hard to track which rightwing billionaires are involved—and that is by design—but thanks to intrepid reporting from ProPublica and others, we are learning more all the time. And every day it becomes harder for the billionaire-friendly Justices and their political allies to pretend, with a straight face, that all is kosher at the Court.

I have previously described the noxious cocktail of this court capture scheme: creepy rightwing billionaires, phony front groups, amenable Justices, large sums of money, and secrecy. I don't know whether they take that shaken or stirred, but those seem to be the common ingredients.

To chill that Court-capture cocktail, we can add one more ingredient: Alaskan glacier ice. But I will get back to that later.

First, let's review the origin story of Justice Samuel Alito. It begins with the bipartisan Senate rejection of Judge Robert Bork, which infuriated Bork's far-right backers. On the Court were Justices Souter and Stevens—both Republican appointees—but they wouldn't help the billionaires, so the angry chant went out from the far right: No more Souters. No more Stevenses.

Then President George W. Bush got an appointment and nominated his

friend and trusted White House counsel, Harriet Miers. A Republican President nominates a personal friend and rock-ribbed conservative Republican—a woman to replace Sandra Day O'Connor. And the attack on her comes from the right. The far-right billionaires won't have it. And their operative—the aforementioned Leonard Leo—oversaw the project of taking her down. And in her place came the ever-so-reliably billionaire-friendly Sam Alito.

This switch—Miers for Alito—gave Leo immense cred with the billionaires, who have since made him a very rich man and helped him launch his armada of front groups, of which this array is just a selection. These three groups are the groups from which he takes revenue for himself and through which he manages these two groups, a coordinated 501(c)(3) and 501(c)(4). That is sort of the latest and greatest technique in dark money political manipulation, a conjoined 501(c)(3) and 501(c)(4)—usually, common offices, common staff, common funders, common mail drop, all of that.

Around this common core are what are called fictitious names. That is the name for it under Virginia law. So 85 Fund is also the Judicial Education Project under a fictitious name. It is also the Honest Elections Project under a fictitious name. It is also the Free to Learn under a fictitious name. Concord Fund is also Judicial Crisis Network under a fictitious name, Honest Elections Project Action under a fictitious name, and Free to Learn Action under a fictitious name. That is quite a lot of confusion, and it is designed to be confusing.

Scroll on to 2021. By that time, I had been calling out obvious issues at the Supreme Court: published articles, delivered speeches, wrote law reviews, even wrote a book. Alito, speaking at the University of Notre Dame, bemoaned what he said were ''unprecedented efforts to intimidate the Court.'' He went on to say that the media was suggesting that ''a dangerous cabal is deciding important issues in a novel, secretive, improper way in the middle of the night, hidden from public view.'' That, of course, referred to the sudden surge under Trump in the Court's use of its ''shadow docket'' to quickly change the law without hearing full public arguments. Alito's speech then was considered a pretty extraordinary airing of grievance by a Supreme Court Justice.

In response, I wrote an op-ed explaining that Justice Alito had participated in a pattern of decisions, among them the shadow docket ruling leaving in place—pre-Dobbs—Texas's ''bounty-hunter'' anti-abortion law—a pattern of big wins for big rightwing donors with little regard for fact or precedent.

I argued that Americans' perception that the Court lacks independence and the resulting drop in approval isn't some leftwing figment. The evidence showed a clear pattern: When big rightwing donor interests came before the Court, the Federalist Society Justices on the Court would regularly trample precedent and contort the facts and the law to deliver the donors' political victories—not a figment, a pattern.

Then, of course, came the Dobbs case, which actually took away a constitutional right from women. For five decades, women had the right to choose when to have children. That constitutional right appeared safely protected in Supreme Court precedent.

Then, from a list mysteriously prepared by Leonard Leo and the Federalist Society, President Trump appointed three Justices to the Court. Now, I say ''mysteriously'' because the Federalist Society, evidently, never had any formal proceedings to develop any list, but it offered no correction when Trump kept calling it his Federalist Society list.

Well, the next thing you know, that constitutional right was taken away by Justices who, in their confirmation hearings, had told the American public and the Senate Judiciary Committee that Roe was settled law—settled, that is, until they had the votes to unsettle it and make up their own.

As Justice Elena Kagan observed: If there is a new member of a court and all of a sudden everything is up for grabs, all of a sudden very fundamental principles of law are being overthrown, are being replaced, then people have a right to say: What's going on there? That doesn't seem very lawlike. And she was right.

Years after he had assured us Roe was settled law, it was Justice Alito who wrote the decision in Dobbs. Alito's draft opinion infamously leaked well ahead of the decision, causing rampant speculation about who leaked the opinion and why.

Chief Justice Roberts directed the Marshal to investigate, interviewing clerks and Court staff and even searching employees' personal phone records. But with the Justices, the Marshal undertook some other, also mysterious, iterative process, and the investigation proved inconclusive.

Curiously, days before the opinion leaked, the Wall Street Journal editorial page had predicted the Dobbs decision, raising the suggestion that someone had a source in the Court. The editorial correctly predicted what Alito knew: that Alito would write the decision for the majority so long as Chief Justice Roberts couldn't pull another Justice to join a more moderate, middle-ground decision.

Then, this past April, Justice Alito was featured in a highly sympathetic interview on the Wall Street Journal editorial page. Alito spoke about his opinion's leak and said:

> I personally have a pretty good idea who is responsible, but that's different from the level of proof that is needed to name somebody.

Any major newspaper would have put an exclusive interview with a Supreme Court Justice on the front page, but it would then have been subject to fact-checking. This opinion piece looked like an article, but it appeared in the Journal's notoriously fast-and-loose-with-the-facts opinion section under a double byline. One was a Wall Street Journal editorial staffer, and the other was David Rivkin, a rightwing lawyer who represented the States challenging the EPA's Clean Power Plan before the Supreme Court.

A quick detour about the Wall Street Journal editorial page's ties to the rightwing ecosystem: Rightwing bizarro-land likes to ape the legitimate world. In the legitimate world, there is a Pulitzer Prize, so rightwing bizarro-land has its own Bradley Prize, which—guess what—has provided hefty prize money to several Wall Street Journal editorial page writers, a million dollars cash in all.

This editorial piece quotes Alito saying:

> We are being hammered daily, and I think quite unfairly in a lot of instances. And nobody, practically nobody, is defending us.

In the piece, Justice Alito declined to talk about the Clarence Thomas ethics problems reported by ProPublica: extravagant vacations worth as much as $500,000, paid for by rightwing billionaire megadonor Harlan Crow and not disclosed.

That report was later followed by an additional ProPublica story detailing the billionaire's purchase of properties from Justice Thomas and his family members, also not properly disclosed, and payments for years of tuition for the Justice's grandnephew whom the Thomases were raising, also not disclosed.

Justice Alito's silence on the Thomas bombshell became all the more notable when, 2 months later, ProPublica published another bombshell—this one about Justice Alito—same cocktail ingredients. In this case, a rightwing billionaire, an amenable Justice, undisclosed private jet travel, an exotic vacation—all very expensive, all secret. Justice Alito's private jet travel to this all-expenses-paid Alaskan fishing vacation was paid for by a hedge fund billionaire, Paul Singer, who contributed over $80 million to Republican political organizations and whose Elliott Management group is one of the largest donors to the National Republican Senatorial Committee. This is a politically involved rightwing billionaire.

Later, the billionaire's firm had business before the Court and, in that case, won billions of dollars—no disclosure by Alito, no recusal. Charles Geyh, an Indiana University law professor and leading expert on recusals, had this to say:

> If you were good friends, what were you doing ruling on his case? And if you weren't good friends, what were you doing accepting this?

But wait. There is more. The tab for Alito's stay at the salmon lodge in Alaska was covered by a different billionaire. If you are keeping score, we are now up to three billionaires. This one is named Robert Arkley, and he

funded the launch of Leonard Leo's advocacy group the Judicial Crisis Network, also heavily engaged in rightwing political influence focused on the Court.

Leo, the operative behind the current rightwing Supreme Court supermajority, not only organized Alito's trip, he gallivanted off to Alaska with the Justice and the billionaires.

By my count, after yet another story about Justice Thomas, we are now up to six rightwing billionaires attending to the care and feeding of two Justices: Thomas and Alito. And there are all sorts of links among them and with the ubiquitous Leonard Leo. So many Justices, so many billionaires, so many gifts.

But there is even more. Alito was not the first Justice to stay at this particular lodge. Justice Scalia also took a private jet to the lodge, courtesy of billionaire Arkley, and also did not disclose the gift. In one memorable bit of color from that ProPublica story, Scalia was described as mixing martinis made with ice chipped off of a glacier.

There. You thought I had forgotten that, but I didn't.

The evening before the Alito billionaire travel story ran, the Wall Street Journal comes back into the picture again. Alito tried to preempt ProPublica's reporting by taking to the Wall Street Journal editorial page. In the op-ed, Alito argued that he didn't need to disclose the private jet travel under Federal law because the private jet should be considered a ''facility'' and that his seat on the private jet would have otherwise been empty so it was free and there was no gift.

I won't go into how laughable these arguments are. That is a separate case. What is important is that these arguments were printed on the Wall Street Journal editorial page without investigation or comment by the page, taken at face value.

Oh, and, by the way, the cost of that charter—the private jet travel would have cost over $100,000 each way.

In that Wall Street Journal editorial page piece from the spring, Alito had said about the Court's collapsing approval:

> Well, yeah, what do you expect when you're—day in and day out—''They're illegitimate. They're engaging in all sorts of unethical conduct. They're doing this, they're doing that''?

Justice Alito's complaining has it completely backward. The problem is not that Americans are pointing out the ethical lapses at the Supreme Court. The problem is the ethical lapses at the Supreme Court. The Roberts Court Justices' behavior is crashing public trust in the institution—and justifiably—first, with preposterous judicial behavior that no other judge would indulge; second, with outrageous violations of quite clear rules and procedures judges are supposed to follow about reporting those gifts; third, with preposterous excuses for the bad behavior and the reporting violations; and fourth, with no process to ever even try to get to the truth to establish the facts.

It is a mess.

Ideally, the Justices would start fixing that mess on their own. The Court and the Judicial Conference, which Roberts chairs, have the ability to fix this, but so far, they won't. I suspect there is a lot more to be found out about this mess, and they don't want those further disclosures so they would just as soon pull a rug over the whole thing, but that won't work.

Congress also has the ability to write ethics rules for the Justices. Remember, Congress created the judges' financial disclosure requirements in the Ethics in Government Act. And Congress created the judicial recusal law, which the Justices are also required to follow. And Congress created the Judicial Conference, which administers financial disclosure and code of conduct matters. Clearly, the article I legislative branch can legislate in this area. Clearly, we can oversee Agencies that we have created and laws that we have passed, and indeed we have for decades.

In the coming days, the Senate Judiciary Committee will mark up my Supreme Court Ethics, Recusal, and Transparency Act. This is a very important step forward in this process, and I thank Chairman DURBIN for his leadership. This bill would put basic ethics guardrails and transparency measures in place to help ensure the American people that they can get a fair shot at the Supreme Court, even if they don't have a private jet.

Today, in the Court that dark money built, the honor system has flagrantly failed. We need to legislate; we need to investigate; and we need to fix this mess for the American people.

To be continued, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, and now for the wrapup.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

VOTE EXPLANATION

Mr. KING. Mr. President, I rise to provide a brief statement on the motion to invoke cloture on the nomination of Xochitl Torres Small, of New Mexico, to be Deputy Secretary of Agriculture. I was unable to attend the vote because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Monday, July 10, 2023, I would have voted yea on the cloture motion on vote No. 173.

I rise to provide a brief statement on the nomination votes on July 11, 2023. I was unable to attend the votes because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Tuesday, July 11, 2023, I would have voted in yea on vote No. 174, the confirmation of Executive Calendar No. 178 Xochitl Torres Small, of New Mexico, to be Deputy Secretary of Agriculture.

I rise to provide a brief statement on the nomination votes on July 11, 2023. I was unable to attend the votes because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Tuesday, July 11, 2023, I would have voted in yea on vote No. 175, the motion to invoke cloture on Executive Calendar No. 56 Rosemarie Hidalgo, of the District of Columbia, to be Director of the Violence Against Women Office, Department of Justice.

I rise to provide a brief statement on the nomination votes on July 11, 2023. I was unable to attend the votes because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Tuesday, July 11, 2023, I would have voted in yea on vote No. 176, the motion to invoke cloture on Executive Calendar No. 33 Kymberly Kathryn Evanson, of Washington, to be United States District Judge for the Western District of Washington.

I rise to provide a brief statement on the nomination votes on July 11, 2023. I was unable to attend the votes because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Tuesday, July 11, 2023, I would have voted in yea on vote No. 177, the confirmation of Executive Calendar No. 56 Rosemarie Hidalgo, of the District of Columbia, to be Director of the Violence Against Women Office, Department of Justice.

I rise to provide a brief statement on the nomination votes on July 11, 2023. I was unable to attend the votes because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Tuesday, July 11, 2023, I would have voted in yea on vote No. 178, the confirmation of Executive Calendar No. 33 Kymberly Kathryn Evanson, of Washington, to be United States District Judge for the Western District of Washington.

I rise to provide a brief statement on the nomination votes on July 11, 2023. I was unable to attend the votes because I joined a bipartisan congressional delegation to the 2023 NATO Summit in Vilnius, Lithuania. Had I been here on Tuesday, July 11, 2023, I would have voted in yea on vote No. 179, the motion to invoke cloture on Executive Calendar No. 8 Tiffany M. Cartwright,

of Washington, to be United States District Judge for the Western District of Washington.

ADDITIONAL STATEMENTS

TRIBUTE TO REVEREND KENNETH MARTIN

● Mr. OSSOFF. Mr. President, I rise to commend Rev. Dr. Kenneth B. Martin of Antioch Baptist Church in Augusta on his retirement and lifelong service to the Augusta community.

For 37 years, Rev. Martin has led a life of service and devotion as Antioch Baptist Church's longest serving pastor. He also served as a former president of the 10th district of General Missionary Baptist Convention. Under his leadership and spiritual guidance, the Antioch Baptist Church community has been able to establish more than 30 ministries that give members of the community access to vital transportation, nutrition, and healthcare services. Rev. Martin has made it his mission to serve those around him, and his inspiring work, rooted in spiritual growth and development, has transformed the lives of many in his community.

As Georgia's U.S. Senator, I commend and recognize Rev. Dr. Kenneth B. Martin for his service to the Augusta community and the State of Georgia and join his family, friends, congregation, and the entire community in celebrating his retirement.●

TRIBUTE TO WANDA OKUNOREN-MEADOWS

● Mr. OSSOFF. Mr. President, I rise to commend Wande Okunoren-Meadows for her commitment to early childhood education and development for families in Forest Park and across metro Atlanta.

As executive director of Little Ones Learning Center, Ms. Okunoren-Meadows oversees the early childhood education center providing services to more than 175 children. Her passion for childhood development has allowed her to create programs to promote wellness and boost education for the youngest members of the community.

A graduate of Emory University, Ms. Okunoren-Meadows' leadership has produced invaluable preschool, afterschool, and pre-kindergarten education programs for the children of Forest Park, providing them valuable knowledge and skills for a brighter future.

As Georgia's U.S. Senator, I commend and recognize Wande Okunoren-Meadows for her dedication to Georgia's youth and years of service to her community.●

REMEMBERING MAXWELL ''MAX'' EMERSON

● Mr. PAUL. Mr. President, today I rise to pay tribute to the remarkable life and enduring legacy of Maxwell ''Max'' Emerson, a cherished teacher, coach, mentor, and dear friend to many whose compassion, kindness, and dedication touched the hearts of all who knew him.

Over the recent Fourth of July weekend, Max, a vibrant 25-year-old teacher and coach at his alma mater Oldham County High School, traveled to Washington, DC, for his upcoming professional development hours at the Library of Congress. He was assigned these hours to fulfill the requirements for a grant he had been awarded, which would afford him the opportunity to immerse himself in Vietnam's educational system. With both his father, a retired principal of South Oldham High School, and his mother, a dedicated teacher at Oldham County Middle School, education was truly in his blood.

On the morning of July 5 in Washington, DC, Max set out for his professional development hours, but he never reached his destination. Instead, his light was tragically extinguished. Max fell victim to a senseless act of violence, robbed at gunpoint on the campus of Catholic University, ultimately losing his life.

Max was the true representation of a champion to the Oldham County community. He was a beacon of inspiration and led his very accomplished life through kindness, dedication, and faith. Max was a natural-born leader and a talented athlete who was admired by all who had the privilege of crossing paths with him. His unwavering dedication and genuine care for his students, athletes, friends, and community were evident in every action he took. Countless individuals can testify to Max's willingness to lend a helping hand a put a smile on their face.

Throughout the COVID–19 pandemic, Max took on the responsibility of overseeing the credit recovery program, ensuring that no student fell behind and that everyone remained on track academically despite the school closures. It is worth noting that Max achieved an outstanding 100 percent pass rate.

Max devoted his life to serving others, and his extraordinary impact will forever remain etched in the Oldham County community. Anyone who had the privilege of meeting Max can attest to the profound positive influence he had on their lives. His legacy will be remembered by the very phrase he lived his own life by: ''Champions Find a Way!''

While his untimely departure has left an immense void that will be challenging to fill, his students and athletes carry his memories and legacy forward. Today I stand in solidarity with his grieving family, friends, and the entire Oldham County community as we mourn the tragic loss of a remarkable soul.●

RECOGNIZING THE KENTUCKY CHAPTER OF THE NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS

● Mr. PAUL. Mr. President, the Kentucky Chapter of the National Association of Women Business Owners—NAWBO—connects women to resources, people, information, and organizations that can help them achieve their personal, business, or political goals. It is composed of women of all ages and levels of experience from all sectors of the marketplace.

Each year, NAWBO Kentucky recognizes women for their achievements in business and this year is no exception. In addition to their annual recognitions, they have added a new award, the Legacy Award, which will be presented at this year's ceremony. The Legacy Award is to be given to a woman who is a role model to other women, has achieved excellence in her field, has promoted other women, has broken barriers for women in her field, and has held leadership roles in her community. The inaugural recipient of this award is Ann B. Bakhaus, former president of Kentucky Eagle, Inc.

Ann Bakhaus served as the president of Kentucky Eagle, Inc., a total beverage and spirit distributor based in Lexington, and ran day-to-day operations for the company for 20 years before passing the business to her daughter. She still owns the company and serves as the chairman of the corporation board. This company has been in the Bakhaus family since 1948, and Ann is glad to be able to carry on the family legacy.

In her role with Kentucky Eagle, Inc., Bakhaus achieved many goals including the expansion of product distribution and the construction of the company's new headquarters which was the first official Leadership in Energy and Environmental Design Anheuser Busch distributorship in the country.

Beyond serving on the board for Kentucky Eagle, Bakhaus is also heavily invested in community development. One of her biggest passions currently is the addition of Town Branch Park to downtown Lexington and the benefits it will provide to the community. Her desire is to see the Lexington community continue to flourish and is committed to being a part of that progress. I am proud to recognize the Kentucky Chapter of the National Association of Women Business Owners and to honor Ms. Bakhaus for her many achievements.●

CELEBRATING ALASKA RAILROAD'S CENTENNIAL BIRTHDAY

● Mr. SULLIVAN. Mr. President, the Alaska Railroad Corporation—ARRC—is a renowned institution in my State, and I would like to first congratulate the Alaska Railroad on its 100-year birthday and take a few minutes to discuss the immense impact the railroad has had not only within Alaska, but

also across our Nation. The Alaska Railroad, its builders, operators, and leaders have been foundational to Alaska's development for a century. Throughout its storied history, the railroad has supported war efforts, transported passengers between Alaska's largest cities, helped build the Trans-Alaska Pipeline, invested in real estate, and facilitated tourism and commerce across miles of my State's remote and wild landscapes.

It took decades of twists and turns before the Alaska Railroad Corporation charged forth. What would later become the ARRC laid the first track in Alaska in 1903, starting in Seward and extending 50 miles north. In 1914, the U.S. Congress, acknowledging the national importance of expanding the railroad, funded construction and operations from Seward to Fairbanks at an estimated construction cost of $35 million.

On July 15, 1923, President Warren G. Harding drove a golden spike into the ground at Nenana, uniting the track and marking the completion of the Alaska Railroad. During World War II, from 1940–1943, the railroad played a key role in moving military and civilian supplies that were essential in supporting the war efforts. In 1943, two tunnels were built through the Chugach Mountains to allow rail access to Whittier, a military port and fuel depot essential to the Nation's defense. This important partnership with the U.S. military continues to this day.

In 1962, the railroad established its first car-barge service in Whittier, followed by train-ship service, revolutionizing Alaska by enabling rail cars from the lower 48 to be shipped to any point along the Alaska Railroad. In the early to mid-1970s, the railroad supported construction of the Trans-Alaska Pipeline; shipping and storing pipeline between Valdez, Seward, and Fairbanks, from where it was then trucked to the North Slope. In 1981, the railroad entered into agreements with Fairbanks and Anchorage school district career centers for a tour guide program that trained high school students to serve as hosts onboard summer passenger trains.

In 1983, President Ronald Reagan signed into law the authorization of the transfer of the Alaska Railroad to the State of Alaska. Shortly thereafter, the Alaska Railroad Corporation was born. By 1996, the ARRC showed a profit of $8.0 million and passenger ridership had grown to 512,000. Former Governor Bill Sheffield became CEO in 1997. In the early 2000s, the Alaska Railroad Corporation's real estate operations exceeded $11 million in profits for the first time and a web-based passenger reservation system was implemented. Simultaneously, the Alaska Railroad began a program to reduce diesel emissions and noise. 2003 was the railroad's most profitable and safe year in its history up until that point.

In 2013, the Railroad's own Bill O'Leary was named CEO, becoming the first lifelong Alaskan to lead the railroad. Today, the ARRC operates a regularly scheduled public transportation service connecting Alaskans and visitors to communities from Seward to Fairbanks. Passengers gain access to wonderfully remote regions and areas off the road system including Alaska's Chugach National Forest and Denali National Park, which are visited by hundreds of thousands of people annually.

Like Alaska itself, the Alaska Railroad's story is full of peaks and valleys. Every mile of this legendary railroad was earned through grit, bravery, skill and sweat. Alaska Railroad Corporation trains are iconic symbols, in Alaska and around the world, of the ''can do'' spirit of Alaskans. The railroad's irreplaceable team, as much as the iron and steel of the locomotives, have served as foundational infrastructure driving economic development in The Last Frontier. I respectfully urge my fellow Members of the 118th Congress to join the proud Members of the Alaska Delegation in congratulating and thanking the Alaska Railroad Corporation for 100 years of service to our State and to our Nation.●

RECOGNIZING THE TRINITY SCHOOL OF DURHAM AND CHAPEL HILL 6TH GRADE HISTORY BOWL TEAM

● Mr. TILLIS. Mr. President, I rise today to recognize the Trinity School of Durham and Chapel Hill 6th grade history bowl team consisting of Devlin Smith, Chloe Blumhofer, Shya Khosla, and Joshua Glass. This team proudly represented the great State of North Carolina at the 2023 National History Bowl Championships, which is one of the largest quiz bowl tournaments in the world.

Qualifying for the national championships is a great achievement in itself. The young scholars were required to pass a rigorous qualifying test of 50 questions that needed to be completed within 20 minutes. Exceptional performers were then invited to compete in the regional finals, and the most highly qualified participants at the regional finals were invited to the national championships.

North Carolina is proud of the accomplishments of these young scholars and their representation of our State at the national championships, where they finished in the top 20 and came so very close to qualifying for the world championship in Rome, Italy.

It was an incredible performance and a testament to their skills and dedication to expanding their knowledge. I wish them all the best as they continue to pursue their academic endeavors in the next school year. We all can't wait to see what you do next.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

PRESIDENTIAL MESSAGE

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO HOSTAGE-TAKING AND THE WRONGFUL DETENTION OF UNITED STATES NATIONALS ABROAD THAT WAS GLARED IN EXECUTIVE ORDER 14078 OF JULY 19, 2022—PM 19

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to hostage-taking and the wrongful detention of United States nationals abroad declared in Executive Order 14078 of July 19, 2022, is to continue in effect beyond July 19, 2023.

Hostage-taking and the wrongful detention of United States nationals are heinous acts that undermine the rule of law. Terrorist organizations, criminal groups, and other malicious actors who take hostages for financial, political, or other gain—as well as foreign states that engage in the practice of wrongful detention, including for political leverage or to seek concessions from the United States—threaten the integrity of the international political system and the safety of United States nationals and other persons abroad. Hostage-taking and the wrongful detention of United States nationals abroad continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 14078 with respect

to hostage-taking and the wrongful detention of United States nationals abroad.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, *July 12, 2023.*

MESSAGE FROM THE HOUSE

At 12:28 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

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

H.R. 1548. An act to amend the Securities Exchange Act of 1934 to specify that actions of the Advocate for Small Business Capital Formation are not a collection of information under the Paperwork Reduction Act.

H.R. 2622. An act to amend the Investment Advisers Act of 1940 to codify certain Securities and Exchange Commission no-action letters that exclude brokers and dealers compensated for certain research services from the definition of investment adviser, 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. 1548. An act to amend the Securities Exchange Act of 1934 to specify that actions of the Advocate for Small Business Capital Formation are not a collection of information under the Paperwork Reduction Act; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2622. An act to amend the Investment Advisers Act of 1940 to codify certain Securities and Exchange Commission no-action letters that exclude brokers and dealers compensated for certain research services from the definition of investment adviser, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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–1601. A communication from the Security Officer II of the Office of Senate Security, transmitting, pursuant to law, a report regarding amending the foreign terrorist organization designations, Section 219 of INA (U) (OSS–2023–0611); to the Committee on Foreign Relations.

EC–1602. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 14078 with respect to hostage-taking and the wrongful detention of United States nationals abroad; to the Committee on Foreign Relations.

EC–1603. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC–1604. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC–1605. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Section 506(a) (1) of the Foreign Assistance Act of 1961 (FAA) to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–1606. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Section 506(a) (1) and Section 614(a) (1) of the Foreign Assistance Act of 1961 (FAA) to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–1607. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2023–0040 - 2023–0051); to the Committee on Foreign Relations.

EC–1608. A communication from the Chair of the Commission on International Religious Freedom, transmitting, pursuant to law, the Commission's 2023 Annual Report; to the Committee on Foreign Relations.

EC–1609. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Removal of the Vaccine Requirements for Head Start Programs'' (RIN0970–AC90) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–1610. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits'' (29 CFR Part 4044) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–1611. A communication from the Secretary to the Railroad Retirement Board, transmitting, pursuant to law, a report relative to the actuarial status of the railroad retirement system; to the Committee on Health, Education, Labor, and Pensions.

EC–1612. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the National Institutes of Health, Department of Health and Human Services, received in the Office of the President of the Senate on June 22, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC–1613. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, the 2023 annual report on the financial status of the railroad unemployment insurance system; to the Committee on Health, Education, Labor, and Pensions.

EC–1614. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2022 through March 31, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1615. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2022 through March 31, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1616. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2022 through March 31, 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–1617. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2022 through March 31, 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–1618. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2022 through March 31, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1619. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Executive Branch Financial Disclosure and Standards of Ethical Conduct Regulations'' (RIN3209–AA68) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1620. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1621. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1622. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Federal Equal Opportunity Recruitment Program (FEORP) for Fiscal Year 2020''; to the Committee on Homeland Security and Governmental Affairs.

EC–1623. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2023–04, Introduction'' (FAC 2023–04) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1624. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Legal Expense Fund Regulation'' (RIN3209–AA50) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1625. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report and the Management Response for the period of

October 1, 2022 through March 31, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1626. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Federal Equal Opportunity Recruitment Program (FEORP) for Fiscal Year 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–1627. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2023–03, Technical Amendments'' (FAC 2023–03) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1628. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2023–03, Small Entity Compliance Guide'' (FAC 2023–03) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1629. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; FAR Case 2022–007, Removal of FAR Subpart 8–5, Acquisition of Helium'' (RIN9000–AO44) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1630. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; FAR Case 2022–002, Exemption of Certain Contracts from the Periodic Inflation Adjustments to the Acquisition-Related Thresholds'' (RIN9000–AO39) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–1631. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–131, ''District of Columbia Housing Authority Procurement Clarification Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1632. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–131, ''Comprehensive Policing and Justice Reform Technical Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1633. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–131, ''Targeted Historic Preservation Assistance Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1634. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–131, ''Food Delivery Fees Transparency Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1635. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–145, ''Sam 'The Man' Burns Way Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1636. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–146, ''Allen Y. Lew Place Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1637. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–147, ''Makiyah Wilson Way Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1638. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–148, ''Xi Omega Way Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–1639. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–149, ''Howard East Towers Alley Closing and Street Dedication Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–30. A resolution adopted by the General Assembly of the State of New Jersey respectfully urging the United States Congress and the President of the United States to enact legislation creating a program to subsidize the purchase of diapers; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY RESOLUTION NO. 87

Whereas, The ability to access clean diapers is a medical and economic necessity for the health and welfare of infants and toddlers and their families; and

Whereas, The majority of children in the United States use disposable diapers until the age of three; and

Whereas, A child in the United States uses approximately 3,800 disposable diapers per year for the first three years of the child's life; and

Whereas, Diapers on average cost a family $80 a month in New Jersey, equaling an annual cost of $960 and a cumulative total cost for three years of $2,880; and

Whereas, Statistics collected by the federal Bureau of Labor Statistics indicate that the vast majority of parents work outside the home and these individuals need child care. For example, over 70 percent of single women and over 80 percent of single men, who are head of households with children under the age of 18, are employed and over 58 percent of mothers with infants under a year old participate in the workforce; and

Whereas, The majority of day care providers require that children use disposable diapers; and

Whereas, For those individuals who are moderate to low income, the purchase of diapers can be a significant portion of their monthly income: and

Whereas, Over 35 percent of families who receive Temporary Assistance for Needy Families (TANF) have a child under the age of three years old; and

Whereas, The maximum TANF cash benefit for a family consisting of one parent and two children is $424 a month in New Jersey; and

Whereas, For families who rely on TANF, one child's need for diapers will take up 18 percent of the monthly TANF cash benefit; and

Whereas, TANF is the only public assistance benefit that can be used to purchase diapers; Supplemental Nutrition Assistance benefits and Women, Infant and Children benefits cannot be used to purchase diapers; and

Whereas, The President of the United States announced an initiative in March of 2016 which encourages companies to develop low-cost disposable diapers and to assist in the distribution of disposable diapers through diaper banks; and

Whereas, [H.R. 4055, the ''Hygiene Assistance for Families of Infants and Toddlers Act of 2015'' was introduced in November 2015 to address the needs of infants and toddler who lack sufficient diapers] In the past, federal legislation has been introduced to help low-income families address the diapering needs of their children, but such legislation has not been enacted; now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. The United States Congress and the President of the United States are respectfully urged to enact legislation creating a program to subsidize the cost of disposable diapers for families.

2. The President of the United States is respectfully requested to continue efforts to support the development of low cost disposable diapers and the development of a network of organizations to provide access to disposable diapers to support working parents.

3. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Majority and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to every member of Congress elected from this State.

POM–31. A resolution adopted by the General Assembly of the State of New Jersey respectfully urging the United States Senate to pass the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2022; to the Committee on Foreign Relations.

ASSEMBLY RESOLUTION NO. 161

Whereas, On July 26, 2022, the United States House of Representatives passed the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2022 (the ''Act'') by a vote of 401–20 and on July 27, 2022, it was referred to the Senate Committee on Foreign Relations; and

Whereas, If enacted, the Act would provide more than $1.1 billion over a five-year period to reauthorize and enhance certain programs established by the Victims of Trafficking and Violence Protections Act of 2000 such as those that provide shelters, mental health care, education, life skills, and job training; and

Whereas, This legislation also would provide $35 million for housing opportunities to help victims escape living with those who abuse them and to prevent trafficking of foster youth; and

Whereas, The Act would reauthorize the federal Department of Homeland Security's Angel Watch Center, codified by the International Megan's Law, to prevent international sex tourism travel by convicted child sex offenders; and

Whereas, Further, this legislation would enhance trafficking prevention education for children by involving parents and law enforcement in age-appropriate programs to assist in the prevention of child trafficking as well as online grooming; and

Whereas, The Act, if passed, will strengthen laws to convict human traffickers domestically and internationally, protect victims

and witnesses during investigations, provide restitution for survivors, prevent unfair sentencing of youthful offenders who were victims of trafficking, and provide stricter sanctions for countries on Tier 3 of the Trafficking in Persons Report because they do not comply with minimum standards to prevent human trafficking; and

Whereas, The legislation also increases accountability for the United States, as well as foreign governments, hotels, and airlines through anti-trafficking training and codes of conduct for their staff; transparency in anti-trafficking expenditures; and permanent incorporation or the United States Advisory Council on Human Trafficking as part of the United States' commitment to survivor informed policy; and

Whereas, The State of New Jersey recognizes that a major reason trafficking survivors cannot escape the cycle of human trafficking is because they do not have shelter to which they can escape; and

Whereas, It is the duty of our State and country to protect these vulnerable populations and to ensure housing access; and

Whereas, The welfare of an increasing number of children is effected by the human trafficking issues this legislation is intended to eliminate; and

Whereas, It is imperative that Congress acts to ensure that these vulnerable populations are protected from a devastating cycle of violence and abuse resulting from human trafficking; now, therefore, be it

Resolved *by the General Assembly of the State of New Jersey:*

1. The United States Senate is respectfully urged to pass the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2022.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly, to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, and to every member of New Jersey's congressional delegation.

POM–32. A resolution adopted by the Council of the District of Columbia declaring the sense of the Council that the United States should end the economic blockade of Cuba and remove Cuba from the State Sponsors of Terrorism list due to the unjust harm it causes the Cuban people; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Appropriations:

Special Report entitled ''Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2024'' (Rept. No. 118–57).

By Mr. REED, from the Committee on Armed Services:

Report to accompany S. 2226, An original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. No. 118–58).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BROWN for the Committee on Banking, Housing, and Urban Affairs.

*Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2024.

*Philip Nathan Jefferson, of North Carolina, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

*Adriana Debora Kugler, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2012.

By Ms. CANTWELL for the Committee on Commerce, Science, and Transportation.

Fara Damelin, of Virginia, to be Inspector General, Federal Communications Commission.

*Alvin Brown, of Florida, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2026.

*Brendan Carr, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2023.

*Anna M. Gomez, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2021.

*Geoffrey Adam Starks, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2022.

Ms. CANTWELL. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

*Coast Guard nominations beginning with Steven Blum and ending with Jason Veara, which nominations were received by the Senate and appeared in the Congressional Record on May 15, 2023.

By Mr. SANDERS for the Committee on Health, Education, Labor, and Pensions.

*Loren E. Sweatt, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2023.

*Loren E. Sweatt, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2026.

*Gwynne A. Wilcox, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2028.

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

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. KENNEDY (for himself and Ms. SMITH):

S. 2252. A bill to require the Federal banking regulators to jointly conduct a study and develop a strategic plan to address challenges faced by proposed depository institutions seeking de novo depository institution charters, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PADILLA (for himself, Mrs. FEINSTEIN, Ms. WARREN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. SANDERS, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. BROWN, Mr. MARKEY, and Mr. MENENDEZ):

S. 2253. A bill to amend the Fair Labor Standards Act of 1938 to provide increased labor law protections for agricultural workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself, Mr. TILLIS, Mr. WYDEN, and Mr. CRAPO):

S. 2254. A bill to amend title XVIII of the Social Security Act to establish pharmacy benefit manager reporting requirements with respect to prescription drug plans and MA–PD plans under Medicare part D; to the Committee on Finance.

By Mr. VANCE (for himself and Mr. HAWLEY):

S. 2255. A bill to amend the Foreign Assistance Act of 1961 to clarify the meaning of the term ''aggregate value'' for purposes of the Presidential drawdown authority; to the Committee on Foreign Relations.

By Ms. HASSAN (for herself and Mr. CORNYN):

S. 2256. A bill to authorize the Director of the Cybersecurity and Infrastructure Security Agency to establish an apprenticeship program and to establish a pilot program on cybersecurity training for veterans and members of the Armed Forces transitioning to civilian life, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. WARNOCK, Mr. REED, Mr. SANDERS, Ms. CORTEZ MASTO, and Mr. BROWN):

S. 2257. A bill to amend the Federal Reserve Act to add additional demographic reporting requirements, to modify the goals of the Federal Reserve System, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself, Mr. PADILLA, Mr. BLUMENTHAL, Mr. WELCH, Mrs. GILLIBRAND, Mr. HICKENLOOPER, and Mr. CARDIN):

S. 2258. A bill to amend the Food and Nutrition Act of 2008 to permit supplemental nutrition assistance program benefits to be used to purchase additional types of food items; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SULLIVAN (for himself and Ms. HASSAN):

S. 2259. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to establish community integration network infrastructure for services for veterans, to require the collection from veterans of information related to social determinants of health, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 2260. A bill to require transparency in notices of funding opportunity, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself and Mr. WICKER):

S. 2261. A bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy

through the establishment of the Senator Paul Simon Study Abroad Program in the Department of State; to the Committee on Foreign Relations.

By Ms. SINEMA (for herself and Mr. KELLY):

S. 2262. A bill to designate the Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SULLIVAN:

S. 2263. A bill to require the Secretary of Veterans Affairs to reimburse the cost of transportation by ambulance for highly rural veterans seeking care under the laws administered by the Secretary, regardless of whether such veteran qualifies for payments or allowances for beneficiary travel; to the Committee on Veterans' Affairs.

By Mr. OSSOFF:

S. 2264. A bill to allow for civil and criminal actions against certain providers of interactive computer services, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 2265. A bill to streamline and expedite the foreign military sales process, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARDIN:

S. 2266. A bill to amend the Higher Education Act of 1965 to provide greater access to higher education for America's students, to eliminate educational barriers for participation in a public service career, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Mrs. BLACKBURN, and Mr. WELCH):

S. 2267. A bill to amend the Agriculture Improvement Act of 2018 to reauthorize the dairy business innovation initiatives; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2268. A bill to amend title 38, United States Code, to improve the Department of Veterans Affairs-Department of Defense Joint Executive Committee, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2269. A bill to authorize the Secretary of Agriculture to permit removal of trees around electrical lines on National Forest System land without conducting a timber sale, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY (for himself, Mr. PETERS, Mr. PADILLA, and Mr. LANKFORD):

S. 2270. A bill to establish and maintain a database within each agency for executive branch ethics records of noncareer appointees; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN:

S. 2271. A bill to require community engagement and reporting relating to activities of the Department of Defense with respect to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes; to the Committee on Armed Services.

By Ms. SINEMA (for herself, Mr. BARRASSO, Mr. MANCHIN, Mr. DAINES, Mr. PADILLA, and Mr. TESTER):

S. 2272. A bill to amend title 5, United States Code, to provide for special base rates of pay for wildland firefighters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LUJÁN (for himself and Ms. COLLINS):

S. 2273. A bill to amend the Indian Child Protection and Family Violence Prevention Act; to the Committee on Indian Affairs.

By Mr. BARRASSO (for himself, Ms. LUMMIS, and Mr. CARPER):

S. 2274. A bill to designate the facility of the United States Postal Service located at 112 Wyoming Street in Shoshoni, Wyoming, as the ''Dessie A. Bebout Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES:

S. 2275. A bill to include certain persons of the People's Republic of China on entity lists maintained by the Department of the Treasury; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KING (for himself and Mr. CRAMER):

S. 2276. A bill to provide for opt-out sharing of information on members retiring or separating from the Armed Forces with community-based organizations and related entities; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself, Mr. BRAUN, Mr. YOUNG, Ms. STABENOW, Ms. BALDWIN, Mr. CASEY, Mr. FETTERMAN, Mr. VANCE, Mr. PETERS, and Mr. SCHUMER):

S. 2277. A bill to increase the benefits guaranteed in connection with certain pension plans, and for other purposes; to the Committee on Finance.

By Mr. LANKFORD (for himself and Mr. KELLY):

S. 2278. A bill to establish Image Adjudicator and Supervisory Image Adjudicator positions in the U.S. Customs and Border Protection Office of Field Operations; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself, Mr. MERKLEY, Mr. KAINE, Mr. BLUMENTHAL, Ms. HIRONO, Mr. SANDERS, Ms. BALDWIN, Mr. WYDEN, Ms. KLOBUCHAR, Mr. PADILLA, Mr. BOOKER, Mr. CASEY, Mr. MENENDEZ, Mrs. FEINSTEIN, Ms. SMITH, and Mr. CARDIN):

S. 2279. A bill to amend title 18, United States Code, to prohibit panic defenses based on sexual orientation or gender identity or expression; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. WHITEHOUSE, Mr. PADILLA, Ms. DUCKWORTH, and Mr. LUJÁN):

S. 2280. A bill to protect our Social Security system and improve benefits for current and future generations; to the Committee on Finance.

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

S. 2281. A bill to provide for consumer protection and responsible financial innovation, to bring crypto assets within the regulatory perimeter, and for other purposes; to the Committee on Finance.

By Mr. COTTON (for himself, Mr. BRAUN, Mr. BUDD, Mr. RISCH, Mrs. BLACKBURN, Mr. CRAMER, and Mr. SCOTT of Florida):

S. 2282. A bill to amend the Investment Advisers Act of 1940 and the Employee Retirement Income Security Act of 1974 to specify requirements concerning the consideration of pecuniary and non-pecuniary factors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself, Ms. COLLINS, and Mr. MORAN):

S. 2283. A bill to prohibit the procurement of certain items containing perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA) and prioritize the procurement of products not containing PFAS; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MCCONNELL (for himself, Ms. SINEMA, Mr. OSSOFF, Mr. PAUL, Mr. LEE, Mr. GRASSLEY, Mr. CORNYN, Mr. RUBIO, Mrs. BLACKBURN, and Mr. BRAUN):

S. 2284. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself and Ms. MURKOWSKI):

S. 2285. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996; to the Committee on Indian Affairs.

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

S. 2286. A bill to improve the effectiveness and performance of certain Federal financial assistance programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KAINE (for himself, Mr. RUBIO, Mr. BLUMENTHAL, Mr. MORAN, Mrs. FEINSTEIN, Mr. CARDIN, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. DURBIN, Mr. WARNER, and Mrs. SHAHEEN):

S.J. Res. 37. A joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BENNET (for himself and Mr. HICKENLOOPER):

S. Res. 291. A resolution commending and congratulating the Denver Nuggets on their championship victory in the 2023 National Basketball Association Finals; considered and agreed to.

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

S. Res. 292. A resolution congratulating the Fighting Irish of the University of Notre Dame men's lacrosse team for winning the 2023 National Collegiate Athletic Association Division I Men's Lacrosse National Championship; considered and agreed to.

By Mr. BOOKER (for himself, Mrs. BLACKBURN, Ms. ROSEN, Mr. BRAUN, and Mr. BOOZMAN):

S. Res. 293. A resolution designating June 12, 2023, as ''Women Veterans Appreciation Day'' ; considered and agreed to.

By Mr. MENENDEZ (for himself and Ms. WARREN):

S. Con. Res. 12. A concurrent resolution recognizing the need for a sustainable, economically viable, and fair debt restructuring plan for the Puerto Rico Electric Power Authority; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 41

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 41, a bill to reauthorize the READ Act.

S. 344

At the request of Mr. TESTER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 344, a bill to amend title 10,

United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 359

At the request of Mr. WHITEHOUSE, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 359, a bill to amend title 28, United States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and for other purposes.

S. 363

At the request of Mrs. FISCHER, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 363, a bill to award a Congressional Gold Medal, collectively, to the individuals and communities who volunteered or donated items to the North Platte Canteen in North Platte, Nebraska, during World War II from December 25, 1941, to April 1, 1946.

S. 547

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 547, a bill to award a Congressional Gold Medal, collectively, to the First Rhode Island Regiment, in recognition of their dedicated service during the Revolutionary War.

S. 652

At the request of Ms. MURKOWSKI, the names of the Senator from Michigan (Mr. PETERS) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 652, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 656

At the request of Mrs. FISCHER, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 656, a bill to amend title 38, United States Code, to revise the rules for approval by the Secretary of Veterans Affairs of commercial driver education programs for purposes of veterans education assistance, and for other purposes.

S. 663

At the request of Mr. MURPHY, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 663, a bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes.

S. 866

At the request of Ms. HASSAN, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 866, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 912

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. ROMNEY) was added as a cosponsor of S. 912, a bill to require the Secretary of Energy to provide technology grants to strengthen domestic mining education, and for other purposes.

S. 956

At the request of Mr. KELLY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 956, a bill to amend title 10, United States Code, to improve dependent coverage under the TRICARE Young Adult Program.

S. 985

At the request of Mr. LANKFORD, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 985, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 993

At the request of Ms. CORTEZ MASTO, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 993, a bill to prohibit certain uses of xylazine, and for other purposes.

S. 1014

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 1014, a bill to require the Secretary of Agriculture to initiate hearings to review Federal milk marketing orders relating to pricing of Class I skim milk, and for other purposes.

S. 1146

At the request of Mr. CORNYN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1146, a bill to amend part E of title IV of the Social Security Act to require the Secretary of Health and Human Services to identify obstacles to identifying and responding to reports of children missing from foster care and other vulnerable foster youth, to provide technical assistance relating to the removal of such obstacles, and for other purposes.

S. 1212

At the request of Mr. CRAMER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1212, 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 notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes.

S. 1220

At the request of Mr. KENNEDY, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 1220, a bill to establish the position of Special Envoy to the Pacific Islands Forum.

S. 1250

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1250, a bill to amend title XI of the Social Security Act to require that direct-to-consumer advertisements for drugs and biologicals include an appropriate disclosure of pricing information.

S. 1384

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1384, a bill to promote and protect from discrimination living organ donors.

S. 1515

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1515, a bill to amend title 10, United States Code, to permit retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service of Combat-Related Special Compensation, and for other purposes.

S. 1558

At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1558, a bill to award a Congressional Gold Medal, collectively, to the brave women who served in World War II as members of the U.S. Army Nurse Corps and U.S. Navy Nurse Corps.

S. 1571

At the request of Mr. DURBIN, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 1571, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program, and for other purposes.

S. 1618

At the request of Mr. VAN HOLLEN, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Missouri (Mr. SCHMITT) were added as cosponsors of S. 1618, a bill to amend the Small Business Investment Act of 1958 to establish an employee equity investment facility, and for other purposes.

S. 1669

At the request of Mr. MARKEY, the names of the Senator from Montana

(Mr. TESTER) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1669, a bill to require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in motor vehicles, and for other purposes.

S. 1672

At the request of Mr. HAGERTY, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of S. 1672, a bill to require officers and employees of the legislative and executive branches to make certain disclosures related to communications with information content providers and interactive computer services regarding restricting speech.

S. 1679

At the request of Mr. COONS, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1679, a bill to amend the Internal Revenue Code of 1986 to postpone tax deadlines and reimburse paid late fees for United States nationals who are unlawfully or wrongfully detained or held hostage abroad, and for other purposes.

S. 1688

At the request of Mr. YOUNG, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1688, a bill to require certain grantees under title I of the Housing and Community Development Act of 1975 to submit a plan to track discriminatory land use policies, and for other purposes.

S. 1708

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1708, a bill to create dedicated funds to conserve butterflies in North America, plants in the Pacific Islands, freshwater mussels in the United States, and desert fish in the Southwest United States, and for other purposes.

S. 1800

At the request of Ms. MURKOWSKI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1800, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Spectrum Disorders Prevention and Services program, and for other purposes.

S. 1958

At the request of Ms. DUCKWORTH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1958, a bill to identify the standards required to meet the definition of sustainable aviation fuel at the Federal Aviation Administration.

S. 2027

At the request of Mr. WARNER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2027, a bill to amend the General Education Provisions Act to allow the release of education records to facilitate the award of a recognized postsecondary credential.

S. 2067

At the request of Mr. TILLIS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2067, a bill to require the Secretary of Veterans Affairs to award grants to nonprofit organizations to assist such organizations in carrying out programs to provide service dogs to eligible veterans, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2129

At the request of Mr. LANKFORD, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2129, a bill to amend title XVIII of the Social Security Act to require PDP sponsors of a prescription drug plan and Medicare Advantage organizations offering an MA–PD plan under part D of the Medicare program that use a formulary to include certain drugs and biosimilar biological products on such formulary, and for other purposes.

S. 2196

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2196, a bill to amend title II of the Social Security Act to eliminate work disincentives for childhood disability beneficiaries.

S. 2211

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2211, a bill to amend the Department of Agriculture Reorganization Act of 1994 to establish the Office of Aquaculture, and for other purposes.

S. 2217

At the request of Mr. VAN HOLLEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2217, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2243

At the request of Ms. BALDWIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2243, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools and other programs, including social work, physician assistant, and chaplaincy education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative and hospice care.

S. CON. RES. 7

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution condemning Russia's unjust and arbitrary detention of Russian opposition leader Vladimir Kara-Murza who has stood up in defense of democracy, the rule of law, and free and fair elections in Russia.

S. RES. 186

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 186, a resolution seeking justice for the Japanese citizens abducted by North Korea.

S. RES. 208

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 208, a resolution expressing support for the designation of November 12, 2023, as ''National Warrior Call Day'' and recognizing the important of connecting warriors in the United States to support structures necessary to transition from the battlefield, especially peer-to-peer connection.

AMENDMENT NO. 142

At the request of Mr. TESTER, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Maine (Ms. COLLINS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from North Dakota (Mr. HOEVEN), the Senator from Minnesota (Ms. SMITH) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of amendment No. 142 intended to be proposed to S. 2226, an original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA (for himself, Mrs. FEINSTEIN, Ms. WARREN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. SANDERS, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. BROWN, Mr. MARKEY, and Mr. MENENDEZ):

S. 2253. A bill to amend the Fair Labor Standards Act of 1938 to provide increased labor law protections for agricultural workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. PADILLA. Madam President, I rise to speak in support of the Fairness for Farmworkers Act, which I am reintroducing today.

Farmworkers feed our Nation. This is especially true in California, the agricultural heart of the Nation. California

is the most successful State in agricultural production and has the largest population of farmworkers. In fact, more than one-third of our country's vegetables and two-thirds of fruits and nuts come from California. During COVID–19, a time of incredible hardship, farmworkers put food on the tables of millions of Americans despite working in extreme conditions and facing deep-rooted inequities in the workforce. The time to address these inequities is now.

While the 1938 Fair Labor Standards Act established Federal standards for minimum wage and overtime pay, the law excluded millions of domestic and agricultural workers, who were overwhelmingly people of color. In 2016, California recognized the need to provide farmworkers overtime protection. The California overtime law, which ensures farmworkers will have an equal right to overtime pay, is the same model as this Federal bill.

Farmworkers in California and across the Nation deserve an end to discrimination in labor laws. We must undo the discriminatory exclusion of farmworkers by amending the Fair Labor Standards Act.

That is why I am proud to introduce this bill, which will improve the lives of farmworkers and their families, create equity in our food system, and benefit farming communities as the increased wages are spent in local businesses.

This bill will gradually implement overtime pay over the course of 4 years and bring greater equity to the American agricultural industry to greater prosperity to historically marginalized workers.

This legislation will also boost farming community economies as increased wages are spent in local businesses.

I want to thank Congressman GRIJALVA for introducing this bill with me, and I hope our colleagues will join us in support of this bill that would provide a measure of long overdue fairness for our Nation's farmworkers.

By Mr. DURBIN (for himself and Mr. WICKER):

S. 2261. A bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of State; to the Committee on Foreign Relations.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

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 ''Senator Paul Simon Study Abroad Program Act of 2023''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) To prepare students for success in the modern global economy, opportunities for study abroad should be included as part of a well-rounded education.

(2) Study abroad programs provide students with unparalleled access to international knowledge, an unmatched opportunity to learn world languages, and a unique environment for developing cultural understanding, all of which are knowledge and skills needed in today's global economy.

(3) Only 10 percent of United States college students study abroad before they graduate, leaving 90 percent of graduates entering the workforce without the global skills, knowledge, and experiences afforded by study abroad programs that will position them for success in the global economy. Minority students, first-generation college students, community college students, and students with disabilities are also significantly underrepresented in study abroad participation.

(4) Congress authorized the establishment of the Commission on the Abraham Lincoln Study Abroad Fellowship Program (referred to in this section as the ''Lincoln Commission'') under section 104 of the Miscellaneous Appropriations and Offsets Act, 2004 (division H of Public Law 108–199). Pursuant to its mandate, the Lincoln Commission submitted a report to Congress and to the President containing its recommendations for greatly expanding the opportunity for students at institutions of higher education in the United States to study abroad, with special emphasis on studying in developing nations.

(5) According to the Lincoln Commission, ''[e]xperience shows that leadership from administrators and faculty will drive the number of study abroad participants higher and improve the quality of programs. Such leadership is the only way that study abroad will become an integral part of the undergraduate experience.'' A competitive grant program is necessary to encourage and support such leadership.

(6) Student health, safety, and security while studying abroad is, and must continue to be, a priority for institutions of higher education and study abroad programs.

(7) The COVID–19 pandemic prevented students from participating in study abroad due to travel restrictions and reduced budgets. According to *Open Doors 2022*, published by the Institute of International Education in partnership with the Department of State, study abroad participation at colleges and universities in the United States plummeted by 91 percent during the 2020-2021 academic year. In the post-pandemic world, increasing access to study abroad for students at institutions of higher education across the United States is critical to ensuring that those students gain the skills, knowledge, and experiences necessary to maintain the leadership of the United States in tackling global challenges, such as pandemics, and succeeding in a global economy.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to ensure that significantly more students have access to quality study abroad opportunities, especially among low-income students and students of color;

(2) to ensure that the diversity of students studying abroad reflects the diversity of students and institutions of higher education in the United States;

(3) to encourage greater diversity in study abroad destinations by increasing the portion of study abroad that takes place in nontraditional study abroad destinations, especially in developing countries; and

(4) to encourage a greater commitment by United States institutions of higher education to expand study abroad opportunities.

SEC. 4. SENATOR PAUL SIMON STUDY ABROAD PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONSORTIUM.—The term ''consortium'' means a group that—

(A) includes at least 1 institution of higher education; and

(B) may include nongovernmental organizations that provide and promote study abroad opportunities for students.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(3) NONTRADITIONAL STUDY ABROAD DESTINATION.—The term ''nontraditional study abroad destination'' means a location that is determined by the Secretary of State to be a less common destination for students who study abroad.

(4) STUDENT.—The term ''student'' means—

(A) an alien lawfully admitted for permanent residence in the United States or a national of the United States or (as such terms are defined in paragraphs (20) and (22) of section 101(a) of the Immigration and Nationality Act of 1965 (8 U.S.C. 1101(a))) who is enrolled at an institution of higher education located within the United States; or

(B) an individual who is an eligible noncitizen for Federal student aid, as determined by the Secretary of Education for purposes of the Federal student loan program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(5) STUDY ABROAD.—The term ''study abroad'' means an educational program of study, work, service learning, research, internship, or combination of such activities that—

(A) is conducted outside of the United States; and

(B) carries academic credit.

(6) WORLD LANGUAGE.—The term ''world language'' means any natural language other than English, including—

(A) languages determined by the Secretary of State to be critical to the national security interests of the United States;

(B) classical languages;

(C) American sign language; and

(D) Native American languages.

(b) SENATOR PAUL SIMON STUDY ABROAD PROGRAM.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations and under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), the Secretary of State shall—

(A) rename the Increase and Diversify Education Abroad for U.S. Students Program (commonly known as ''IDEAS'') as the ''Senator Paul Simon Study Abroad Program'' (referred to in this section as the ''Program''); and

(B) enhance the program in accordance with this subsection.

(2) OBJECTIVES.—The objectives of the Program are that not later than 10 years after the date of enactment of the Senator Paul Simon Study Abroad Program Act of 2023—

(A) not fewer than 1,000,000 undergraduate students from the United States will study abroad annually;

(B) the demographics of study abroad participation will reflect the demographics of the United States undergraduate population by increasing the participation rate of underrepresented groups; and

(C) an increasing portion of study abroad will take place in nontraditional study abroad destinations, with a substantial portion of such increases in developing countries.

(3) COMPETITIVE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION.—

(A) IN GENERAL.—In order to accomplish the objectives described in paragraph (2), the Secretary of State shall award grants, on a competitive basis, to institutions of higher education, either individually or as part of a consortium, based on applications by such institutions that—

(i) set forth detailed plans for using grant funds to further such objectives;

(ii) include an institutional commitment to expanding access to study abroad;

(iii) include plans for evaluating progress made in increasing access to study abroad;

(iv) describe how increases in study abroad participation achieved through the grant will be sustained in subsequent years; and

(v) demonstrate that the study abroad programs have established health, safety, and security guidelines and procedures, informed by Department of State travel advisories and other appropriate Federal agencies and resources, including the Overseas Security Advisory Council and the Centers for Disease Control and Prevention.

(B) PRIORITY.—In awarding grants under subparagraph (A), the Secretary may give priority to—

(i) minority-serving institutions listed under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)));

(ii) eligible institutions (as defined in section 312(b) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)) that qualify for the Strengthening Institutions Program of the Department of Education; and

(iii) institutions that offer study abroad programs with a significant world language learning component, as applicable.

(4) IMPLEMENTATION OF LINCOLN COMMISSION RECOMMENDATIONS.—In administering the Program, the Secretary of State shall take fully into account the recommendations of the Lincoln Commission, including—

(A) institutions of higher education applying for grants described in paragraph (3) shall use Program funds to support direct student costs;

(B) diversity shall be a defining characteristic of the Program; and

(C) quality control shall be a defining characteristic of the Program.

(5) CONSULTATION.—In carrying out this subsection, the Secretary of State shall consult with representatives of diverse institutions of higher education and educational policy organizations and other individuals with appropriate expertise.

(c) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of State shall submit an annual report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that details the implementation of the Program during the most recently concluded fiscal year.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the Program for fiscal year 2024 and for each subsequent fiscal year.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2269. A bill to authorize the Secretary of Agriculture to permit removal of trees around electrical lines on National Forest System land without conducting a timber sale, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Madam President, I rise today to introduce the Fire Safe Electrical Corridors Act of 2023 and thank my colleague Senator PADILLA for joining as an original cosponsor.

Our bill would allow the U.S. Forest Service to approve removal of hazardous trees near power lines on Federal forest lands without a timber sale, thereby reducing administrative burden and reducing the risk of catastrophic wildfire.

Californians are all too familiar with the potential for electrical power lines to cause devastating wildfires. Three of the largest and most destructive wildfires in California history—the 2017 Thomas Fire, the 2018 Camp Fire, and the 2021 Dixie Fire—were started by electrical equipment. Together, these wildfires burned more than 1.2 million acres, destroyed more than 15,000 homes, and killed 87 people.

When power lines cross Federal land, the Forest Service generally requires utility companies to keep the area around them free of trees that could touch or fall on the lines or otherwise ignite. Removing those cut trees, however, requires the Forest Service to hold a timber sale, which imposes administrative costs. Meanwhile, cut trees often linger on the landscape, posing a continued risk of igniting during a wildfire or damaging other infrastructure during a flood.

Our bill would make targeted changes to existing Forest Service authorities to encourage quicker and less costly removal of the trees. Specifically, we would allow the Secretary of Agriculture to grant utilities permission to cut and remove trees or other vegetation near their power lines without a separate timber sale, provided that that removal is consistent with existing forest management plans.

Included in this legislation is a requirement that any proceeds obtained from timber or forest products removed under this authority be returned to the Forest Service. This removes any financial incentive to remove trees other than those necessary for wildfire mitigation. After all, the goal is to streamline actions that protect against devastating wildfires—protecting, not removing, our Nation's forests.

Congress has an opportunity this year to make this small change to Forest Service authorities to ensure better stewardship of our national forests and prevent catastrophic wildfires. I thank Senator PADILLA for his partnership on this bill, and I urge the full Senate to take it up and and pass it as soon as possible.

By Mr. BARRASSO (for himself, Ms. LUMMIS, and Mr. CARPER):

S. 2274. A bill to designate the facility of the United States Postal Service located at 112 Wyoming Street in Shoshoni, Wyoming, as the ''Dessie A. Bebout Post Office''; to the Committee on Homeland Security and Governmental Affairs.

Ms. LUMMIS. Madam President, it is my real honor today to join Senator BARRASSO of Wyoming and Senator CARPER of Delaware in support of legislation to rename the Shoshoni, WY, Post Office the Dessie A. Bebout Post Office.

Wyoming is full of exceptional women, and Dessie was surely one of them. In the years following the Pearl Harbor attack, Dessie was one of the first women to enlist in the WAVES, the Women Accepted for Volunteer Emergency Services.

Dessie traveled by train across the country to New York City for basic training. She was later stationed in Seattle for 2½ years, where she was responsible for recording the arrival and departure of sailors to and from the Pacific Fleet.

Dessie then married Herbert ''Hugh'' Bebout, also a Wyoming native, and, in 1945, they moved back to Wyoming to start their life together. They raised five children, and today their family has grown to 13 grandchildren and 19 great-grandchildren.

In 1962, Dessie became the postmaster of the Shoshoni post office. Her exemplary service was recognized when she was awarded the Order of the Vest, which is the highest honor given to postmasters.

Dessie Bebout passed away in May of this year at the age of 102 years. She lived up to what it means to be part of the Greatest Generation. It is very fitting that we rename the Shoshoni Post Office after Dessie Bebout. It serves as a small token of our appreciation for her service to Wyoming and our country.

Now I would like to yield the floor to the senior Senator from Wyoming, JOHN BARRASSO, whose inspired idea to name the post office in Shoshoni after Dessie Bebout brings us here today.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. Madam President, it is a privilege to be here today, joined by my colleague from Wyoming, Senator CYNTHIA LUMMIS, and my colleague from Delaware, the chairman of the Committee on Environment and Public Works, Senator TOM CARPER, to honor this incredible woman, Dessie Bebout.

Senator LUMMIS is absolutely right. I attended the funeral of this 102-year-old just a couple of weeks ago. We were in Riverton, WY, for the services as she was laid to rest with military honors in Hudson, WY, and thought what an opportunity to name a post office after someone who has given so much to their country, as well as to the Postal Service.

It is wonderful to be working with Senator TOM CARPER again on an issue of great interest to both of us because he was a senior partner when, a few years ago, we named a post office in Thermopolis, WY, after Bob Brown, a World War II hero who then was awarded the Purple Heart for his service in Korea and served 41 years at the Thermopolis Post Office before he retired as the postmaster. So I come to the floor today, along with our colleagues, to introduce a bill to honor the legacy of this remarkable woman, Dessie A. Bebout of Shoshoni, WY.

She was really a trailblazer for women in Wyoming because she was a patriot. She honorably served our

country during World War II. She was one of the first to raise her hand, take the oath, and volunteer as she did for this remarkable group of individuals who volunteered: the Women Accepted for Volunteer Emergency Service in World War II, the WAVES.

She was born in Hudson, WY—a very small community—in 1920. If you haven't ever been to Hudson, there is a small Main Street. And since Hudson didn't have a doctor, Dessie was born with the help of a midwife. She was the fourth of nine children. They worked very hard supporting the family business that was the Svilar family. Her maiden name was Svilar. They had the Svilar's bar and restaurant, the Svilars' Light and Power company—they provided libations as well as electricity—and the Svilars' derby bar. It is a small town, but two bars make for a smalltown charm. The Svilars' bar and restaurant is still open today. So, if you ever get to Hudson, stop in because they have the best steaks you are going to ever find anywhere.

Her life experience is one, really, that highlighted her legendary work ethic. After graduating from Fremont County Vocational High School in Lander, she worked for the Fremont County Extension service and at the F.E. Warren Air Force Base. The Japanese attack on Pearl Harbor in 1941 changed the United States and the world forever, and it certainly changed her. Being willing to serve the country, to step forward, is part of the Wyoming bloodstream.

When she joined and went to New York City for basic training and was then stationed in Seattle, WA, she reconnected with a young man who she had met previously in Hudson, Herbert ''Hugh'' Bebout. After a few months of writing letters, they were married in 1943. He was an enlisted man in the U.S. Air Force.

After World War II ended, he was discharged; and, along with Dessie, they came home to Wyoming. They started a family and had four children: Eli, Ruby, Nick, and David. Eli was speaker of the house in the Wyoming Legislature. Ruby runs the Wyoming public television. Nick played football for the University of Wyoming and then for the NFL.

Dessie's life and family and giving just continued to grow. She started her career in the Postal Service in 1962. She rose to postmaster for Shoshoni, WY, where she served for 13 years. In 1975, Dessie retired as the Shoshoni postmaster, where she had earned the Order of the Vest. It is the highest award given to postmasters.

Although she had retired from the Postal Service, her work and community service didn't stop. She served as a Fremont County election judge, for the Shoshoni Chamber of Commerce, on the Shoshoni PTA, on the Wyoming women's commission, on the Veterans of Foreign Wars Women's Auxiliary, and on the Riverton hospital board, among many organizations.

As a result of her military and civic service, she was awarded with the Wyoming Woman of Distinction award from the Wyoming women's commission, and she received the Medal of Honor from the Daughters of the American Revolution. Her accolades and awards didn't stop there. She even had her own holiday because, in 2022, the mayor of Hudson, Mike Anderson, declared May 30 as Dessie Bebout Day.

Now, she had—I think the Senator from Wyoming said—13 grandchildren. As they spoke at the funeral—as a number of them did—there were those who claimed to be the favorite grandchild, but since Kara Calvert is here today, the granddaughter of Dessie Bebout, I think we will let Kara put upon herself that accolade.

Dessie Bebout truly exemplifies the Code of the West, which is, in Wyoming, you live each day with courage; you take pride in your work; and you do what needs to be done. Cowboys never complain. Cowboys never quit. If somebody were hungry, she would feed them—a remarkable woman. If they were sick, she would care from them.

I am proud to be joined by both Senator CARPER and Senator LUMMIS today in introducing this legislation to rename the post office in Shoshoni, WY, as the ''Dessie A. Bebout Post Office.'' Naming it after Dessie is going to ensure her legacy carries on for future generations of Wyoming's men and women.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, folks that are back in Delaware are probably wondering as they are watching on C–SPAN, What is our Senator doing there giving a floor speech and talking about a woman from Wyoming? There is a Wyoming, DE. It is in Kent County, which is just south of Dover. We have great restaurants, plenty of restaurants. In fact, the Senator from Wyoming described that Svilar's—is it Svilar's? I think it is Svilar's—still exists.

We have a huge Air Force base in Dover, the Dover Air Force Base. They fly huge airplanes and have a mortuary there to receive the remains of our fallen heroes. That is part of our State. We just have very strong support for military personnel and all things Air Force. I am Navy.

So it is the idea that we have a woman here—you know, it is one thing for a guy to have done some of this stuff that Dessie did, but it is another to have a woman in World War II volunteer and enlist on the heels of the attack on Pearl Harbor and to go on and serve, really, with distinction.

In my family, we believe in the Navy blue. My dad was a chief petty officer, and my uncles were chief petty officers. My mother's youngest brother died in a kamikaze attack on his aircraft carrier, and my grandmother got the Gold Star for the Great Green Fleet Navy blue. So I just get inspired by Dessie's heroism that we are hearing about here today.

For the people who might have been listening carefully when Senator BARRASSO was talking about the restaurant that she opened, he said that, when the people were hungry, she fed them. That is a line out of the Bible. It is actually a line out of Matthew 25: When I was hungry, you did feed me. When I was naked, you did clothe me. When I was sick and in prison, you did visit me. When I was thirsty, you did give me drink.

This is a woman who not only served her country in uniform and who not only ran a successful business—it sounds like—for over 100 years for family but who actually felt a moral responsibility to make sure that people did not go hungry.

I also am the senior Democrat—I am the senior, actually, member of a committee called Homeland Security and Governmental Affairs. We have jurisdiction, among other things on that committee, over the Postal Service. We have, literally, tens of thousands of people who serve in the Postal Service across the country today. It is a tough job and sometimes a thankless job, but we are grateful to them for their service. A lot of them, it turns out, served in the military. They may have served in the Korean war, and they may have served in Vietnam; they may have served in Afghanistan, and they may have served in Iraq. But they wore the uniform of our country, and they wore or wear the uniform of the Postal Service. In either instance, they are serving this country. They are serving their communities and are doing so, in some cases, at great risk to themselves.

There is a little bit of a love story in this as well. It is kind of a mixed marriage of a Navy woman and an Air Force man who get married and raise a family—have all of these kids—and go on to do amazing things as a family in their own community. It is a story that I am inspired by, and I am honored that Senator BARRASSO would ask me to join him and Senator LUMMIS to tell the story, too.

I remember a couple of years ago when we were on the floor here—Senator BARRASSO and myself and a fellow named Mike Enzi, the late Mike Enzi, who held the seat that Senator LUMMIS now holds today—hearing them talk about the naming of a post office in Wyoming in a place called Thermopolis, which I had never heard of but that I will never forget. The question was, Should they rename that post office there after Bobbi Barrasso's dad? They didn't have a Democratic cosponsor for the bill. I talked to Senator BARRASSO and to Senator Enzi and said: I would be honored. If you are looking for a bipartisan bill, I would be happy to be your wingman on this particular flight. And they were good enough to let me join the team.

So, to Dessie Bebout, your family members are out there, watching and listening. I want to just say thank you

for sharing a remarkable person, not just with the folks in the town in which she and her family have lived, worked, and served for all of those years, but thank you for sharing her with our country in a broader way. Thank you for serving as an inspiration. We are in your debt, and I am honored to be part of this trio to offer this legislation today and to ask for its passage.

By Mr. MCCONNELL (for himself, Ms. SINEMA, Mr. OSSOFF, Mr. PAUL, Mr. LEE, Mr. GRASSLEY, Mr. CORNYN, Mr. RUBIO, Mrs. BLACKBURN, and Mr. BRAUN):

S. 2284. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

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 ''Federal Prisons Accountability Act of 2023''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Director of the Bureau of Prisons leads a law enforcement component of the Department of Justice with a budget that exceeded $8,000,000,000 for fiscal year 2023.

(2) With the exception of the Federal Bureau of Investigation, the Bureau of Prisons had the largest operating budget of any unit within the Department of Justice for fiscal year 2023.

(3) As of 2023, the Director of the Bureau of Prisons oversaw 122 facilities and was responsible for the welfare of more than 159,000 Federal inmates.

(4) As of 2023, the Director of the Bureau of Prisons supervised more than 34,000 employees, many of whom operate in hazardous environments that involve regular interaction with violent offenders.

(5) Within the Department of Justice, in addition to those officials who oversee litigating components, the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Director of the Community Relations Service, the Director of the Federal Bureau of Investigation, the Director of the Office on Violence Against Women, the Administrator of the Drug Enforcement Administration, the Deputy Administrator of the Drug Enforcement Administration, the Director of the United States Marshals Service, 94 United States Marshals, the Inspector General of the Department of Justice, and the Special Counsel for Immigration Related Unfair Employment Practices, are all appointed by the President by and with the advice and consent of the Senate.

(6) Despite the significant budget of the Bureau of Prisons and the vast number of people under the responsibility of the Director of the Bureau of Prisons, the Director is not appointed by and with the advice and consent of the Senate.

SEC. 3. DIRECTOR OF THE BUREAU OF PRISONS.

(a) IN GENERAL.—Section 4041 of title 18, United States Code, is amended by striking ''appointed by and serving directly under the Attorney General.'' and inserting the following: ''who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall serve directly under the Attorney General.''.

(b) INCUMBENT.—Notwithstanding the amendment made by subsection (a), the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act may serve as the Director of the Bureau of Prisons until the date that is 3 months after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the ability of the President to appoint the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act to the position of Director of the Bureau of Prisons in accordance with section 4041 of title 18, United States Code, as amended by subsection (a).

(d) TERM.—

(1) IN GENERAL.—Section 4041 of title 18, United States Code, as amended by subsection (a), is amended by inserting after ''consent of the Senate.'' the following: ''The Director shall be appointed for a term of 10 years, except that an individual appointed to the position of Director may continue to serve in that position until another individual is appointed to that position, by and with the advice and consent of the Senate. An individual may not serve more than 1 term as Director.''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply to appointments made on or after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 291—COMMENDING AND CONGRATULATING THE DENVER NUGGETS ON THEIR CHAMPIONSHIP VICTORY IN THE 2023 NATIONAL BASKETBALL ASSOCIATION FINALS

Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted the following resolution; which was considered and agreed to:

Whereas, on June 12, 2023, the Denver Nuggets defeated the Miami Heat by a score of 94 to 89 in an extraordinary game 5 of the National Basketball Association (referred to in this preamble as the ''NBA'') Finals at Ball Arena in Denver, Colorado, and won the 2023 Larry O'Brien Trophy;

Whereas the Denver Nuggets entered the playoffs ranked as the number 1 seed in the Western Conference for the first time in franchise history;

Whereas the Denver Nuggets won 10 of their final 11 games in the 2023 playoffs and had the second fewest playoff losses of an NBA champion in a single postseason in the last 20 years;

Whereas the Denver Nuggets won the NBA championship after years of injury-riddled seasons for key players and disappointing playoff losses;

Whereas the Denver Nuggets allowed only 18 points to the Miami Heat in the final quarter of game 5 of the NBA finals, snuffing out any comeback attempt by the Miami Heat;

Whereas Denver Nuggets center Nikola Jokić, selected in the second round of the 2014 NBA draft by Denver, won the 2023 Bill Russell NBA Finals Most Valuable Player award and became the first player in NBA history to lead the league in points, rebounds, and assists during a single postseason;

Whereas Denver Nuggets players Nikola Jokić and Jamal Murray became the first pair of teammates to combine for 300 assists and 1,000 points in a single postseason;

Whereas the Denver Nuggets became the second original American Basketball Association franchise, along with the San Antonio Spurs, to win an NBA championship;

Whereas the championship victory for the Denver Nuggets was their first in franchise history since the team was founded in Denver in 1967;

Whereas the Denver Nuggets have the most seasons as an NBA franchise before winning their first championship (46 years);

Whereas Michael Malone, Calvin Booth, and the entire team of coaches and staff were instrumental in developing the dynamic, free-flowing offense and stifling defense of the Denver Nuggets, and have fostered a positive, selfless team spirit;

Whereas the dedicated fan base of the Denver Nuggets has offered unrelenting, passionate support to the team; and

Whereas, both on and off the court, the Denver Nuggets are a source of immense pride for Colorado and the entire fan base of the Denver Nuggets: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Denver Nuggets on their championship victory in the 2023 National Basketball Association Finals;

(2) celebrates the selfless teamwork and extraordinary character, pride, determination, and hard-work of the Denver Nuggets; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the owner of the Denver Nuggets, E. Stanley Kroenke;

(B) the Head Coach of the Denver Nuggets, Michael Malone; and

(C) the General Manager of the Denver Nuggets, Calvin Booth.

SENATE RESOLUTION 292—CONGRATULATING THE FIGHTING IRISH OF THE UNIVERSITY OF NOTRE DAME MEN'S LACROSSE TEAM FOR WINNING THE 2023 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mr. BRAUN (for himself and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 292

Whereas, on May 29, 2023, the University of Notre Dame Men's Lacrosse Team (referred to in this preamble as the ''Fighting Irish'') won the 2023 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I title with a 13-9 win over the Duke Blue Devils in Philadelphia;

Whereas the victory marked the first national title for the Notre Dame lacrosse program, and the second NCAA title to come to South Bend this year following the fencing team's third consecutive national championship victory in March;

Whereas head coach Kevin Corrigan has excelled during his 35 seasons with the Fighting Irish, having—

(1) the longest active tenure in men's lacrosse at the Division I level;

(2) built Notre Dame into one of the premier men's lacrosse programs in the country since his arrival on campus in 1988; and

(3) coached the Fighting Irish to score a combined 58 goals in the 2023 tournament;

Whereas head coach Kevin Corrigan has been supported by the following assistant

coaches and staff: Ryan Wellner, Chris Wojcik, Ryder Garnsey, Rob Simpson, Joshua Skube, Mandy Merritt, Robby Hamman, Zach Korten, Ron Powlus, Tayler Davis, and Marshall Terres;

Whereas the full roster of the 2023 national championship Fighting Irish team comprises the following players: Jeffery Ricciardelli, Thomas Ricciardelli, Fulton Bayman, Jack Simmons, Colin Hagstrom, Bryce Walker, Fisher Finley, Chris Fake, Eric Dobson, Emmett Barger, Maximus Schalit, Ronan Doherty, Brian Tevlin, Jake Taylor, Kevin Lynch, Quinn McCahon, Maxim Manyak, Reilly Gray, Michael Lynch, Christian Alacqua, Chris Conlin, Carter Parlette, Will Lynch, Max Busenkell, Ben Ramsey,Will Maheras, Jalen Seymour, Ross Burgmaster, Casey Doyle, Will Angrick, Marco Napolitano, Griffin Westlin, Ridge Johnson, Sam Assaf, Jack Conroy, Jake Sommer, Jeremy Hopsicker, Thomas Porell, Declan Cooke, Mick Lee, Christian Gallaher, Michael Ridgway, Liam Entenmann, Ryan Sforzo, Jose Boyer, Will Gallagher, Jonathan Ford, Chris Kavanagh, Pat Kavanagh, Alex Zepf, Mason Wordelman, Pat Eilers, Nick Harris, Will Donovan, Conrad Delgado, Griffin Grant, and Logan Gutzwiller;

Whereas senior goalie Liam Entenmann was named the Most Outstanding Player of the 2023 NCAA Championships, having finished with a season-high of 18 saves while allowing just 9 goals to propel the Fighting Irish to the championship;

Whereas Jake Taylor, Chris Kavanagh, Eric Dobson, Quinn McCahon, Jeffery Ricciardelli, and Brian Tevlin each scored twice and Jack Simmons added a goal and 2 assists; and

Whereas the tradition of the Fighting Irish of excelling in both athletics and academics continues to advance the sport of men's lacrosse and provide inspiration for future generations of young athletes: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Notre Dame men's lacrosse team for its victory in the National Collegiate Athletic Association (referred to in this resolving clause as the ''NCAA'') tournament claiming the 2023 NCAA Division I title; and

(2) recognizes the dedication, perseverance, and hard work of the players, coaches, students, alumni, administration, and support staff that directly contributed to the victory of the University of Notre Dame in the NCAA men's lacrosse championship.

SENATE RESOLUTION 293—DESIGNATING JUNE 12, 2023, AS ''WOMEN VETERANS APPRECIATION DAY''

Mr. BOOKER (for himself, Mrs. BLACKBURN, Ms. ROSEN, Mr. BRAUN, and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 293

Whereas, throughout every period of the history of the United States, women have proudly served the United States to secure and preserve freedom and liberty for—

(1) the people of the United States; and

(2) the allies of the United States;

Whereas women have formally been a part of the Armed Forces since the establishment of the Army Nurse Corps in 1901 but have informally served since the inception of the United States military;

Whereas 2023 marks the 75th anniversary of the signing of the Women's Armed Services Integration Act of 1948 (62 Stat. 356, chapter 449), legally allowing women to serve in all 4 branches of the military;

Whereas more than 3,000,000 women have served the United States honorably and with valor on land, on sea, in the air, and in space, including—

(1) as ''Molly Pitchers'' during the American Revolution, providing support to the Continental Army and taking their place on the artillery gun lines as soldiers fell;

(2) by passing as men to serve as soldiers during the Revolutionary War, the Early Republic, and the Civil War;

(3) as doctors, nurses, ambulance drivers, and Signal Corps telephone operator ''Hello Girls'' during World War I;

(4) during World War II—

(A) as members of the Women's Army Corps (commonly known as ''WACs'');

(B) as Women Accepted for Volunteer Emergency Service (commonly known as ''WAVES'');

(C) as members of the Coast Guard Women's Reserve (commonly known as ''SPARS'');

(D) as Women Airforce Service Pilots (commonly known as ''WASPs''); and

(E) as nurses;

(5) as permanent members of the Army, Navy, Marine Corps, and Air Force, serving as nurses, physicians, physical therapists, air traffic controllers, intelligence specialists, communications specialists, logisticians, and clerks during the Korean War and Vietnam War; and

(6) as fixed and rotary wing combat pilots, surface warfare sailors, submariners, artillerists, air defenders, engineers, military police, intelligence specialists, civil affairs specialists, logisticians, and, most recently, in all combat roles in the Persian Gulf, Iraq, and Afghanistan;

Whereas, as of 2021, women constituted approximately 17 percent of Armed Forces personnel on active duty, including—

(1) 21 percent of active duty personnel in the Air Force;

(2) 21 percent of active duty personnel in the Navy;

(3) 16 percent of active duty personnel in the Army;

(4) 9 percent of active duty personnel in the Marine Corps;

(5) 15 percent of active duty personnel in the Coast Guard; and

(6) 20 percent of active duty personnel in the Space Force;

Whereas, as of 2021, women constituted more than 21 percent of personnel in the National Guard and Reserves;

Whereas women were critical to COVID–19 relief, including as part of the personnel in the National Guard and Reserves activated to support COVID–19 response efforts;

Whereas women have been critical to responding to the unjustified invasion of Ukraine by the Russian Federation, including as members of the National Guard and as active duty personnel in the Armed Forces who have been deployed to contribute to foreign assistance efforts;

Whereas 13 members of the Armed Forces, including 2 women, were killed during Operation Allies Refuge, in which more than 120,000 people were evacuated in the largest civilian airlift in the history of the United States;

Whereas, in 2023—

(1) the population of women veterans is more than 2,066,000, which represents a significant increase from 713,000 women veterans in 1980; and

(2) women veterans constitute approximately 11 percent of the total veteran population;

Whereas women are the fastest growing group in the veteran population;

Whereas an estimated 1 in 3 women veterans who are enrolled in the healthcare system of the Department of Veterans Affairs report having experienced military sexual trauma (MST) during their military service;

Whereas the United States is proud of, and appreciates, the service of all women veterans, who have demonstrated great skill, sacrifice, and commitment to defending the principles upon which the United States was founded and which the United States continues to uphold;

Whereas women veterans have unique stories and should be encouraged to share their recollections through the Veterans History Project, a part of the American Folklife Center at the Library of Congress, which has worked since 2000 to collect and share the personal accounts of wartime veterans in the United States; and

Whereas, by designating June 12, 2023, as ''Women Veterans Appreciation Day'', the Senate can—

(1) highlight the growing presence of women in the Armed Forces and the National Guard; and

(2) pay respect to women veterans for their patriotic military service: Now, therefore, be it

Resolved, That the Senate designates June 12, 2023, as ''Women Veterans Appreciation Day'' to recognize the service and sacrifices of women veterans who have served valiantly on behalf of the United States.

SENATE CONCURRENT RESOLUTION 12—RECOGNIZING THE NEED FOR A SUSTAINABLE, ECONOMICALLY VIABLE, AND FAIR DEBT RESTRUCTURING PLAN FOR THE PUERTO RICO ELECTRIC POWER AUTHORITY

Mr. MENENDEZ (for himself and Ms. WARREN) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 12

Whereas the electrical system of Puerto Rico has been fragile and suffered from a lack of investment for years, since well before Hurricane María destroyed the system in 2017;

Whereas, despite local and Federal efforts to rebuild the electrical grid of Puerto Rico, that electrical grid remains extremely fragile and vulnerable;

Whereas, in September 2022, category-1 Hurricane Fiona triggered an island-wide blackout for 1,500,000 customers;

Whereas the population of Puerto Rico, the median household income of which is less than ½ of that of the population of the poorest State, pays among the highest electric rates in the United States;

Whereas the transition to renewable energy is key to reducing electric rates in Puerto Rico by eliminating dependence on imported, price-volatile fossil fuels, which constitute up to 60 percent of the budget of the Puerto Rico Electric Power Authority (referred to in this preamble as the ''PREPA''), but currently only 3 percent of the energy on the island of Puerto Rico comes from clean sources;

Whereas, between 1974 and 2016, the PREPA made numerous bond issuances pursuant to the Trust Agreement between the Puerto Rico Water Resources Authority and First National City Bank dated January 1, 1974, reaching $8,300,000,000 in outstanding bond debt;

Whereas the PREPA is considered to have the largest debt of all public entities in Puerto Rico;

Whereas the retirement system of the PREPA warned that, by April 2023, it would

run out of funds to cover the obligations owed to its nearly 12,000 pension holders, and has yet to articulate a plan that ensures future monthly payments for retirees;

Whereas, in July 2017, the Financial Oversight and Management Board for Puerto Rico (referred to in this preamble as the ''FOMB'') filed a petition pursuant to title III of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2161 et seq.), commencing a debt adjustment proceeding for the PREPA;

Whereas, in 2019, the FOMB negotiated an agreement with bondholders that would have resulted in a 10- to 16-percent increase over current electric rates for the following 47 years;

Whereas that agreement was ultimately rejected in 2022 by the local legislature and Governor of Puerto Rico, who recognized that the agreement was unaffordable and would impose costs that would undermine the recovery and future economic growth of Puerto Rico;

Whereas, on December 16, 2022, the FOMB filed a new restructuring plan for the PREPA that proposes to reduce almost ½ of the debt of the PREPA and impose a ''legacy charge'' for consumers who do not benefit from subsidized electric rates;

Whereas that plan was amended on February 9, 2023, advocating for the issuance of $5,700,000,000 in bonds, or $13,000,000,000 over 35 years with accrued interest, to partially compensate the creditors of the PREPA, including bondholders;

Whereas the debt service on the new bonds will be paid off via the ''legacy charge'', which includes both fixed monthly charges and charges that depend on the consumption of electricity;

Whereas the estimated ''legacy charge'' for nonexempt, residential customers would, on average, be around $19 per month;

Whereas the fixed charge would be between $16 and $1,800 per month for commercial and industrial customers;

Whereas those charges represent an increase in monthly bills for average residents and small businesses of 12 to 13 percent, on top of rates that are already double the average price for electricity in the continental United States;

Whereas, according to estimates by small business representatives in Puerto Rico, once the increases in energy bills under the current restructuring plan are enforced, nearly 12,000 small businesses would be forced to close, a number 3 times higher than in 2020, a year marked by the onset of the Coronavirus Disease 2019 (COVID–19) pandemic;

Whereas, according to the 2017 testimony of Andrew Wolfe, an economic expert representing the FOMB, those increases would ''eventually contribute to a downward economic spiral that would result in Puerto Rico returning to a path of declining economic activity, which would in turn adversely impact the demand for electricity and in the end lead to another debt service payments crisis for PREPA'';

Whereas the FOMB proposes to raise electric rates in Puerto Rico in spite of a prior economic analysis of the FOMB showing that electric rates in Puerto Rico are unsustainable at current levels;

Whereas, in 2022, Congress passed the Puerto Rico Recovery Accuracy in Disclosures Act of 2021 (Public Law 117–82; 48 U.S.C. 2178) to impose disclosure requirements on all of the advisers and consultants of the FOMB, closing the loophole in the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2101 et seq.) that has disadvantaged the people of Puerto Rico in the debt restructuring process for the island;

Whereas, in 2022, the Wall Street Journal reported that stakeholders hired to consult on the bankruptcy proceedings for Puerto Rico initially failed to disclose connections to companies involved in the PREPA debt restructuring deal, raising the potential for conflicts of interest;

Whereas the latest restructuring plan for the PREPA filed by the FOMB does not represent a ''durable solution for Puerto Rico's fiscal and economic crisis [including] permanent, pro-growth fiscal reforms'', as instructed by Congress in title VII of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2241);

Whereas, in June 2023, the United States District Court for the District of Puerto Rico suspended the proceedings to evaluate and confirm that latest restructuring plan; and

Whereas, on June 23, 2023, the FOMB filed a 2023 Certified Fiscal Plan for the PREPA acknowledging that the latest proposed restructuring plan is not sustainable, and announced that it would present an amended restructuring plan for the PREPA by July 14, 2023: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes that the debt adjustment proceeding for the Puerto Rico Electric Power Authority (referred to in this resolution as the ''PREPA'') has been and continues to be of great interest to Puerto Ricans and to Congress;

(2) recognizes that the continuity of unsustainable electric rates will result in—

(A) accelerated out-migration from the island of Puerto Rico; and

(B) business closures and unemployment in Puerto Rico;

(3) recognizes that the continuity of unsustainable electric rates will further shrink the demand-base and revenues of the PREPA, increasing pressure on the electrical system to cut labor and maintenance costs and inhibiting the reconstruction of the system and the transition to renewable energy;

(4) urges the Financial Oversight and Management Board for Puerto Rico to put forth a restructuring plan for the PREPA that—

(A) is economically viable for the PREPA, customers of the PREPA, and PREPA retirees;

(B) allows for the rehabilitation of the electrical system of Puerto Rico; and

(C) does not impose additional increases to electric rates for residents, business owners, and users of the electric grid; and

(5) reaffirms the intent of Congress to create ''durable solution[s] for Puerto Rico's fiscal and economic crisis'' through the adoption of ''permanent, pro-growth fiscal reforms'', as stated in title VII of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2241).

AMENDMENTS SUBMITTED AND PROPOSED

SA 155. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 156. Mr. ROMNEY (for himself, Mr. VAN HOLLEN, Mr. SULLIVAN, Mr. CORNYN, Mr. SCOTT of South Carolina, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 157. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 158. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 159. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 160. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 161. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 162. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 163. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 164. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 165. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 166. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 167. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 168. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 169. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 170. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 171. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 172. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 173. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 174. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 175. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 176. Mr. TESTER (for himself, Mr. CASSIDY, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 177. Mr. MARSHALL (for himself, Mr. DURBIN, and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 178. Mr. KING (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 179. Mr. KING (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 180. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 181. Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 182. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 183. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 184. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 185. Mr. DURBIN (for himself, Mr. CORNYN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 186. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 187. Mr. LEE (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 188. Mr. CRUZ (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 189. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 190. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 191. Mr. MANCHIN (for himself, Mr. BARRASSO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 192. Mr. DURBIN (for himself, Mr. MURPHY, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 193. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 194. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 195. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 196. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 197. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 198. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 199. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 200. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 201. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 202. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 203. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 204. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 205. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 206. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 207. Mr. DURBIN (for himself, Mr. OSSOFF, and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 208. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 209. Mrs. FEINSTEIN (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 210. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 211. Mr. KENNEDY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 212. Mr. CRAMER (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 213. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 214. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 215. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 216. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 217. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 218. Ms. KLOBUCHAR (for herself and Mr. CRUZ) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 219. Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 220. Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 221. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 222. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 223. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 224. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 225. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 226. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 227. Mr. BUDD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 228. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 229. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 230. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 231. Mr. YOUNG (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 232. Mr. YOUNG (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 233. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 234. Mr. COONS (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 235. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 236. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 237. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 238. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 239. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 240. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 241. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 242. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 243. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 244. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 245. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 246. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 247. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 248. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 249. Mr. HICKENLOOPER (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 250. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 251. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 252. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 253. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 254. Mr. RISCH (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 255. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 256. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 257. Mr. COONS (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 258. Mr. WHITEHOUSE (for himself, Mr. TILLIS, Mr. BLUMENTHAL, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 259. Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. KING, Mr. CASSIDY, Mr. PADILLA, Ms. COLLINS, Mr . VAN HOLLEN, Mr. SCOTT of Florida, Mr. BOOKER, Ms. STABENOW, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 260. Ms. HIRONO (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 261. Mr. WELCH (for himself, Mr. TILLIS, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 262. Mr. WELCH (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 263. Mr. WELCH (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 264. Mr. RISCH (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 265. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 266. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 267. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 268. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 269. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 270. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 271. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 272. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 273. Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 274. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 275. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 276. Mr. MORAN (for himself and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 277. Mr. MORAN (for himself, Mr. CARDIN, Mr. SCOTT of Florida, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 278. Mr. DURBIN (for himself, Mrs. SHAHEEN, Mr. BOOZMAN, Mr. COONS, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 279. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 280. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 281. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 155. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. OPPOSITION TO PROVISION OF ASSISTANCE TO PEOPLE'S REPUBLIC OF CHINA BY MULTILATERAL DEVELOPMENT BANKS.

(a) FINDINGS.—Congress makes the following findings:

(1) The People's Republic of China is the world's second largest economy and a major global lender.

(2) In the third quarter of 2022, the foreign exchange reserves of the People's Republic of China totaled more than $3,000,000,000,000.

(3) The World Bank classifies the People's Republic of China as a country with an upper-middle-income economy.

(4) On February 25, 2021, President Xi Jinping announced ''complete victory'' over extreme poverty in the People's Republic of China.

(5) The Government of the People's Republic of China utilizes state resources to create and promote the Asian Infrastructure Investment Bank, the New Development Bank, and the Belt and Road Initiative.

(6) The People's Republic of China is the world's largest official creditor.

(7) Through a multilateral development bank, countries are eligible to borrow until they can manage long-term development and access to capital markets without financial resources from the bank.

(8) The World Bank reviews the graduation of a country from eligibility to borrow from the International Bank for Reconstruction and Development once the country reaches the graduation discussion income, which is equivalent to the gross national income. For fiscal year 2023, the graduation discussion income is a gross national income per capita exceeding $7,455.

(9) Many of the other multilateral development banks, such as the Asian Development Bank, use the gross national income per capita benchmark used by the International Bank for Reconstruction and Development to trigger the graduation process.

(10) The People's Republic of China exceeded the graduation discussion income threshold in 2016.

(11) Since 2016, the International Bank for Reconstruction and Development has approved projects totaling $9,610,000,000 to the People's Republic of China.

(12) Since 2016, the Asian Development Bank has continued to approve loans and technical assistance to the People's Republic of China totaling more than $10,600,000,000. The Bank has also approved non-sovereign commitments in the People's Republic of China totaling more than $2,400,000,000 since 2016.

(13) The World Bank calculates the People's Republic of China's 2019 gross national income per capita as $10,390.

(b) STATEMENT OF POLICY.—It is the policy of the United States to oppose any additional lending from the multilateral development banks, including the International Bank for Reconstruction and Development and the Asian Development Bank, to the People's Republic of China as a result of the People's Republic of China's successful graduation from the eligibility requirements for assistance from those banks.

(c) OPPOSITION TO LENDING TO PEOPLE'S REPUBLIC OF CHINA.—The Secretary of the Treasury shall instruct the United States

Executive Director at each multilateral development bank to use the voice, vote, and influence of the United States—

(1) to oppose any loan or extension of financial or technical assistance by the bank to the People's Republic of China; and

(2) to end lending and assistance to countries that exceed the graduation discussion income of the bank.

(d) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that includes—

(1) an assessment of the status of borrowing by the People's Republic of China from each multilateral development bank;

(2) a description of voting power, shares, and representation by the People's Republic of China at each such bank;

(3) a list of countries that have exceeded the graduation discussion income at each such bank;

(4) a list of countries that have graduated from eligibility for assistance from each such bank; and

(5) a full description of the efforts taken by the United States to graduate countries from such eligibility once they exceed the graduation discussion income at each such bank.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c)).

SA 156. Mr. ROMNEY (for himself, Mr. VAN HOLLEN, Mr. SULLIVAN, Mr. CORNYN, Mr. SCOTT of South Carolina, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

(b) FINDING; STATEMENT OF POLICY.—

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

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

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

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

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

(c) DEFINITIONS.—In this section:

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

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

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of State.

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

(1) identifies all current treaty negotiations in which—

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

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

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

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

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

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

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

(A) includes a list of countries that—

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

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

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

(f) MECHANISMS FOR CHANGING DEVELOPMENT STATUS.—

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

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

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

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

SA 157. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WEATHERIZATION ASSISTANCE PROGRAM.

(a) WEATHERIZATION READINESS FUND.—Section 414 of the Energy Conservation and Production Act (42 U.S.C. 6864) is amended by adding at the end the following:

''(d) WEATHERIZATION READINESS FUND.—

''(1) IN GENERAL.—The Secretary shall establish a fund, to be known as the 'Weatherization Readiness Fund', from which the Secretary shall distribute funds to States receiving financial assistance under this part, in accordance with subsection (a).

''(2) USE OF FUNDS.—

''(A) IN GENERAL.—A State receiving funds under paragraph (1) shall use the funds for repairs to dwelling units described in subparagraph (B) that will remediate the applicable structural defects or hazards of the dwelling unit so that weatherization measures may be installed.

''(B) DWELLING UNIT.—A dwelling unit referred to in subparagraph (A) is a dwelling unit occupied by a low-income person that, on inspection pursuant to the program under this part, was found to have significant defects or hazards that prevented the installation of weatherization measures under the program.

''(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under section 422, there is authorized to be appropriated to the Secretary to carry out this subsection $30,000,000 for each of fiscal years 2024 through 2028.''.

(b) STATE AVERAGE COST PER UNIT.—

(1) IN GENERAL.—Section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence, by striking ''$6,500'' and inserting ''$12,000''; and

(II) by striking ''(c)(1) Except as provided in paragraphs (3) and (4)'' and inserting the following:

''(c) FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—Except as provided in paragraphs (3), (4), and (6)'';

(ii) by conforming the margins of subparagraphs (A) through (D) to the margin of subparagraph (E);

(iii) in subparagraph (D), by striking '', and'' and inserting ''; and''; and

(iv) in subparagraph (E), by adding a period at the end;

(B) in paragraph (2), in the first sentence, by striking ''weatherized (including dwelling units partially weatherized)'' and inserting ''fully weatherized'';

(C) in paragraph (4), by striking ''$3,000'' and inserting ''$6,000'';

(D) in paragraph (5)—

(i) in subparagraph (A)(i), by striking ''(6)(A)(ii)'' and inserting ''(7)(A)(ii)''; and

(ii) by striking ''(6)(A)(i)(I)'' each place it appears and inserting ''(7)(A)(i)(I)'';

(E) by redesignating paragraph (6) as paragraph (7); and

(F) by inserting after paragraph (5) the following:

''(6) LIMIT INCREASE.—The Secretary may increase the amount of financial assistance provided per dwelling unit under this part beyond the limit specified in paragraph (1) if the Secretary determines that market conditions require such an increase to achieve the purposes of this part.''.

(2) CONFORMING AMENDMENT.—Section 414D(b)(1)(C) of the Energy Conservation and Production Act (42 U.S.C. 6864d(b)(1)(C)) is amended by striking ''415(c)(6)(A)'' and inserting ''415(c)(7)''.

SA 158. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1005. TREATMENT OF FUNDS RECEIVED BY NATIONAL GUARD BUREAU AS REIMBURSEMENT FROM STATES.

Section 710 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(g) TREATMENT OF REIMBURSED FUNDS.—Any funds received by the National Guard Bureau from a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands as reimbursement under this section for the use of military property shall be credited to—

''(1) the appropriation, fund, or account used in incurring the obligation; or

''(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.''.

SA 159. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12_____. REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the threats facing the United States—

(A) extend beyond the global war on terror; and

(B) include near-peer threats; and

(2) the President should seek from each country described in subsection (c)(2) acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the collective defense agreements or treaties to which such country is a party.

(c) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member country of the North Atlantic Treaty Organization.

(B) Each member country of the Gulf Cooperation Council.

(C) Each country party to the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), done at Rio de Janeiro September 2, 1947, and entered into force December 3, 1948 (TIAS 1838).

(D) Australia.

(E) Japan.

(F) New Zealand.

(G) The Philippines.

(H) South Korea.

(I) Thailand.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 160. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TRANSPARENCY FOR 2001 AUTHORIZATION FOR USE OF MILITARY FORCE.

Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall publish a declassified list of nations, organizations, or persons the United States is using force against or authorized to use force against pursuant to section 2(a) of the Authorization for Use of Military Force (Public Law 107–40; 115 Stat. 224; 50 U.S.C. 1541 note) (commonly known as the ''2001 AUMF'').

SA 161. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SEPARATE VOTE REQUIREMENT FOR INDUCTION OF MEN AND WOMEN.

(a) FINDINGS.—Congress makes the following findings:

(1) Clause 12 of section 8 of article I of the Constitution of the United States empowers Congress with the responsibility to ''raise and support Armies''.

(2) The United States first required military conscription in the American Civil War under the Civil War Military Draft Act of 1863.

(3) The Selective Services Act of 1917 authorized the President to draft additional forces beyond the volunteer force to support exceedingly high demand for additional forces when the U.S. entered the first World War.

(4) The Selective Training and Service Act of 1940 was the first authorization by Congress for conscription in peacetime but limited the President's induction authority to ''no greater number of men than the Congress shall hereafter make specific appropriation for from time to time''.

(5) Congress allowed induction authority to lapse in 1947.

(6) Congress reinstated the President's induction authority under the Selective Service Act of 1948 to raise troops for United States participation in the Korean War.

(7) Congress maintained the President's induction authority under the Selective Service Act of 1948 through the beginning of the Vietnam War.

(8) Congress passed additional reforms to the draft under the Military Selective Service Act of 1967 in response to issues arising from United States engagement in the Vietnam War.

(9) Congress prohibited any further use of the draft after July 1, 1973.

(10) If a president seeks to reactivate the use of the draft, Congress would have to enact a law providing authorization for this purpose.

(b) AMENDMENT.—Section 17 of the Military Selective Service Act (50 U.S.C. 3815) is amended by adding at the end the following new subsection:

''(d) No person shall be inducted for training and service in the Armed Forces unless Congress first passes and there is enacted—

''(1) a law expressly authorizing such induction into service; and

''(2) a law authorizing separately—

''(A) the number of male persons subject to such induction into service; and

''(B) the number of female persons subject to such induction into service.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect 1 year after the date of the enactment of this Act.

SA 162. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION ON USE OF FORCE AGAINST THE RUSSIAN FEDERATION.

(a) NO AUTHORITY FOR USE OF FORCE.—No provision of law enacted before the date of the enactment of this Act may be construed to provide authorization for the use of military force against the Russian Federation.

(b) PROHIBITION ON FUNDING FOR USE OF MILITARY FORCE AGAINST THE RUSSIAN FEDERATION.—

(1) IN GENERAL.— No Federal funds may be made available for the use of military force in or against the Russian Federation unless—

(A) Congress has declared war; or

(B) there is enacted specific statutory authorization for such use of military force that meets the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(2) COMMANDER-IN-CHIEF EXCEPTION.—The prohibition under paragraph (1) does not apply to a use of military force that is consistent with section 2(c) of the War Powers Resolution (50 U.S.C. 1541(c)).

(c) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to prevent the President from using necessary and appropriate force to defend United States allies and partners if Congress enacts specific statutory authorization for such use of force consistent with the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.);

(2) to relieve the executive branch of restrictions on the use of force, reporting, or consultation requirements set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.); or

(3) to authorize the use of military force.

(d) SCOPE OF MILITARY FORCE.—In this section, the term ''military force''—

(1) includes—

(A) sharing intelligence with Ukraine for the purpose of enabling offensive strikes against the Russian Federation;

(B) providing logistical support to Ukraine for offensive strikes against the Russian Federation; and

(C) any situation involving any use of lethal or potentially lethal force by United States forces against Russian forces, irrespective of the domain, whether such force is deployed remotely, or the intermittency thereof; and

(2) does not include activities undertaken pursuant to section 503 of the National Security Act of 1947 (50 U.S.C. 3093).

SA 163. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ___—Spectrum Valuation and Audit

SEC. ___01. ESTIMATE OF VALUE OF ELECTROMAGNETIC SPECTRUM.

(a) IN GENERAL.—Part A of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended—

(1) by redesignating section 105 (47 U.S.C. 904) as section 106; and

(2) by inserting after section 104 (47 U.S.C. 903) the following:

''SEC. 105. ESTIMATE OF VALUE OF ELECTROMAGNETIC SPECTRUM.

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered band' means the band of frequencies between 3 kilohertz and 95 gigahertz;

''(2) the term 'Federal entity' has the meaning given the term in section 113(1); and

''(3) the term 'OMB' means the Office of Management and Budget.

''(b) ESTIMATES REQUIRED.—The Assistant Secretary, in consultation with the Commission and OMB, shall estimate the value of electromagnetic spectrum in the covered band that is assigned or otherwise allocated to each Federal entity as of the date of the estimate, in accordance with the schedule under subsection (c).

''(c) SCHEDULE.—The Assistant Secretary shall conduct the estimates under subsection (b) for the frequencies between—

''(1) 3 kilohertz and 33 gigahertz not later than 1 year after the date of enactment of this section, and every 3 years thereafter;

''(2) 33 gigahertz and 66 gigahertz not later than 2 years after the date of enactment of this section, and every 3 years thereafter; and

''(3) 66 gigahertz and 95 gigahertz not later than 3 years after the date of enactment of this section, and every 3 years thereafter.

''(d) BASIS FOR ESTIMATE.—

''(1) IN GENERAL.—The Assistant Secretary shall base each value estimate under subsection (b) on the value that the electromagnetic spectrum would have if the spectrum were reallocated for the use with the highest potential value of licensed or unlicensed commercial wireless services that do not have access to that spectrum as of the date of the estimate.

''(2) CONSIDERATION OF GOVERNMENT CAPABILITIES.—In estimating the value of spectrum under subsection (b), the Assistant Secretary may consider the spectrum needs of commercial interests while preserving the spectrum access necessary to satisfy mission requirements and operations of Federal entities.

''(3) DYNAMIC SCORING.—To the greatest extent practicable, the Assistant Secretary shall incorporate dynamic scoring methodology into the value estimate under subsection (b).

''(4) DISCLOSURE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Assistant Secretary shall publicly disclose how the Assistant Secretary arrived at each value estimate under subsection (b), including any findings made under paragraph (2) of this subsection.

''(B) CLASSIFIED, LAW ENFORCEMENT-SENSITIVE, AND PROPRIETARY INFORMATION.—If any information involved in a value estimate under subsection (b), including any finding made under paragraph (2) of this subsection, is classified, law enforcement-sensitive, or proprietary, the Assistant Secretary—

''(i) may not publicly disclose the classified, law enforcement-sensitive, or proprietary information; and

''(ii) shall make the classified, law enforcement-sensitive, or proprietary information available to any Member of Congress, upon request, in a classified annex.

''(e) AGENCY REPORT ON VALUE OF ELECTROMAGNETIC SPECTRUM.—A Federal entity that has been assigned or otherwise allocated use of electromagnetic spectrum within the covered band shall report the value of the spectrum as most recently estimated under subsection (b)—

''(1) in the budget of the Federal entity to be included in the budget of the United States Government submitted by the President under section 1105 of title 31, United States Code; and

''(2) in the annual financial statement of the Federal entity required to be filed under section 3515 of title 31, United States Code.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 103(b) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 902(b)) is amended—

(1) in paragraph (1), by striking ''section 105(d)'' and inserting ''section 106(d)''; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking ''section 105(d)'' and inserting ''section 106(d)''.

SEC. ___02. DEPARTMENT OF DEFENSE SPECTRUM AUDIT.

(a) DEFINITIONS.—In this section—

(1) the term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information;

(2) the term ''Department'' means the Department of Defense; and

(3) the term ''Federal entity'' has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(b) AUDIT AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Assistant Secretary, in consultation with the Secretary of Defense, shall—

(1) conduct an audit of the electromagnetic spectrum that is assigned or otherwise allocated to the Department as of the date of the audit; and

(2) submit to Congress, and make available to each Member of Congress upon request, a report containing the results of the audit conducted under paragraph (1).

(c) CONTENTS OF REPORT.—The Assistant Secretary shall include in the report submitted under subsection (b)(2), with respect to the electromagnetic spectrum that is assigned or otherwise allocated to the Department as of the date of the audit—

(1) each particular band of spectrum being used by the Department;

(2) a description of each purpose for which a particular band described in paragraph (1) is being used, and how much of the band is being used for that purpose;

(3) the State or other geographic area in which a particular band described in paragraph (1) is assigned or allocated for use;

(4) whether a particular band described in paragraph (1) is used exclusively by the Department or shared with another Federal entity or a non-Federal entity; and

(5) any portion of the spectrum that is not being used by the Department.

(d) FORM OF REPORT.—The report required under subsection (b)(2) shall be submitted in unclassified form but may include a classified annex.

SA 164. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

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

SEC. ___. REPORTING ON END STRENGTH RATIONALES.

Section 115a(b) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary'';

(2) by inserting '', including an assessment of the most important threats facing the United States by regional command and how personnel end strength level requests address those specific threats'' after ''in effect at the time''; and

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

''(2) Not later than May 1 each year, the Secretary shall provide a briefing to Congress including—

''(A) the rationale for recommended increases or decreases in active, reserve, and civilian personnel for each component of the Department of Defense;

''(B) the rationale for recommended increases or decreases in active, reserve, and civilian personnel for each of the regional combatant commands;

''(C) the primary functions or missions of military and civilian personnel in each regional combatant command; and

''(D) an assessment of any areas in which decreases in active, reserve, or civilian personnel would not result in a decrease in readiness.''.

SA 165. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. PRIORITIZING EXCESS DEFENSE ARTICLE TRANSFERS FOR THE INDO-PACIFIC REGION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should—

(1) prioritize the review of excess defense article transfers to Indo-Pacific allies and partners;

(2) coordinate and align excess defense article transfers with capacity building efforts of Indo-Pacific allies and partners; and

(3) assist Taiwan to develop asymmetric capability through excess defense article transfers under section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

(b) PLAN REQUIRED.—Not later than February 15, 2024, and annually thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall submit a report to the congressional defense committees on planned future activities and the resources needed to accomplish the purposes described in subsection (a) that includes—

(1) a summary of the progress made towards achieving the purposes described in subsection (a); and

(2) an evaluation of potential excess defense articles scheduled for decommissioning that could be transferred under the Excess Defense Articles program administered by the Defense Security Cooperation Agency to allies and partners, including Taiwan regarding its asymmetric capability development.

SA 166. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. TWO-YEAR TIME LIMIT FOR AUTHORIZATIONS FOR USE OF MILITARY FORCE.

(a) IN GENERAL.—Any law authorizing the use of military force that is enacted on or after the date of the enactment of this Act shall terminate two years after the date of the enactment of such law unless a joint resolution of extension is enacted pursuant to subsection (b) extending such authority prior to such termination date.

(b) CONSIDERATION OF JOINT RESOLUTION OF EXTENSION.—

(1) JOINT RESOLUTION OF EXTENSION DEFINED.—In this subsection, the term ''joint resolution of extension'' means only a joint resolution of either House of Congress—

(A) the title of which is as follows: ''A joint resolution extending the [_____] for a two-year period beginning on the date of the enactment of this joint resolution.'', with the blank being filled with the title of the law authorizing the use of military force that is being extended pursuant to subsection (a); and

(B) the sole matter after the resolving clause of which is the following: ''Congress extends the authority for the use of military force provided under [_____] for a two-year period beginning on the date of the enactment of this joint resolution.'', with the blank being filled with the title of the law authorizing the use of military force that is being extended pursuant to subsection (a).

(2) INTRODUCTION.—A joint resolution of extension may be introduced by any member of Congress.

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a joint resolution of extension has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A joint resolution of extension introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If the Committee on Foreign Relations has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee of Foreign Relations reports a joint resolution of extension to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order, excluding budgetary points of order, against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of extension shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a joint resolution of extension, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE JOINT RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a joint resolution of extension received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order, excluding budgetary points of order, against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

(i) If, before the passage by the Senate of a joint resolution of extension, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—

(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of extension in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of extension is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 167. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. EXPIRATION OF SPECIAL PRESIDENTIAL DRAWDOWN AUTHORITY.

Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended, in the undesignated matter following subparagraph (B), by inserting before the period at the end the following: '', provided that the authority for any drawdown authorized under this paragraph shall expire on the last day of the fiscal year of such authorization, after which date no defense articles or equipment may be delivered to a foreign country or international organization without another authorization''.

SA 168. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the Utah School and Institutional Trust Lands Administration.

(2) AGREEMENT.—The term ''Agreement'' means the agreement between the Administration, the State, and the Secretary to exchange certain Federal land and interests in Federal land for certain State land and interests in State land managed by the Administration entitled ''Memorandum of Understanding—Exchange of Lands'' and dated March 17, 2023.

(3) LEGAL DESCRIPTION.—The term ''Legal Description'' means a legal description that is included in Exhibit A to the Agreement and that is part of the Agreement as of the date of the conveyance of the applicable land under this section.

(4) MAP.—The term ''Map'' means the map described in the Agreement.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Utah.

(b) RATIFICATION OF AGREEMENT BETWEEN THE ADMINISTRATION, THE STATE OF UTAH, AND THE SECRETARY OF THE INTERIOR.—

(1) RATIFICATION.—All terms, conditions, procedures, covenants, reservations, and other provisions included in the Agreement—

(A) shall be considered to be in the public interest;

(B) are incorporated by reference into this section;

(C) are ratified and confirmed by Congress; and

(D) set forth the obligations of the United States, the State, and the Administration under the Agreement as a matter of Federal law.

(2) IMPLEMENTATION.—The Secretary shall implement the Agreement.

(c) CONVEYANCES.—

(1) PUBLIC INTEREST DETERMINATION.—The land exchange directed by the Agreement shall be considered to be in the public interest.

(2) AUTHORIZATION.—

(A) CONVEYANCES.—Notwithstanding any other provision of law, the conveyances of land and interests in land described in paragraphs (2), (3), and (5) of the Agreement shall be executed in accordance with this section and the Agreement.

(B) DEADLINE FOR CERTAIN CONVEYANCES.—The conveyances of land and interests in land described in paragraphs (2) and (3) of the Agreement shall be completed not later than 45 days after the date of enactment of this Act.

(C) REQUIREMENT.—If necessary, the conveyances of land and interests in land described in the Agreement shall be equalized in accordance with subsection (d)(2).

(3) MAP AND LEGAL DESCRIPTIONS.—

(A) PUBLIC AVAILABILITY.—The Map and Legal Descriptions shall be on file and available for public inspection in the offices of the Secretary and the State Director of the Bureau of Land Management.

(B) CONFLICT.—In the case of any conflict between the Map and the Legal Descriptions, the Legal Descriptions shall control.

(C) TECHNICAL CORRECTIONS.—Nothing in this section prevents the Secretary and the Administration from agreeing to the correction of technical errors or omissions in the Map or Legal Descriptions.

(4) ADEQUACY OF APPLICABLE PLANS.—A conveyance of Federal land or an interest in Federal land to the State under the Agreement shall be considered to comply with any applicable land use plan developed under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(d) EQUALIZATION OF THE EXCHANGE.—

(1) APPRAISAL.—

(A) IN GENERAL.—Not later than 18 months after the date of execution of the exchange under subsection (c), the total value of the land exchanged shall be determined by an appraisal in accordance with paragraph (5) of the Agreement, that shall—

(i) be based on land and mineral values determined as of the date of enactment of this Act;

(ii) be conducted in accordance with section 206(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(d)); and

(iii) use nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(B) MINERALS.—

(i) MINERAL REPORTS.—The appraisals conducted under subparagraph (A) may take into account mineral and technical reports provided by the Secretary and the Administration in the evaluation of mineral deposits in the land and interests in land exchanged under the Agreement.

(ii) MINING CLAIMS.—The appraisal of any parcel of Federal land or interest in Federal land that is encumbered by a mining claim, mill site, or tunnel site located under the mining laws shall be conducted in accordance with standard appraisal practices, including, as appropriate, the Uniform Appraisal Standards for Federal Land Acquisition.

(iii) VALIDITY EXAMINATIONS.—Nothing in this subparagraph requires the United States to conduct a mineral examination for any mining claim on the Federal land or interest in Federal land conveyed under the Agreement.

(C) ADJUSTMENT.—

(i) IN GENERAL.—If value is attributed to any parcel of Federal land or interest in Federal land through an appraisal under subparagraph (A) based on the presence of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq.), the value of the parcel or interest in Federal land (as otherwise established under this paragraph) shall be reduced by the percentage of the applicable Federal revenue sharing obligation under section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

(ii) LIMITATION.—Any adjustment under clause (i) shall not be considered to be a property right of the State.

(D) APPROVAL; DURATION.—An appraisal conducted under subparagraph (A) shall—

(i) be submitted to the Secretary and the Administration for approval; and

(ii) remain valid for 3 years after the date on which the appraisal is approved by the Secretary and the Administration under clause (i).

(E) DISPUTE RESOLUTION.—If, by the date that is 90 days after the date of submission of an appraisal for review and approval under subparagraph (D)(i), the Secretary and the Administration do not agree to accept the findings of the appraisal with respect to any parcel of land or interest in land to be exchanged, the dispute shall be resolved in accordance with section 206(d)(2) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(d)(2)).

(2) EQUALIZATION OF VALUES.—If the total value of the State land described in paragraph (2) of the Agreement and the total value of the Federal land and interests in Federal land described in paragraph (3) of the Agreement, as determined under paragraph (1), are not equal—

(A) the value shall be equalized in accordance with paragraph (5) of the Agreement; and

(B) the conveyance of equalization parcels, in accordance with paragraph (5) of the Agreement, shall occur not later than 45 days after the date of the identification of the appraised equalization parcels or portions of parcels to be conveyed to ensure that the exchange is of equal value.

(e) WITHDRAWALS.—

(1) WITHDRAWAL OF FEDERAL LAND FROM MINERAL ENTRY PRIOR TO EXCHANGE.—Subject to valid existing rights, the Federal land and interests in Federal land to be conveyed to the State under subsection (c)(2) are withdrawn from mineral location, entry, and patent under the mining laws pending conveyance of the Federal land and interests in Federal land to the State.

(2) WITHDRAWAL OF STATE LAND CONVEYED TO THE UNITED STATES.—Subject to valid existing rights, on the date of acquisition by

the United States, the State land described in paragraph (2) of the Agreement acquired by the United States under subsection (c)(2), to the extent not subject to previous withdrawals, is permanently withdrawn from all forms of appropriation and disposal under—

(A) the public land laws (including the mining and mineral leasing laws); and

(B) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(3) WITHDRAWAL REVOCATION.—Any withdrawal of the parcels of Federal land and interests in Federal land described in paragraph (3) of the Agreement to be conveyed to the State under subsection (c)(2) from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit the conveyance of the Federal land parcel to the State free of any encumbrances associated with power site reserves or classifications.

(f) SUNNYSIDE, UTAH, WATER SUPPLY PROVISIONS.—The Act of January 7, 1921 (41 Stat. 1087, chapter 13), is amended by adding at the end the following:

"SEC. 5. CERTAIN EXCLUSIONS.

''Notwithstanding any other provision of this Act, the provisions of this Act of shall not apply to the following:

''(1) S½SW¼ sec 34, T. 13 S., R. 14 E., of the Salt Lake Meridian.

''(2) Lots 1–4, T. 14 S., R. 14 E., sec. 11, S½N½ and S½, of the Salt Lake Meridian.

''(3) Lots 3 and 4, T. 14 S., R. 14 E., sec. 12, S½NW¼ and SW¼, of the Salt Lake Meridian.

''(4) Lots 1 and 2, T. 14 S., R. 14 E., sec. 13, NE¼, W½, and N½SE¼, of the Salt Lake Meridian.

''(5) T. 14 S., R. 14 E., sec. 14, of the Salt Lake Meridian.''.

SA 169. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. TERMINATION OF DESIGNATION OF RUSSIAN INVASION OF UKRAINE AS AN UNFORESEEN EMERGENCY UNDER SECTION 506(A)(1) OF THE FOREIGN ASSISTANCE ACT OF 1961.

Beginning on the date of the enactment of this Act, the President may not designate the Russian invasion of Ukraine, which began in February 2022, as an unforeseen emergency for purposes of section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)).

SA 170. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ____—Military Humanitarian Operations

SEC. ____1. SHORT TITLE.

This subtitle may be cited as the ''Military Humanitarian Operations Act of 2023''.

SEC. ____2. MILITARY HUMANITARIAN OPERATION DEFINED.

(a) IN GENERAL.—In this subtitle, the term ''military humanitarian operation'' means a military operation involving the deployment of members or weapons systems of the United States Armed Forces where hostile activities are reasonably anticipated and with the aim of preventing or responding to a humanitarian catastrophe, including its regional consequences, or addressing a threat posed to international peace and security. The term includes—

(1) operations undertaken pursuant to the principle of the ''responsibility to protect'' as referenced in United Nations Security Council Resolution 1674 (2006);

(2) operations specifically authorized by the United Nations Security Council, or other international organizations; and

(3) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(b) OPERATIONS NOT INCLUDED.—The term ''military humanitarian operation'' does not mean a military operation undertaken for the following purposes:

(1) Responding to or repelling attacks, or preventing imminent attacks, on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(2) Direct acts of reprisal for attacks on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(3) Invoking the inherent right to individual or collective self-defense in accordance with Article 51 of the Charter of the United Nations.

(4) Military missions to rescue United States citizens or military or diplomatic personnel abroad.

(5) Humanitarian missions in response to natural disasters where no civil unrest or combat with hostile forces is reasonably anticipated, and where such operation is for not more than 30 days.

(6) Actions to maintain maritime freedom of navigation, including actions aimed at combating piracy.

(7) Training exercises conducted by the United States Armed Forces abroad where no combat with hostile forces is reasonably anticipated.

SEC. ____3. REQUIREMENT FOR CONGRESSIONAL AUTHORIZATION.

The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country for a military humanitarian operation not previously authorized by statute unless—

(1) the President submits to Congress a formal request for authorization to use members of the Armed Forces for the military humanitarian operation; and

(2) Congress enacts a specific authorization for such use of forces.

SEC. ____4. SEVERABILITY.

If any provision of this subtitle is held to be unconstitutional, the remainder of the subtitle shall not be affected.

SA 171. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12_____. PROHIBITION ON USE OF FUNDS TO PROVIDE ASSISTANCE TO VETTED SYRIAN OPPOSITION.

None of the funds authorized to be appropriated by this Act may be obligated or expended for activities under section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3541).

SA 172. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT ON THE DEMILITARIZATION ABROAD OF UNSERVICEABLE MUNITIONS LOCATED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasibility and advisability of demilitarizing abroad unserviceable munitions that are located outside the United States in order to avoid the costs of transporting such munitions to the United States for demilitarization.

(b) CONSIDERATIONS.—In preparing the evaluation required for the report, the Secretary shall take into account the following:

(1) The need for mitigation of adverse environmental impacts, or impacts to the health and safety of local populations, in the demilitarization of unserviceable munitions.

(2) The availability and ease of use of munitions demilitarization technologies and mechanisms abroad, whether or not currently in use by the Army, including available non-incineration technologies.

(3) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(c) TECHNOLOGIES.—If the Secretary determines for purposes of the report that the demilitarization abroad of unserviceable munitions located outside the United States is feasible and advisable, the report shall include a description and assessment of various technologies and other mechanisms that would be suitable for such demilitarization.

SA 173. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

SA 174. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. CONFIRMATION OF USE OF CERTAIN NON-FEDERAL LAND IN SALT LAKE CITY, UTAH, FOR VALID PUBLIC PURPOSES.

(a) CONFIRMATION OF USES.—

(1) IN GENERAL.—The use by the University of Utah of the land described in subsection (b) as a University research park, as approved by the letter from the Secretary of the Interior to the University of Utah dated December 10, 1970, and any modifications of the approved plan of development and management approved by the Department of the Interior prior to the date of enactment of this Act, is confirmed as a valid public purpose consistent with the requirements of the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.), subject to the terms and conditions included in the letter and approvals.

(2) OTHER USES.—Any other uses of the land described in subsection (b) by the University of Utah that are consistent with use as a University research park and related university purposes (including development of student housing and a transit hub) are confirmed as valid public purposes consistent with the requirements of the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.), subject to the terms and conditions referred to in paragraph (1).

(b) DESCRIPTION OF NON-FEDERAL LAND.—The land referred to in subsection (a) is the approximately 593.54 acres of land conveyed to the University of Utah under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.), by patent numbered 43–99–0012 and dated October 18, 1968, and more particularly described as tracts D (excluding parcels numbered 1, 2, 3, 4, and 5), G, and J, T. 1 S., R. 1 E., Salt Lake Meridian.

SA 175. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10____. GREATER SAGE-GROUSE PROTECTION AND RECOVERY; LESSER-PRAIRIE CHICKEN CONSERVATION; AMERICAN BURYING BEETLE LISTING STATUS.

(a) GREATER SAGE-GROUSE PROTECTION AND RECOVERY.—

(1) PURPOSES.—The purposes of this subsection are—

(A) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(B) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(2) DEFINITIONS.—In this subsection:

(A) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ''Federal resource management plan'' means—

(i) a land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(ii) a land and resource management plan prepared by the Forest Service for National Forest System land pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(B) GREATER SAGE-GROUSE.—The term ''greater sage-grouse'' means a sage-grouse of the species *Centrocercus urophasianus*.

(C) STATE MANAGEMENT PLAN.—The term ''State management plan'' means a State-approved plan for the protection and recovery of the greater sage-grouse.

(3) PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.—

(A) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(i) DELAY REQUIRED.—The Secretary of the Interior may not modify or invalidate the finding of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled ''Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (Centrocercus urophasianus) as an Endangered or Threatened Species'' (80 Fed. Reg. 59858 (October 2, 2015)) during the 10-year period beginning on the date of enactment of this Act.

(ii) EFFECT ON OTHER LAWS.—The delay required under clause (i) is and shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(iii) EFFECT ON CONSERVATION STATUS.—The conservation status of the greater sage-grouse shall be considered not to warrant listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) during the 10-year period beginning on the date of enactment of this Act.

(B) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.—

(i) PROHIBITION ON WITHDRAWAL AND MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—On notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not make, modify, or extend any withdrawal or amend or otherwise modify any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for, as specified by the Governor in the notification, a period of not fewer than 5 years beginning on the date of the notification.

(ii) RETROACTIVE EFFECT.—In the case of any State that provides notification under clause (i), if any withdrawal was made, modified, or extended or any amendment or modification of a Federal resource management plan applicable to Federal land in the State was issued after June 1, 2014, and the withdrawal, amendment, or modification altered the management of the greater sage-grouse or the habitat of the greater sage-grouse—

(I) implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan; and

(II) the Federal resource management plan, as in effect immediately before the withdrawal, amendment, or modification, shall apply instead with respect to the management of the greater sage-grouse and the habitat of the greater sage-grouse, to the extent consistent with the State management plan.

(iii) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, amendment, or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(C) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(D) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through the date that is 10 years after that date of enactment, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the implementation by the Secretaries of, and the effectiveness of, systems to monitor the status of greater sage-grouse on Federal land under the jurisdiction of the Secretaries.

(E) JUDICIAL REVIEW.—Notwithstanding any other provision of law (including regulations), this paragraph, including any determination made under subparagraph (B)(iii), shall not be subject to judicial review.

(b) IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.—

(1) DEFINITIONS.—In this subsection:

(A) CANDIDATE CONSERVATION AGREEMENT; CANDIDATE CONSERVATION AGREEMENT WITH ASSURANCES.—The terms ''Candidate Conservation Agreement'' and ''Candidate Conservation Agreement with Assurances'' have the meanings given those terms in the announcement of the Department of the Interior and the Department of Commerce entitled ''Announcement of Final Policy for Candidate Conservation Agreements with Assurances'' (64 Fed. Reg. 32726 (June 17, 1999)).

(B) LESSER PRAIRIE-CHICKEN.—The term ''lesser prairie-chicken'' means a prairie-chicken of the species *Tympanuchus pallidicinctus*.

(C) RANGE-WIDE PLAN.—The term ''Range-Wide Plan'' means the lesser prairie-chicken Range-Wide Conservation Plan of the Western Association of Fish and Wildlife Agencies, as described in the proposed rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Listing the Lesser-Prairie Chicken as a Threatened Species with a Special Rule'' (79 Fed. Reg. 4652 (January 29, 2014)).

(D) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(A) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie-chicken shall not be treated as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before the date that is 10

years after the date of enactment of this Act.

(B) PROHIBITION ON PROPOSAL.—Effective beginning on the date that is 10 years after the date of enactment of this Act, the lesser prairie-chicken may not be treated as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary publishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts described in paragraph (3) have not achieved the conservation goals established by the Range-Wide Plan.

(3) MONITORING OF PROGRESS OF CONSERVATION PROGRAMS.—The Secretary shall monitor and annually submit to Congress a report on the conservation progress of the lesser prairie-chicken under the Range-Wide Plan and all related—

(A) Candidate Conservation Agreements and Candidate Conservation Agreements with Assurances;

(B) Federal conservation programs administered by the Director of the United States Fish and Wildlife Service, the Director of the Bureau of Land Management, and the Secretary of Agriculture;

(C) State conservation programs; and

(D) private conservation efforts.

(c) REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.—Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle (*Nicrophorus americanus*) may not be listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 176. Mr. TESTER (for himself, Mr. CASSIDY, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. MODIFICATION OF DESCRIPTION OF INTEREST FOR PURPOSES OF CERTAIN DISTRIBUTIONS OF ANTI-DUMPING DUTIES AND COUNTERVAILING DUTIES.

(a) IN GENERAL.—Section 605(c)(1) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4401(c)(1)) is amended—

(1) by striking subparagraphs (A) and (B); and

(2) by striking ''October 1, 2014, by U.S. Customs and Border Protection under, or in connection with—'' and inserting ''October 1, 2000, by U.S. Customs and Border Protection.''.

(b) FUNDING.—In carrying out the amendments made by subsection (a), the Commissioner of U.S. Customs and Border Protection may use amounts available in the ''Refund of Moneys Erroneously Received and Covered'' account of the Department of the Treasury.

SA 177. Mr. MARSHALL (for himself, Mr. DURBIN, and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 633. REPORT ON CREDIT AND DEBIT CARD USER FEES IMPOSED ON VETERANS AND CAREGIVERS AT COMMISSARY STORES AND MWR FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the imposition of user fees under subsection (g) of section 1065 of title 10, United States Code, with respect to the use of credit or debit cards at commissary stores and MWR facilities by individuals eligible to use commissary stores and MWR facilities under that section.

(b) ELEMENTS.—The report required by subsection (a) shall provide the following, for the fiscal year preceding submission of the report:

(1) The total amount of expenses borne by the Department of the Treasury on behalf of commissary stores and MWR facilities associated with the use of credit or debit cards for customer purchases by individuals described in subsection (a), including expenses related to card network use and related transaction processing fees.

(2) The total amount of fees related to credit and debit card network use and related transaction processing paid by the Department of the Treasury on behalf of commissary stores and MWR facilities to credit and debit card networks and issuers.

(3) An identification of all credit and debit card networks to which the Department of the Treasury paid fees described in paragraph (2).

(4) An identification of the 10 credit card issuers and the 10 debit card issuers to which the Department of the Treasury paid the most fees described in paragraph (2).

(5) The total amount of user fees imposed on individuals under section 1065(g) of title 10, United States Code, who are—

(A) veterans who were awarded the Purple Heart;

(B) veterans who were Medal of Honor recipients;

(C) veterans who are former prisoners of war;

(D) veterans with a service-connected disability; and

(E) caregivers or family caregivers of a veteran.

(6) The total amount of fees described in paragraph (2) that were reimbursed to the Department of the Treasury by credit and debit card networks and issuers in order to spare individuals described in subsection (a) from being charged user fees for credit and debit card use at commissary stores or MWR retail facilities.

(c) DEFINITIONS.—In this section, the terms ''caregiver'', ''family caregiver'', and ''MWR facilities'' have the meanings given those terms in section 1065(h) of title 10, United States Code.

SA 178. Mr. KING (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY DURING PERIOD PRIOR TO DISCHARGE, RELEASE, RETIREMENT, OR SEPARATION.

(a) CARE FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.—

(1) IN GENERAL.—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1790. Care for members of the Armed Forces on active duty

''(a) IN GENERAL.—The Secretary shall furnish hospital care and medical services that the Secretary determines to be needed—

''(1) to a member of the armed forces throughout the 90-day period immediately preceding discharge or release of such member from the armed forces upon completion by such member of 180 or more continuous days of active duty; and

''(2) to a member of the armed forces throughout the 90-day period immediately preceding retirement or separation of such member from active duty for disability without regard to duration of service of such member on active duty.

''(b) MANNER OF PROVIDING CARE.—In carrying out subsection (a), the Secretary shall furnish hospital care and medical services in the same or similar manner and subject to the same or similar limitations as hospital care and medical services furnished to veterans eligible for such care and services, by—

''(1) establishing processes and procedures to complete enrollment in the patient enrollment system under section 1705(a)(9) of this title of members of the armed forces described in subsection (a) prior to the 90-day authorization window for hospital care and medical services under such subsection;

''(2) establishing access standards for furnishing hospital care and medical services to such members; and

''(3) ensuring that such access standards mitigate the absence of service-connected disability determinations for such members.

''(c) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than April 30 of each year, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on hospital care and medical services furnished under subsection (a) during the previous calendar year.

''(2) ELEMENTS.—Each report required under paragraph (1) shall include, for the year covered by the report—

''(A) the number of individuals who received hospital care or medical services under subsection (a);

''(B) demographic information for such individuals;

''(C) the types of such care or services furnished or paid for by the Department; and

''(D) the total cost to the Department of providing such care or services.

''(d) ARMED FORCES DEFINED.—In this section, the term 'armed forces' has the meaning given that term in section 101 of title 10.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''1790. Care for members of the Armed Forces on active duty.''.

(b) ENROLLMENT OF MEMBERS.—Section 1705(a) of title 38, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''enrollment of veterans'' and inserting ''enrollment of individuals under such system''; and

(2) by adding at the end the following new paragraph:

''(9) Members of the Armed Forces for purposes of furnishing hospital care and medical services under section 1790(a) of this title.''.

(c) IMPLEMENTATION DATE.—The Secretary of Veterans Affairs shall begin furnishing care and services under section 1790 of title 38, United States Code, as added by subsection (a), by not later than one year after the date of the enactment of this Act.

(d) PROGRESS BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a briefing regarding the progress of the Secretary in meeting the requirements under section 1790 of title 38, United States Code, as added by subsection (a).

SA 179. Mr. KING (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. IMPROVEMENTS TO DEPARTMENT OF VETERANS AFFAIRS-DEPARTMENT OF DEFENSE JOINT EXECUTIVE COMMITTEE.

(a) SHORT TITLE.—This section may be cited as the ''Ensuring Interagency Cooperation to Support Veterans Act of 2023''.

(b) IN GENERAL.—Section 320 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(C) the Assistant Secretary of Labor for Veterans' Employment and Training and such other officers and employees of the Department of Labor as the Secretary of Labor may designate; and

''(D) such officers and employees of other Executive agencies as the Secretary of Veterans Affairs and the Secretary of Defense jointly determine, with the consent of the heads of the Executive agencies of such officers and employees, necessary to carry out the goals and objectives of the Committee.'';

(B) by adding at the end the following new paragraph:

''(3) The co-chairs of the Committee are the Deputy Secretary of Veterans Affairs and the Under Secretary of Defense for Personnel and Readiness.'';

(2) in subsection (b)(2), by striking ''Job Training and Post-Service Placement Executive Committee'' and inserting ''Transition Executive Committee'';

(3) in subsection (d), by adding at the end the following new paragraph:

''(6) Develop, implement, and oversee such other joint actions, initiatives, programs, and policies as the two Secretaries determine appropriate and consistent with the purpose of the Committee.''; and

(4) in subsection (e)—

(A) in the subsection heading, by striking ''JOB TRAINING AND POST-SERVICE PLACEMENT'' and inserting ''TRANSITION'';

(B) in the matter before paragraph (1)—

(i) by striking ''Job Training and Post-Service Placement'' and inserting ''Transition'';

(ii) by inserting '', in addition to such other activities as may assigned to the committee under subsection (d)(6)'' after ''shall''; and

(C) in paragraph (2), by inserting '', transition from life in the Armed Forces to civilian life,'' after ''job training''.

SA 180. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1702 and 1703 and insert the following:

SEC. 1702. COMPREHENSIVE ASSESSMENT OF SPACE FORCE EQUITIES IN THE NATIONAL GUARD.

(a) STUDY REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a Federally funded research and development center under which such center will conduct an independent study to determine the a cost benefit analysis of the range of feasible options for the future of State National Guard units with space based missions and provide to the Secretary a report on the findings of the study. The conduct of such study shall include—

(1) an analysis of the current model of National Guard units with space-based missions, the potential plan to transition these aforementioned National Guard units in to the Space Force, and the potential creation of a Space Force National Guard.

(2) a cost-benefit analysis for each of the analyzed courses of action; and

(3) an analysis of the best replacement missions or units for the State National Guards that would lose a mission or unit under any of the proposed plans analyzed.

(b) DEADLINE FOR COMPLETION.—An agreement entered into pursuant to subsection (a) shall specify that the study conducted under the agreement shall be completed by not later than February 1, 2025.

(c) BRIEFING AND REPORT.—

(1) IN GENERAL.—Upon completion of a study conducted under an agreement entered into pursuant to subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and report on the findings of the study.

(2) CLASSIFICATION OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form but may include classified appendices as required.

In section 1743—

(1) in the section heading, strike ''**AND THE AIR NATIONAL GUARD**'';

(2) strike ''or the Air National Guard'' each place it appears;

(3) in subsection (d)(2), strike ''and the Air National Guard''; and

(4) in subsection (e)(1), strike '', the Air National Guard,''.

In section 1744(a), strike ''or the Air National Guard''.

SA 181. Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. SENATE NATIONAL SECURITY WORKING GROUP.

(a) IN GENERAL.—Section 21 of Senate Resolution 64 (113th Congress), agreed to March 5, 2013, is amended by striking subsection (d).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as though enacted on December 31, 2022.

SA 182. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Dream Act of 2023

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Dream Act of 2023''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this subtitle that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) DACA.—The term ''DACA'' means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals program announced by President Obama on June 15, 2012.

(3) DISABILITY.—The term ''disability'' has the meaning given such term in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(4) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ''early childhood education program'' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) ELEMENTARY SCHOOL; HIGH SCHOOL; SECONDARY SCHOOL.—The terms ''elementary school'', ''high school'', and ''secondary school'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(7) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education''—

(A) except as provided in subparagraph (B), has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

(B) does not include an institution of higher education outside of the United States.

(8) PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.—The term ''permanent resident status on a conditional basis'' means

status as an alien lawfully admitted for permanent residence on a conditional basis under this subtitle.

(9) POVERTY LINE.—The term ''poverty line'' has the meaning given such term in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

(10) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Homeland Security.

(11) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 101(a) of title 10, United States Code.

SEC. 1093. PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions under this subtitle.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who is inadmissible or deportable from the United States or is in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), if—

(A) the alien has been continuously physically present in the United States since the date that is 4 years before the date of the enactment of this Act;

(B) the alien was younger than 18 years of age on the date on which the alien initially entered the United States;

(C) subject to paragraphs (2) and (3), the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iii) has not been convicted of—

(I) any offense under Federal or State law, other than a State offense for which an essential element is the alien's immigration status, that is punishable by a maximum term of imprisonment of more than 1 year; or

(II) 3 or more offenses under Federal or State law, other than State offenses for which an essential element is the alien's immigration status, for which the alien was convicted on different dates for each of the 3 offenses and imprisoned for an aggregate of 90 days or more; and

(D) the alien—

(i) has been admitted to an institution of higher education;

(ii) has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general education development certificate recognized under State law or a high school equivalency diploma in the United States; or

(iii) is enrolled in secondary school or in an education program assisting students in—

(I) obtaining a regular high school diploma or its recognized equivalent under State law; or

(II) in passing a general educational development exam, a high school equivalence diploma examination, or other similar State-authorized exam.

(2) WAIVER.—With respect to any benefit under this subtitle, the Secretary may waive the grounds of inadmissibility under paragraph (2), (6)(E), (6)(G), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or if the waiver is otherwise in the public interest.

(3) TREATMENT OF EXPUNGED CONVICTIONS.—An expunged conviction shall not automatically be treated as an offense under paragraph (1). The Secretary shall evaluate expunged convictions on a case-by-case basis according to the nature and severity of the offense to determine whether, under the particular circumstances, the Secretary determines that the alien should be eligible for cancellation of removal, adjustment to permanent resident status on a conditional basis, or other adjustment of status.

(4) DACA RECIPIENTS.—The Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who was granted DACA unless the alien has engaged in conduct since the alien was granted DACA that would make the alien ineligible for DACA.

(5) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require an alien applying for permanent resident status on a conditional basis under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

(i)(I) is younger than 18 years of age;

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(III) is in foster care or otherwise lacking any parental or other familial support;

(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; or

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line.

(6) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant an alien permanent resident status on a conditional basis under this section unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for aliens who are unable to provide such biometric or biographic data because of a physical impairment.

(7) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien seeking permanent resident status on a conditional basis under this section; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary grants such alien permanent resident status on a conditional basis under this section.

(8) MEDICAL EXAMINATION.—

(A) REQUIREMENT.—An alien applying for permanent resident status on a conditional basis under this section shall undergo a medical examination.

(B) POLICIES AND PROCEDURES.—The Secretary, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of the examination required under subparagraph (A).

(9) MILITARY SELECTIVE SERVICE.—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.

(c) DETERMINATION OF CONTINUOUS PRESENCE.—

(1) TERMINATION OF CONTINUOUS PERIOD.—Any period of continuous physical presence in the United States of an alien who applies for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), an alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (b)(1)(A) if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(B) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in subparagraph (A) for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(C) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under subparagraph (A).

(d) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—The Secretary or the Attorney General may not remove an alien who appears prima facie eligible for relief under this section.

(2) ALIENS SUBJECT TO REMOVAL.—The Secretary shall provide a reasonable opportunity to apply for relief under this section to any alien who requests such an opportunity or who appears prima facie eligible for relief under this section if the alien is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order.

(3) CERTAIN ALIENS ENROLLED IN ELEMENTARY OR SECONDARY SCHOOL.—

(A) STAY OF REMOVAL.—The Attorney General shall stay the removal proceedings of an alien who—

(i) meets all the requirements under subparagraphs (A), (B), and (C) of subsection

(b)(1), subject to paragraphs (2) and (3) of such subsection;

(ii) is at least 5 years of age; and

(iii) is enrolled in an elementary school, a secondary school, or an early childhood education program.

(B) COMMENCEMENT OF REMOVAL PROCEEDINGS.—The Secretary may not commence removal proceedings for an alien described in subparagraph (A).

(C) EMPLOYMENT.—An alien whose removal is stayed pursuant to subparagraph (A) or who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) LIFT OF STAY.—The Secretary or Attorney General may not lift the stay granted to an alien under subparagraph (A) unless the alien ceases to meet the requirements under such subparagraph.

(e) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status on a conditional basis under this subtitle.

SEC. 1094. TERMS OF PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.

(a) PERIOD OF STATUS.—Permanent resident status on a conditional basis is—

(1) valid for a period of 8 years, unless such period is extended by the Secretary; and

(2) subject to termination under subsection (c).

(b) NOTICE OF REQUIREMENTS.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this subtitle and the requirements to have the conditional basis of such status removed.

(c) TERMINATION OF STATUS.—The Secretary may terminate the permanent resident status on a conditional basis of an alien only if the Secretary—

(1) determines that the alien ceases to meet the requirements under paragraph (1)(C) of section 1093(b), subject to paragraphs (2) and (3) of that section; and

(2) prior to the termination, provides the alien—

(A) notice of the proposed termination; and

(B) the opportunity for a hearing to provide evidence that the alien meets such requirements or otherwise contest the termination.

(d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied shall return to the immigration status that the alien had immediately before receiving permanent resident status on a conditional basis or applying for such status, as appropriate.

(2) SPECIAL RULE FOR TEMPORARY PROTECTED STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who had temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for such permanent resident status on a conditional basis, as appropriate, may not return to such temporary protected status if—

(A) the relevant designation under section 244(b) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) has been terminated; or

(B) the Secretary determines that the reason for terminating the permanent resident status on a conditional basis renders the alien ineligible for such temporary protected status.

SEC. 1095. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional basis of an alien's permanent resident status granted under this subtitle and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) is described in paragraph (1)(C) of section 1093(b), subject to paragraphs (2) and (3) of that section;

(B) has not abandoned the alien's residence in the United States; and

(C)(i) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States;

(ii) has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge; or

(iii) has been employed for periods totaling at least 3 years and at least 75 percent of the time that the alien has had a valid employment authorization, except that any period during which the alien is not employed while having a valid employment authorization and is enrolled in an institution of higher education, a secondary school, or an education program described in section 1093(b)(1)(D)(iii), shall not count toward the time requirements under this clause.

(2) HARDSHIP EXCEPTION.—The Secretary shall remove the conditional basis of an alien's permanent resident status and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) satisfies the requirements under subparagraphs (A) and (B) of paragraph (1);

(B) demonstrates compelling circumstances for the inability to satisfy the requirements under subparagraph (C) of such paragraph; and

(C) demonstrates that—

(i) the alien has a disability;

(ii) the alien is a full-time caregiver of a minor child; or

(iii) the removal of the alien from the United States would result in extreme hardship to the alien or the alien's spouse, parent, or child who is a national of the United States or is lawfully admitted for permanent residence.

(3) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien's permanent resident status granted under this subtitle may not be removed unless the alien demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable to meet the requirements under such section 312(a) due to disability.

(4) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require aliens applying for lawful permanent resident status under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXEMPTION.—An applicant may be exempted from paying the fee required under subparagraph (A) if the alien—

(i)(I) is younger than 18 years of age;

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(III) is in foster care or otherwise lacking any parental or other familial support;

(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; or

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, the alien accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(II) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line.

(5) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not remove the conditional basis of an alien's permanent resident status unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric data because of a physical impairment.

(6) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien applying for removal of the conditional basis of the alien's permanent resident status; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for removal of such conditional basis.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary removes the conditional basis of the alien's permanent resident status.

(b) TREATMENT FOR PURPOSES OF NATURALIZATION.—

(1) IN GENERAL.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis shall be considered to have been admitted to the United States, and be present in the United States, as an alien lawfully admitted for permanent residence.

(2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

SEC. 1096. DOCUMENTATION REQUIREMENTS.

(a) DOCUMENTS ESTABLISHING IDENTITY.—An alien's application for permanent resident status on a conditional basis may include, as proof of identity—

(1) a passport or national identity document from the alien's country of origin that includes the alien's name and the alien's photograph or fingerprint;

(2) the alien's birth certificate and an identity card that includes the alien's name and photograph;

(3) a school identification card that includes the alien's name and photograph, and school records showing the alien's name and that the alien is or was enrolled at the school;

(4) a Uniformed Services identification card issued by the Department of Defense;

(5) any immigration or other document issued by the United States Government bearing the alien's name and photograph; or

(6) a State-issued identification card bearing the alien's name and photograph.

(b) DOCUMENTS ESTABLISHING CONTINUOUS PHYSICAL PRESENCE IN THE UNITED STATES.—To establish that an alien has been continuously physically present in the United States, as required under section 1093(b)(1)(A), or to establish that an alien has not abandoned residence in the United States, as required under section 1095(a)(1)(B), the alien may submit documents to the Secretary, including—

(1) employment records that include the employer's name and contact information;

(2) records from any educational institution the alien has attended in the United States;

(3) records of service from the Uniformed Services;

(4) official records from a religious entity confirming the alien's participation in a religious ceremony;

(5) passport entries;

(6) a birth certificate for a child who was born in the United States;

(7) automobile license receipts or registration;

(8) deeds, mortgages, or rental agreement contracts;

(9) tax receipts;

(10) insurance policies;

(11) remittance records;

(12) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;

(13) copies of money order receipts for money sent in or out of the United States;

(14) dated bank transactions; or

(15) 2 or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien's continuous physical presence in the United States, that contain—

(A) the name, address, and telephone number of the affiant; and

(B) the nature and duration of the relationship between the affiant and the alien.

(c) DOCUMENTS ESTABLISHING INITIAL ENTRY INTO THE UNITED STATES.—To establish under section 1093(b)(1)(B) that an alien was younger than 18 years of age on the date on which the alien initially entered the United States, an alien may submit documents to the Secretary, including—

(1) an admission stamp on the alien's passport;

(2) records from any educational institution the alien has attended in the United States;

(3) any document from the Department of Justice or the Department of Homeland Security stating the alien's date of entry into the United States;

(4) hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization;

(5) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;

(6) employment records that include the employer's name and contact information;

(7) official records from a religious entity confirming the alien's participation in a religious ceremony;

(8) a birth certificate for a child who was born in the United States;

(9) automobile license receipts or registration;

(10) deeds, mortgages, or rental agreement contracts;

(11) tax receipts;

(12) travel records;

(13) copies of money order receipts sent in or out of the country;

(14) dated bank transactions;

(15) remittance records; or

(16) insurance policies.

(d) DOCUMENTS ESTABLISHING ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has been admitted to an institution of higher education, the alien shall submit to the Secretary a document from the institution of higher education certifying that the alien—

(1) has been admitted to the institution; or

(2) is currently enrolled in the institution as a student.

(e) DOCUMENTS ESTABLISHING RECEIPT OF A DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien shall submit to the Secretary a diploma or other document from the institution stating that the alien has received such a degree.

(f) DOCUMENTS ESTABLISHING RECEIPT OF HIGH SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE, OR A RECOGNIZED EQUIVALENT.—To establish that an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general educational development certificate recognized under State law or a high school equivalency diploma in the United States, the alien shall submit to the Secretary—

(1) a high school diploma, certificate of completion, or other alternate award;

(2) a high school equivalency diploma or certificate recognized under State law; or

(3) evidence that the alien passed a State-authorized exam, including the general educational development exam, in the United States.

(g) DOCUMENTS ESTABLISHING ENROLLMENT IN AN EDUCATIONAL PROGRAM.—To establish that an alien is enrolled in any school or education program described in section 1093(b)(1)(D)(iii), 1093(d)(3)(A)(iii), or 1095(a)(1)(C), the alien shall submit school records from the United States school that the alien is currently attending that include—

(1) the name of the school; and

(2) the alien's name, periods of attendance, and current grade or educational level.

(h) DOCUMENTS ESTABLISHING EXEMPTION FROM APPLICATION FEES.—To establish that an alien is exempt from an application fee under section 1093(b)(5)(B) or 1095(a)(4)(B), the alien shall submit to the Secretary the following relevant documents:

(1) DOCUMENTS TO ESTABLISH AGE.—To establish that an alien meets an age requirement, the alien shall provide proof of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.

(2) DOCUMENTS TO ESTABLISH INCOME.—To establish the alien's income, the alien shall provide—

(A) employment records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;

(B) bank records; or

(C) at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work and income that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien.

(3) DOCUMENTS TO ESTABLISH FOSTER CARE, LACK OF FAMILIAL SUPPORT, HOMELESSNESS, OR SERIOUS, CHRONIC DISABILITY.—To establish that the alien was in foster care, lacks parental or familial support, is homeless, or has a serious, chronic disability, the alien shall provide at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

(A) a statement that the alien is in foster care, otherwise lacks any parental or other familiar support, is homeless, or has a serious, chronic disability, as appropriate;

(B) the name, address, and telephone number of the affiant; and

(C) the nature and duration of the relationship between the affiant and the alien.

(4) DOCUMENTS TO ESTABLISH UNPAID MEDICAL EXPENSE.—To establish that the alien has debt as a result of unreimbursed medical expenses, the alien shall provide receipts or other documentation from a medical provider that—

(A) bear the provider's name and address;

(B) bear the name of the individual receiving treatment; and

(C) document that the alien has accumulated $10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien.

(i) DOCUMENTS ESTABLISHING QUALIFICATION FOR HARDSHIP EXEMPTION.—To establish that an alien satisfies one of the criteria for the hardship exemption set forth in section 1095(a)(2)(C), the alien shall submit to the Secretary at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—

(1) the name, address, and telephone number of the affiant; and

(2) the nature and duration of the relationship between the affiant and the alien.

(j) DOCUMENTS ESTABLISHING SERVICE IN THE UNIFORMED SERVICES.—To establish that an alien has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge, the alien shall submit to the Secretary—

(1) a Department of Defense form DD–214;

(2) a National Guard Report of Separation and Record of Service form 22;

(3) personnel records for such service from the appropriate Uniformed Service; or

(4) health records from the appropriate Uniformed Service.

(k) DOCUMENTS ESTABLISHING EMPLOYMENT.—

(1) IN GENERAL.—An alien may satisfy the employment requirement under section 1095(a)(1)(C)(iii) by submitting records that—

(A) establish compliance with such employment requirement; and

(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.

(2) OTHER DOCUMENTS.—An alien who is unable to submit the records described in paragraph (1) may satisfy the employment requirement by submitting at least 2 types of reliable documents that provide evidence of employment, including—

(A) bank records;

(B) business records;

(C) employer records;

(D) records of a labor union, day labor center, or organization that assists workers in employment;

(E) sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work, that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien; and

(F) remittance records.

(l) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status on a conditional basis is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.

SEC. 1097. RULEMAKING.

(a) INITIAL PUBLICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this subtitle in the Federal Register. Such regulations shall allow eligible individuals to immediately apply affirmatively for the relief available under section 1093 without being placed in removal proceedings.

(b) INTERIM REGULATIONS.—Notwithstanding section 553 of title 5, United States Code, the regulations published pursuant to subsection (a) shall be effective, on an interim basis, immediately upon publication in the Federal Register, but may be subject to change and revision after public notice and opportunity for a period of public comment.

(c) FINAL REGULATIONS.—Not later than 180 days after the date on which interim regulations are published under this section, the Secretary shall publish final regulations implementing this subtitle.

(d) PAPERWORK REDUCTION ACT.—The requirements under chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), shall not apply to any action to implement this subtitle.

SEC. 1098. CONFIDENTIALITY OF INFORMATION.

(a) IN GENERAL.—The Secretary may not disclose or use information provided in applications filed under this subtitle or in requests for DACA for the purpose of immigration enforcement.

(b) REFERRALS PROHIBITED.—The Secretary may not refer any individual who has been granted permanent resident status on a conditional basis or who was granted DACA to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.

(c) LIMITED EXCEPTION.—Notwithstanding subsections (a) and (b), information provided in an application for permanent resident status on a conditional basis or a request for DACA may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for permanent resident status on a conditional basis;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

(4) for the investigation or prosecution of any felony not related to immigration status.

(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 1099. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

(a) IN GENERAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) EFFECTIVE DATE.—The repeal under subsection (a) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

SA 183. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1035. EXTENSION OF ANNUAL REPORT ON STRIKES UNDERTAKEN BY THE UNITED STATES AGAINST TERRORIST TARGETS OUTSIDE AREAS OF ACTIVE HOSTILITIES.

Section 1723 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1811) is amended—

(1) in subsection (a), by striking ''until 2022'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The report'' and inserting ''Each report''; and

(B) in paragraph (1), by striking the semicolon and inserting ''; and''; and

(3) in subsection (d), by striking ''The report'' and inserting ''Each report''.

SA 184. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1031 through 1034 and insert the following:

SEC. 1031. PROHIBITION ON USE OF FUNDS TO OPERATE THE DETENTION FACILITY AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AFTER SEPTEMBER 30, 2025.

None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act may be used to operate the detention facility at United States Naval Station, Guantanamo Bay, Cuba, after September 30, 2025.

SEC. 1032. REPEAL OF PROHIBITIONS RELATING TO DETAINEES AT AND CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.—Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1031 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is repealed.

(b) USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—Section 1034 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1032 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is repealed.

(c) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.—Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1033 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is repealed.

SEC. 1033. REPEAL OF CERTAIN REQUIREMENTS FOR CERTIFICATIONS AND NOTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is repealed.

(b) NOTIFICATION.—Section 308 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 125 Stat. 1883; 10 U.S.C. 801 note) is repealed.

SEC. 1034. REPEAL OF CHAPTER 47A OF TITLE 10, UNITED STATES CODE.

(a) IN GENERAL.—Subchapters I through VI and subchapter VIII of chapter 47A of title 10, United States Code, are repealed.

(b) CONFORMING AMENDMENTS TO SUBCHAPTER VII.—

(1) IN GENERAL.—Subchapter VII of chapter 47A of such title is amended—

(A) in section 950d(a)(3), by inserting ''(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024)'' after ''of this title'';

(B) in section 950f—

(i) in subsection (b)—

(I) in paragraph (2), by inserting ''(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024)'' after ''of this title''; and

(II) in paragraph (6)(B), by striking ''section 949b(b)(4) of this title'' and inserting ''paragraph (7)''; and

(ii) by adding at the end the following new paragraph:

''(7) No appellate military judge on the United States Court of Military Commission Review may be reassigned to other duties, except under circumstances as follows:

''(A) The appellate military judge voluntarily requests to be reassigned to other duties and the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, approves such reassignment.

''(B) The appellate military judge retires or otherwise separates from the armed forces.

''(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).

''(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).'';

(C) in section 950h(c), by inserting ''(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024)'' after ''of this title''; and

(D) by adding at the end the following new section:

"§ 950k. Definition

''In this subchapter, the term 'military commission under this chapter' means a military commission under this chapter as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VII of chapter 47A of such title is amended by adding at the end the following new item:

''950k. Definition.''.

(c) CLERICAL AMENDMENT.—The table of subchapters at the beginning of chapter 47A of such title is amended by striking the items relating to subchapters I through VI and subchapter VIII.

SA 185. Mr. DURBIN (for himself, Mr. CORNYN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle F of title V, insert the following:

SEC. ___. IMPACT AID ELIGIBILITY FOR CERTAIN LOCAL EDUCATIONAL AGENCIES.

(a) CERTAIN HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—Section 7003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)) is amended—

(1) in subparagraph (B)(i)(IV)(aa), by striking ''35'' and inserting ''20''; and

(2) in the matter preceding item (aa) of subparagraph (D)(i)(II), by striking ''35'' and inserting ''20''.

(b) AGENCIES AFFECTED BY PRIVATIZATION OR CLOSURE OF MILITARY HOUSING.—Section 7003(b)(2)(G) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)(G)) is amended—

(1) in clause (i), by striking ''clause (iii)'' and inserting ''clause (iv)'';

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following:

''(iii) SPECIAL RULE.—Notwithstanding any other provision of this section, a local educational agency that was eligible for, and received, a basic support payment under this paragraph for fiscal year 2023 through the application of clause (i) shall remain eligible for a basic support payment under this paragraph for fiscal year 2024 and any succeeding fiscal year. The amount of a payment under this clause shall be calculated in accordance with clause (ii).''.

SA 186. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) CURBSIDE RECYCLING.—The term ''curbside recycling'' means the process by which residential recyclable materials are picked up curbside.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903));

(B) a unit of local government;

(C) an Indian Tribe; and

(D) a public-private partnership.

(4) 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).

(5) MATERIALS RECOVERY FACILITY.—

(A) IN GENERAL.—The term ''materials recovery facility'' means a recycling facility where primarily residential recyclables, which are diverted from disposal by a generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(B) EXCLUSION.—The term ''materials recovery facility'' does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(6) PILOT GRANT PROGRAM.—The term ''pilot grant program'' means the Recycling Infrastructure and Accessibility Program established under subsection (b).

(7) RECYCLABLE MATERIAL.—The term ''recyclable material'' means obsolete, previously used, off-specification, surplus, or incidentally produced material for processing into a specification-grade commodity for which a market exists.

(8) TRANSFER STATION.—The term ''transfer station'' means a facility that—

(A) receives and consolidates recyclable material from curbside recycling or drop-off facilities; and

(B) loads the recyclable material onto tractor trailers, railcars, or barges for transport to a distant materials recovery facility or another recycling-related facility.

(9) UNDERSERVED COMMUNITY.—The term ''underserved community'' means a community, including an unincorporated area, without access to full recycling services because—

(A) transportation, distance, or other reasons render utilization of available processing capacity at an existing materials recovery facility cost prohibitive; or

(B) the processing capacity of an existing materials recovery facility is insufficient to manage the volume of recyclable materials produced by that community.

(b) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall establish a pilot grant program, to be known as the ''Recycling Infrastructure and Accessibility Program'', to award grants, on a competitive basis, to eligible entities to improve recycling accessibility in a community or communities within the same geographic area.

(c) GOAL.—The goal of the pilot grant program is to fund eligible projects that will significantly improve accessibility to recycling systems through investments in infrastructure in underserved communities through the use of a hub-and-spoke model for recycling infrastructure development.

(d) APPLICATIONS.—To be eligible to receive a grant under the pilot grant program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(e) CONSIDERATIONS.—In selecting eligible entities to receive a grant under the pilot grant program, the Administrator shall consider—

(1) whether the community or communities in which the eligible entity is seeking to carry out a proposed project has curbside recycling;

(2) whether the proposed project of the eligible entity will improve accessibility to recycling services in a single underserved community or multiple underserved communities; and

(3) if the eligible entity is a public-private partnership, the financial health of the private entity seeking to enter into that public-private partnership.

(f) PRIORITY.—In selecting eligible entities to receive a grant under the pilot grant program, the Administrator shall give priority to eligible entities seeking to carry out a proposed project in a community in which there is not more than 1 materials recovery facility within a 75-mile radius of that community.

(g) USE OF FUNDS.—An eligible entity awarded a grant under the pilot grant program may use the grant funds for projects to improve recycling accessibility in communities, including in underserved communities, by—

(1) increasing the number of transfer stations;

(2) expanding curbside recycling collection programs where appropriate; and

(3) leveraging public-private partnerships to reduce the costs associated with collecting and transporting recyclable materials in underserved communities.

(h) PROHIBITION ON USE OF FUNDS.—An eligible entity awarded a grant under the pilot grant program may not use the grant funds for projects relating to recycling education programs.

(i) MINIMUM AND MAXIMUM GRANT AMOUNT.—A grant awarded to an eligible entity under the pilot grant program shall be in an amount—

(1) not less than $500,000; and

(2) not more than $15,000,000.

(j) SET-ASIDE.—The Administrator shall set aside not less than 70 percent of the amounts made available to carry out the pilot grant program for each fiscal year to award grants to eligible entities to carry out a proposed project or program in a single underserved community or multiple underserved communities.

(k) FEDERAL SHARE.—

(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of a project or program carried out by an eligible entity using grant funds shall be not more than 90 percent.

(2) WAIVER.—The Administrator may waive the Federal share requirement under paragraph (1) if the Administrator determines that an eligible entity would experience significant financial hardship as a result of that requirement.

(l) REPORT.—Not later than 2 years after the date on which the first grant is awarded under the pilot grant program, the Administrator shall submit to Congress a report describing the implementation of the pilot grant program, which shall include—

(1) a list of eligible entities that have received a grant under the pilot grant program;

(2) the actions taken by each eligible entity that received a grant under the pilot grant program to improve recycling accessibility with grant funds; and

(3) to the extent information is available, a description of how grant funds received under the pilot grant program improved recycling rates in each community in which a project or program was carried out under the pilot grant program.

(m) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out the pilot grant program $30,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

(2) ADMINISTRATIVE COSTS AND TECHNICAL ASSISTANCE.—Of the amounts made available under paragraph (1), the Administrator may use up to 5 percent—

(A) for administrative costs relating to carrying out the pilot grant program; and

(B) to provide technical assistance to eligible entities applying for a grant under the pilot grant program.

SA 187. Mr. LEE (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1005. TREATMENT OF FUNDS RECEIVED BY NATIONAL GUARD BUREAU AS REIMBURSEMENT FROM STATES.

Section 710 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(g) TREATMENT OF REIMBURSED FUNDS.—Any funds received by the National Guard Bureau from a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands as reimbursement under this section for the use of military property shall be credited to—

''(1) the appropriation, fund, or account used in incurring the obligation; or

''(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.''.

SA 188. Mr. CRUZ (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. INFORMING CONSUMERS ABOUT SMART DEVICES ACT.

(a) REQUIRED DISCLOSURE OF A CAMERA OR RECORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED DEVICES.—Each manufacturer of a covered device shall disclose, clearly and conspicuously and prior to purchase, whether the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) ACTIONS BY THE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission (in this section referred to as the ''Commission'') shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PENALTIES AND PRIVILEGES.—Any person who violates this section or a regulation promulgated under this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(3) COMMISSION GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Commission, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with the requirements of this section, including guidance about best practices for making the disclosure required by subsection (a) as clear and conspicuous and age appropriate as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Review Fairness Act of 2016 (15 U.S.C. 45b(a))) visual representation of the information to be disclosed.

(4) TAILORED GUIDANCE.—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of subsection (a) consistent with existing rules of practice or any successor rules.

(5) LIMITATION ON COMMISSION GUIDANCE.—No guidance issued by the Commission with respect to this section shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this section, the Commission shall allege a specific violation of a provision of this section. The Commission may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate subsection (a).

(c) DEFINITION OF COVERED DEVICE.—In this section, the term ''covered device''—

(1) means a consumer product, as defined by section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)) that is capable of connecting to the internet, a component of which is a camera or microphone; and

(2) does not include—

(A) a telephone (including a mobile phone), a laptop, tablet, or any device that a consumer would reasonably expect to have a microphone or camera;

(B) any device that is specifically marketed as a camera, telecommunications device, or microphone; or

(C) any device or apparatus described in sections 255, 716, and 718, and subsections (aa) and (bb) of section 303 of the Communications Act of 1934 (47 U.S.C. 255; 617; 619; and 303(aa) and (bb)), and any regulations promulgated thereunder.

(d) EFFECTIVE DATE.—This section shall apply to all covered devices manufactured after the date that is 180 days after the date on which guidance is issued by the Commission under subsection (b)(3), and shall not apply to covered devices manufactured or sold before such date, or otherwise introduced into interstate commerce before such date.

SA 189. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

SEC. 144. SENSE OF THE SENATE ON USE OF TOTAL COST OF OWNERSHIP MODEL FOR PROCUREMENT OF NONTACTICAL VEHICLES.

(a) FINDINGS.—Congress finds the following:

(1) It is financially prudent for the Department of Defense to procure cost-effective zero-emission vehicles by considering the total cost of ownership (referred to in this section as ''TCO'') of such vehicles.

(2) A TCO procurement model would account for operating costs of vehicles, including fuel, maintenance, and public health savings.

(3) Use of a TCO procurement model by the Department of Defense in the procurement of nontactical vehicles would maximize cost savings and bolster energy and national security.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Department of Defense should calculate and consider the TCO when procuring a nontactical vehicle; and

(2) the Department of Defense, when conducting any action with the Government Services Administration relating to the procurement or requisition of a nontactical vehicle, should—

(A) work with the Department of Energy to develop a TCO procurement model that uses State-wide, regional, and inventory variables to estimate the cost of converting the nontactical vehicle fleet of the Department of Defense to zero-emission vehicles;

(B) submit to Congress a report summarizing such procurement or requisition that, at a minimum, identifies—

(i) types of vehicles by—

(I) size; and

(II) fuel source; and

(ii) the total estimated cost savings and avoided emissions that result or would have resulted from the purchase or lease of a zero-emission vehicle instead of an internal combustion engine vehicle;

(C) incorporate the TCO procurement model developed under subparagraph (A) into any such procurement or requisition action; and

(D) authorize any exemptions from use of the TCO procurement model developed under subparagraph (A) as the Secretary of Defense considers appropriate, including by—

(i) authorizing exemptions for certain categories of vehicles, including emergency vehicles or other nontactical vehicles as determined by the Secretary, when a vehicle type is not available for the needed application;

(ii) authorizing exemptions upon finding that a zero-emission vehicle is not a practicable alternative to an internal combustion engine vehicle for a particular use, or for some other compelling reason; and

(iii) developing guidance regarding procedures for requesting such exemptions, including the criteria for evaluating such exemption requests, which should be published on the website of the Department of Defense and given a 30-day period for public review and comment before the Department adopts or revises such guidance.

SA 190. Mr. DURBIN submitted an amendment intended to be proposed by

him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. DEPARTMENT OF ENERGY CENTER OF EXCELLENCE FOR ASSESSING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES IN WATER SOURCES AND PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCE REMEDIATION SOLUTIONS.

(a) PURPOSE.—The purpose of this section is to dedicate resources to advancing, and expanding access to, perfluoroalkyl and polyfluoroalkyl substance detection and remediation science, research, and technologies through a Center of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions.

(b) DEFINITIONS.—In this section:

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

(A) the congressional defense committees (as defined in section 101(a) of title 10, United States Code);

(B) the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Veterans' Affairs of the Senate; and

(C) the Committee on Energy and Commerce, the Committee on Natural Resources, the Committee on Science, Space, and Technology, and the Committee on Veterans' Affairs of the House of Representatives.

(2) CENTER.—The term ''Center'' means the Center of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions established under subsection (c).

(3) ELIGIBLE RESEARCH UNIVERSITY.—The term ''eligible research university'' means an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) that—

(A) has annual research expenditures of not less than $750,000,000; and

(B) is located near a population center of not fewer than 5,000,000 individuals.

(4) EPA METHOD 533.—The term ''EPA Method 533'' means the method described in the document of the Environmental Protection Agency entitled ''Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem mass Spectrometry'' (or a successor document).

(5) EPA METHOD 537.1.—The term ''EPA Method 537.1'' means the method described in the document of the Environmental Protection Agency entitled ''Determination of Selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS)'' (or a successor document).

(6) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(c) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall—

(A) select from among the applications submitted under paragraph (2) an eligible research university and a National Laboratory applying jointly for the establishment of a center, to be known as the ''Center of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions'', which shall be a bi-institutional collaboration between the eligible research university and National Laboratory co-applicants; and

(B) guide and assist the eligible research university and National Laboratory in the establishment of the Center.

(2) APPLICATIONS.—

(A) IN GENERAL.—An eligible research university and National Laboratory desiring to establish the Center shall jointly submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(B) CRITERIA.—In evaluating applications submitted under subparagraph (A), the Secretary shall only consider applications that—

(i) include evidence of an existing partnership between the co-applicants that is dedicated to supporting and expanding shared scientific goals with a clear pathway to collaborating on furthering science and research relating to perfluoroalkyl and polyfluoroalkyl substances;

(ii) demonstrate a history of collaboration between the co-applicants on the advancement of shared research capabilities, including instrumentation and research infrastructure relating to perfluoroalkyl and polyfluoroalkyl substances;

(iii) indicate that the co-applicants have the capacity to expand education and research opportunities for undergraduate and graduate students to prepare a generation of experts in sciences relating to perfluoroalkyl and polyfluoroalkyl substances;

(iv) demonstrate that the National Laboratory co-applicant is equipped to scale up newly discovered materials and methods for perfluoroalkyl and polyfluoroalkyl substance detection and perfluoroalkyl and polyfluoroalkyl substance removal processes for low-risk, cost-effective, and validated commercialization; and

(v) identify 1 or more staff members of the eligible research university co-applicant and 1 or more staff members of the National Laboratory co-applicant who—

(I) have expertise in sciences relevant to perfluoroalkyl or polyfluoroalkyl substance detection and remediation; and

(II) have been jointly selected, and will be jointly appointed, by the co-applicants to lead, and carry out the purposes of, the Center.

(3) TIMING.—

(A) IN GENERAL.—Subject to subparagraph (B), the Center shall be established not later than 1 year after the date of enactment of this Act.

(B) DELAY.—If the Secretary determines that a delay in the establishment of the Center is necessary, the Secretary—

(i) not later than the date described in subparagraph (A), shall submit a notification to the appropriate committees of Congress explaining the necessity of the delay; and

(ii) shall ensure that the Center is established not later than 3 years after the date of enactment of this Act.

(4) REQUIREMENT.—The Secretary shall carry out subparagraphs (A) and (B) of paragraph (1)—

(A) in coordination with the Administrator of the Environmental Protection Agency, as the Secretary determines to be appropriate; and

(B) in consultation with the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program of the Department of Defense.

(d) DUTIES AND CAPABILITIES OF THE CENTER.—

(1) IN GENERAL.—The Center shall develop and maintain—

(A) capabilities for measuring, using methods certified by the Environmental Protection Agency, perfluoroalkyl and polyfluoroalkyl substance contamination in drinking water, ground water, and any other relevant environmental, municipal, industrial, or residential water samples; and

(B) capabilities for—

(i) evaluating emerging perfluoroalkyl and polyfluoroalkyl substance removal and destruction technologies and methods; and

(ii) benchmarking those technologies and methods relative to existing technologies and methods.

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Center shall, at a minimum—

(i) develop instruments and personnel capable of analyzing perfluoroalkyl and polyfluoroalkyl substance contamination in water using EPA method 533, EPA method 537.1, or other relevant methods for detecting perfluoroalkyl and polyfluoroalkyl substances in water;

(ii) develop and maintain capabilities for evaluating the removal of perfluoroalkyl and polyfluoroalkyl substances from water using newly developed adsorbents or membranes;

(iii) develop and maintain capabilities to evaluate the degradation of perfluoroalkyl and polyfluoroalkyl substances in water or other media;

(iv) make the capabilities and instruments developed under clauses (i) through (iii) available to researchers throughout the region in which the Center is located; and

(v) make reliable perfluoroalkyl and polyfluoroalkyl substance measurement capabilities and instruments available to municipalities and individuals in the region in which the Center is located at reasonable cost.

(B) OPEN-ACCESS RESEARCH.—The Center shall provide open access to the research findings of the Center.

(e) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Secretary may, as the Secretary determines to be necessary, use staff and other resources from other Federal agencies in carrying out this section.

(f) REPORTS.—

(1) REPORT ON ESTABLISHMENT OF CENTER.—Not later than 1 year after the date on which the Center is established under subsection (c), the Secretary, in coordination with the Center, shall submit to the appropriate committees of Congress a report describing—

(A) the establishment of the Center; and

(B) the activities of the Center since the date on which the Center was established.

(2) ANNUAL REPORTS.—Not later than 1 year after the date on which the report under paragraph (1) is submitted, and annually thereafter until the date on which the Center is terminated under subsection (g), the Secretary, in coordination with the Center, shall submit to the appropriate committees of Congress a report describing—

(A) the activities of the Center during the year covered by the report; and

(B) any policy, research, or funding recommendations relating to the purposes or activities of the Center.

(g) TERMINATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Center shall terminate on October 1, 2033.

(2) EXTENSION.—If the Secretary, in consultation with the Center, determines that

the continued operation of the Center beyond the date described in paragraph (1) is necessary to advance science and technologies to address perfluoroalkyl or polyfluoroalkyl substance contamination—

(A) the Secretary shall submit to the appropriate committees of Congress—

(i) a notification of that determination; and

(ii) a description of the funding necessary for the Center to continue in operation and fulfill its purpose; and

(B) subject to the availability of funds, may extend the duration of the Center for such time as the Secretary determines to be appropriate.

(h) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated to the Department of Defense for fiscal year 2024 by this Act, $15,000,000 shall be made available to the Secretary to carry out this section, to remain available until September 30, 2033.

(2) ADMINISTRATIVE COSTS.—Not more than 4 percent of the amounts made available to the Secretary under paragraph (1) shall be used by the Secretary for the administrative costs of carrying out this section.

SA 191. Mr. MANCHIN (for himself, Mr. BARRASSO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12_____. SENSE OF CONGRESS ON THE RENEWAL OF THE COMPACTS OF FREE ASSOCIATION WITH THE REPUBLIC OF PALAU, THE FEDERATED STATES OF MICRONESIA, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) FINDINGS.—Congress finds that—

(1) in 1947, the United Nations entrusted the United States with the defense and security of the region that now comprises—

(A) the Republic of Palau;

(B) the Federated States of Micronesia; and

(C) the Republic of the Marshall Islands;

(2) in 1983, the United States signed Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(3) in 1985, the United States signed a Compact of Free Association with the Republic of Palau;

(4) in 1986, Congress—

(A) enacted the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239), which approved the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands; and

(B) enacted Public Law 99–658 (48 U.S.C. 1931 note), which approved the Compact of Free Association with the Republic of Palau;

(5) in 2003, Congress enacted the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188), which approved and renewed the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(6) in 2010, the United States and the Republic of Palau agreed to terms for renewing the Compact of Free Association with the Republic of Palau in the Palau Compact Review Agreement, which was approved by Congress in section 1259C of the National Defense Authorization Act for Fiscal Year 2018 (48 U.S.C. 1931 note; Public Law 115–91);

(7) on January 11, 2023, the United States signed a Memorandum of Understanding with the Republic of the Marshall Islands on funding priorities for the Compact of Free Association with the Republic of the Marshall Islands;

(8) on May 22, 2023, the United States signed the U.S.-Palau 2023 Agreement, following the Compact of Free Association Section 432 Review;

(9) on May 23, 2023, the United States signed 3 agreements relating to the U.S.-FSM Compact of Free Association, which included—

(A) an Agreement to Amend the Compact, as amended;

(B) a new fiscal procedures agreement; and

(C) a new trust fund agreement; and

(10) the United States is undergoing negotiations relating to the Compact of Free Association with the Republic of the Marshall Islands.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) acknowledges that the close alliance of the United States with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands is vital to international peace and security in the Indo-Pacific region;

(2) supports the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands, since the Compacts of Free Association form the political, economic, and security architecture that bolsters and sustains security and drives regional development and the prosperity of the larger Indo-Pacific community of nations;

(3) recognizes that—

(A) certain provisions of the current Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands expire on September 30, 2023; and

(B) certain provisions of the Compact of Free Association with the Republic of Palau expire on September 30, 2024;

(4) affirms that it is in the national interest of the United States to successfully renegotiate and renew the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands; and

(5) understands that Congress must enact legislation to approve amended Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

SA 192. Mr. DURBIN (for himself, Mr. MURPHY, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. DISBURSEMENT OF FOREIGN MILITARY FINANCING FUNDS FOR EGYPT TO FOREIGN MILITARY SALES TRUST FUND.

Notwithstanding any other provision of law, funds appropriated pursuant to the Foreign Military Financing Program for assistance for Egypt for fiscal years 2023 and 2024 shall be disbursed to the Foreign Military Sales Trust Fund.

SA 193. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Crimes Against Humanity and Torture

SEC. 1091. ACCOUNTABILITY FOR CRIMES AGAINST HUMANITY.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 25 the following:

"CHAPTER 25A—CRIMES AGAINST HUMANITY

''Sec.

''515. Crimes against humanity.

"§ 515. Crimes against humanity

''(a) OFFENSE.—It shall be unlawful for any person to commit, or attempt or conspire to commit, as part of a widespread or systematic attack directed against any civilian population, and with knowledge of the attack or with intent that the conduct be part of the attack—

''(1) conduct that, if it occurred in the United States or in the special maritime and territorial jurisdiction of the United States, would violate—

''(A) section 1581(a) (relating to peonage);

''(B) section 1583(a)(1) (relating to kidnapping or carrying away individuals for involuntary servitude or slavery);

''(C) section 1584(a) (relating to sale into involuntary servitude);

''(D) section 1589(a) (relating to forced labor);

''(E) section 1590(a) (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor);

''(F) section 1111 (relating to murder);

''(G) section 1591(a) (relating to sex trafficking of children or by force, fraud, or coercion);

''(H) section 2241 (relating to aggravated sexual abuse by force, threat, or other means);

''(I) section 2242 (relating to sexual abuse);

''(J) section 1201(a)(relating to kidnapping), without regard to whether the offender is the parent of the victim;

''(K) section 1203(a) (relating to hostage taking), notwithstanding any exception under subsection (b) of that section; or

''(L) section 2340A (relating to torture), whether or not committed under the color of law; or

''(2) conduct that would, regardless of whether the conduct occurred in the context of an armed conflict, constitute—

''(A) cruel or inhuman treatment, as described in section 2441(d)(1)(B);

''(B) performing biological experiments, as described in section 2441(d)(1)(C);

''(C) mutilation or maiming, as described in section 2441(d)(1)(E); or

''(D) intentionally causing serious bodily injury, as described in section 2441(d)(1)(F).

''(b) PENALTY.—Any person who violates subsection (a)—

''(1) shall be fined under this title, imprisoned not more than 20 years, or both; and

''(2) if the death of any person results, shall be fined under this title and imprisoned for any term of years or for life.

''(c) JURISDICTION.—There is jurisdiction over an offense under subsection (a) if—

''(1) the offense occurs in whole or in part within the United States; or

''(2) regardless of where the offense occurs—

''(A) the victim or alleged offender is—

''(i) a national of the United States or an alien lawfully admitted for permanent residence, regardless of—

''(I) nationality at the time of the alleged offense;

''(II) whether the alleged offender had been granted that status at the time of the alleged offense; and

''(III) whether the alleged offender was entitled to that status; or

''(ii) a member of the Armed Forces of the United States, regardless of nationality; or

''(B) the alleged offender is present in the United States, regardless of the nationality of the victim or alleged offender.

''(d) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Notwithstanding section 3282, in the case of an offense under this section, an indictment may be found or an information may be instituted at any time without limitation.

''(e) CERTIFICATION REQUIREMENT.—

''(1) IN GENERAL.—No prosecution for an offense described in subsection (a) shall be undertaken by the United States except on written certification of the Attorney General, the Deputy Attorney General, or an Assistant Attorney General, which function of approving prosecutions may not be delegated, that a prosecution by the United States is in the public interest and necessary to secure substantial justice.

''(2) OFFENDER PRESENT IN UNITED STATES.—For an offense for which jurisdiction exists under subsection (c)(2)(B) (and does not exist under any other provision of subsection (c)), the written certification required under paragraph (1) of this subsection that a prosecution by the United States is in the public interest and necessary to secure substantial justice shall be made by the Attorney General or the Deputy Attorney General, which function may not be delegated. In issuing such certification, the same official shall weigh and consider, among other relevant factors—

''(A) whether the alleged offender can be removed from the United States for purposes of prosecution in another jurisdiction; and

''(B) potential adverse consequences for nationals, servicemembers, or employees of the United States.

''(f) INPUT FROM OTHER AGENCY HEADS.—The Secretary of Defense and Secretary of State may submit to the Attorney General for consideration their views generally regarding potential benefits, or potential adverse consequences for nationals, servicemembers, or employees of the United States, of prosecutions of offenses for which jurisdiction exists under subsection (c)(2)(B).

''(g) NO JUDICIAL REVIEW.—Certifications under subsection (e) and input from other agency heads under subsection (f) are not subject to judicial review.

''(h) NO LIMITATION ON CONDUCT IN ACCORDANCE WITH THE LAW OF WAR.—Nothing in this section shall be construed to penalize conduct—

''(1) to which the law of war applies;

''(2) that is undertaken during and in the context of an armed conflict; and

''(3) that is not prohibited by the law of war.

''(i) RULES OF CONSTRUCTION.—Nothing in this section shall be construed as—

''(1) support for ratification of or accession to the Rome Statute of the International Criminal Court, which entered into force on July 1, 2002; or

''(2) consent by the United States to any assertion or exercise of jurisdiction by any international, hybrid, or foreign court.

''(j) DEFINITIONS.—In this section:

''(1) ALIEN; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE; NATIONAL OF THE UNITED STATES.—The terms 'alien', 'lawfully admitted for permanent residence', and 'national of the United States' have the meanings given those terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

''(2) ARMED FORCE OR GROUP.—The term 'armed force or group'—

''(A) means any military, militia, paramilitary, security force, or similar organization or group that takes up arms, whether or not the entity is state-sponsored; and

''(B) does not include any group assembled for the purpose of nonviolent association.

''(3) INTENTIONALLY TARGETS ANY CIVILIAN POPULATION AS SUCH.—The term 'intentionally targets any civilian population as such' does not include conduct undertaken during and in the context of an armed conflict that results in death, damage, or injury incident to a lawful attack targeting a military objective.

''(4) WIDESPREAD OR SYSTEMATIC ATTACK DIRECTED AGAINST ANY CIVILIAN POPULATION.—The term 'widespread or systematic attack directed against any civilian population' means a course of conduct that—

''(A) involves the multiple commission of acts referred to in subsection (a);

''(B) intentionally targets any civilian population as such; and

''(C) is pursuant to or in furtherance of a policy, plan, or program of a state or armed force or group to commit acts described in subparagraph (A).''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 25 the following:

''25A. Crimes against humanity ..... 515''.

SEC. 1092. TORTURE OF A UNITED STATES NATIONAL.

Section 2340A(b)(1) of title 18, United States Code, is amended by inserting ''or victim'' after ''offender''.

SA 194. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. RETROACTIVE FOREIGN AGENTS REGISTRATION.

(a) SHORT TITLE.—This section may be cited as the ''Retroactive Foreign Agents Registration Act''.

(b) CLARIFYING OBLIGATION TO REGISTER RETROACTIVELY AS AGENTS OF FOREIGN PRINCIPALS.—

(1) OBLIGATION.—The third sentence of section 2(a) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(a)) is amended by striking ''for the period'' and inserting ''covering the period''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any individual who serves as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended, at any time before, on, or after the date of enactment of this Act.

(c) PERMITTING ORDER REQUIRING COMPLIANCE TO APPLY RETROACTIVELY.—

(1) RETROACTIVE COMPLIANCE.—Section 8(f) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 618(f)) is amended—

(A) by inserting after the first sentence the following: ''The Attorney General may make application for an order requiring a person to comply with any appropriate provision of this Act or any regulation thereunder while the person acts as an agent of a foreign principal or at any time thereafter.''; and

(B) by striking the period at the end and inserting the following: '', including an order requiring a person to comply with section 2 with respect to any period during which the person acts as the agent of a foreign principal notwithstanding that the person does not act as the agent of a foreign principal at the time the court issues the order.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any individual who serves as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.) at any time before, on, or after the date of enactment of this Act.

SA 195. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10____. FACILITATING REVIEW BY THE SENATE OF CLASSIFIED DOCUMENTATION.

(a) FACILITATION REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence shall facilitate the review of classified documentation when requested to do so by any Senator.

(2) PERIOD OF FACILITATION.—The Director shall facilitate for a Senator a review under paragraph (1) not later than 15 days after the date on which the review is requested by the Senator.

(b) FAIR TREATMENT.—Notwithstanding any other provision of law, whenever the Director facilitates the review of classified documentation for one Senator, the Director shall facilitate the review of that documentation for any other Senator who requests such documentation.

SA 196. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EX OFFICIO MEMBERS OF SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE.

(a) IN GENERAL.—

(1) MEMBERSHIP.—Section 2(a)(3) of Senate Resolution 400 (94th Congress), agreed to May 19, 1976, is amended to read as follows:

''(3) Each Member of the Senate (if not already a member of the select committee) shall be an ex officio member of the select committee but shall have no vote in the select committee and shall not be counted for purposes of determining a quorum.''.

(2) CONFORMING AMENDMENT.—Rule XXV of the Standing Rules of the Senate is amended—

(A) in paragraph 3 (b), in the item relating to the Select Committee on Intelligence, by striking ''19'' and inserting ''100''; and

(B) in paragraph 4 (a)(2), by striking ''each Senator'' and all that follows, and inserting ''a Senator may not serve on both the Special Committee on Aging and the Joint Economic Committee.''.

(b) RULEMAKING.—Subsection (a) is enacted—

(1) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

SA 197. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1240A. POINT OF ORDER AGAINST RESOLUTION ADVISING AND CONSENTING TO THE RATIFICATION OF A TREATY OR OTHER AGREEMENT TO ADMIT UKRAINE TO THE NORTH ATLANTIC TREATY ORGANIZATION.

It shall not be in order in the Senate to proceed to the consideration of any resolution advising and consenting to the ratification of a treaty or other agreement to admit Ukraine to the North Atlantic Treaty Organization until the Secretary of State and the Secretary of Defense certify to Congress that Ukraine has settled any international dispute in which they are involved by peaceful means consistent with the 1995 Study on NATO Enlargement conducted by the North Atlantic Treaty Organization.

SA 198. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1259. RULE OF CONSTRUCTION REGARDING THE TAIWAN RELATIONS ACT AND THE POWER OF CONGRESS TO DECLARE WAR.

Nothing in the Taiwan Relations Act (22 U.S.C. 3301 et seq.) supersedes the power of Congress to declare war under article I, section 8 of the Constitution of the United States.

SA 199. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION _____ FAIR DEBT COLLECTION PRACTICES FOR SERVICEMEMBERS

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Fair Debt Collection Practices for Servicemembers Act''.

SEC. _____02. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF SERVICEMEMBERS.

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

''(e) COMMUNICATIONS CONCERNING SERVICEMEMBER DEBTS.—

''(1) DEFINITION.—In this subsection, the term 'covered member' means—

''(A) a covered member or a dependent as defined in section 987(i) of title 10, United States Code; and

''(B)(i) an individual who was separated, discharged, or released from duty described in such section 987(i)(1), but only during the 365-day period beginning on the date of separation, discharge, or release; or

''(ii) a person, with respect to an individual described in clause (i), described in subparagraph (A), (D), (E), or (I) of section 1072(2) of title 10, United States Code.

''(2) PROHIBITIONS.—A debt collector may not, in connection with the collection of any debt of a covered member—

''(A) threaten to have the covered member reduced in rank;

''(B) threaten to have the covered member's security clearance revoked; or

''(C) threaten to have the covered member prosecuted under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

(b) UNFAIR PRACTICES.—Section 808 of the Fair Debt Collection Practices Act (15 U.S.C. 1692f) is amended by adding at the end the following:

''(9) The representation to any covered member (as defined under section 805(e)(1)) that failure to cooperate with a debt collector will result in—

''(A) a reduction in rank of the covered member;

''(B) a revocation of the covered member's security clearance; or

''(C) prosecution under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

SEC. _____03. GAO STUDY.

The Comptroller General of the United States shall conduct a study and submit a report to Congress on the impact of this division on—

(1) the timely delivery of information to a covered member (as defined in section 805(e) of the Fair Debt Collection Practices Act, as added by this division);

(2) military readiness; and

(3) national security, including the extent to which covered members with security clearances would be impacted by uncollected debt.

SA 200. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 612. INCREASE IN BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES FOR MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (3) of section 403(b) of title 37, United States Code, is amended to read as follows:

''(3) The monthly amount of the basic allowance for housing for an area of the United States for a member of a uniformed service shall be the amount of the monthly cost of adequate housing in that area, as determined by the Secretary of Defense, for members of the uniformed services serving in the same pay grade and with the same dependency status as the member.''.

SA 201. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SENSE OF SENATE ON PROCUREMENT OF OUTSTANDING F/A–18 SUPER HORNET PLATFORMS.

(a) FINDINGS.—Congress finds that Congress appropriated funds for twelve F/A–18 Super Hornet platforms in fiscal year 2022 and eight F/A–18 Super Hornet platforms in fiscal year 2023, but the Navy has yet to enter into any contracts for the procurement of such platforms.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Secretary of the Navy should expeditiously enter into contractual agreements to procure the twenty F/A-18 Super Hornet platforms for which funds have been appropriated; and

(2) the Senate urges the Secretary of the Navy to comply with congressional intent and applicable law with appropriate expediency to bolster the Navy's fleet of strike fighter aircraft and avoid further disruption to the defense industrial base.

SA 202. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO CENSORSHIP OR BLACKLISTING OF NEWS SOURCES BASED ON SUBJECTIVE CRITERIA OR POLITICAL BIASES.

(a) PROHIBITION ON AVAILABILITY OF FUNDS.—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year for the Department of Defense may be obligated or expended to—

(1) enter into any contract or other agreement with any entity described in subsection (b) or with any advertising or marketing agency that uses the functions described in subsection (b)(4) of such an entity; or

(2) provide any form of support to an entity described in subsection (b).

(b) ENTITIES DESCRIBED.—The entities described in this subsection are the following:

(1) NewsGuard Technologies Inc., or any company owned or controlled by such entity.

(2) The Global Disinformation Index, incorporated in the United Kingdom as ''Disinformation Index LTD''.

(3) Graphika Technologies Inc. or any company owned or controlled by such entity.

(4) Any other entity the function of which is to advise the censorship or blacklisting of news sources based on subjective criteria or political biases, under the stated function of ''fact checking'' or otherwise removing ''misinformation''.

(c) CERTIFICATION REQUIREMENT.—Prior to the Secretary of Defense entering into any contract or other agreement (or extending, renewing, or otherwise modifying an existing contract or other agreement) with an entity for the purpose of that entity implementing military recruitment advertisements on behalf of the Department of Defense, the Secretary shall require, as a condition of such contract or agreement, that the entity certify to the Secretary that the entity is in compliance with subsection (a).

SA 203. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. REPORT ON INITIATIVES OF DEPARTMENT OF DEFENSE TO SOURCE LOCALLY AND REGIONALLY PRODUCED FOODS FOR INSTALLATIONS OF THE DEPARTMENT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report detailing—

(1) current procurement practices of the Department of Defense regarding food for consumption or distribution on installations of the Department;

(2) efforts by the Department to establish and strengthen ''farm to base'' initiatives to source locally and regionally produced foods, including seafood, for consumption or distribution at installations of the Department;

(3) efforts by the Department of Defense to collaborate with relevant Federal agencies, including the Department of Veterans Affairs, the Department of Agriculture, and the Department of Commerce, to procure locally and regionally produced foods;

(4) opportunities where procurement of locally and regionally produced foods would be beneficial to members of the Armed Forces, their families, military readiness by improving health outcomes, and farmers near installations of the Department of Defense;

(5) barriers currently preventing the Department from increasing procurement of locally and regionally produced foods or preventing producers from partnering with nearby installations of the Department; and

(6) recommendations for how the Department can improve procurement practices to increase offerings of locally and regionally produced foods.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(2) the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Agriculture of the House of Representatives.

SA 204. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, insert the following:

SEC. _____. JUSTICE FOR UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM.

Subsection (d)(4)(D)(iv)(IV) of the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144(d)(4)(D)(iv)(IV)) is amended—

(1) by redesignating item (bb) as item (dd);

(2) by inserting after item (aa) the following:

''(bb) IRAN HOSTAGES.—There are authorized to be appropriated and there are appropriated to the Fund such sums as are necessary to make lump sum payments for amounts outstanding and unpaid on claims under subparagraphs (B) and (C) of subsection (c)(2).

''(cc) LIMITATION.—Amounts appropriated pursuant to item (bb) may not be used for a purpose other than to make lump sum payments under this clause.'';

(3) in item (cc), as so redesignated, by inserting ''item (bb) or'' before ''sublcauses''; and

(4) in item (aa), by striking ''disperses'' and inserting ''disburses''.

SA 205. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. BRIEFING ON AIR NATIONAL GUARD ACTIVE ASSOCIATIONS.

Not later than November 1, 2023, the Secretary of the Air Force shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the potential increase in air refueling capacity and cost savings, including manpower, to be achieved by making all Air National Guard KC–135 units active associations.

SA 206. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 6___. IMPROVEMENTS TO FINANCIAL LITERACY TRAINING.

(a) IN GENERAL.—Subsection (a) of section 992 of title 10, United States Code, is amended—

(1) in paragraph (2)(C), by striking ''grade E–4'' and inserting ''grade E–6'';

(2) by adding at the end the following new paragraph:

''(5) In carrying out the program to provide training under this subsection, the Secretary concerned shall—

''(A) require the development of a standard curriculum across all military departments for such training that—

''(i) focuses on ensuring that members of the armed forces who receive such training develop proficiency in financial literacy rather than focusing on completion of training modules;

''(ii) is based on best practices in the financial services industry, such as the use of a social learning approach and the incorporation of elements of behavioral economics or gamification; and

''(iii) is designed to address the needs of members and their families;

''(B) ensure that such training—

''(i) is conducted by a financial services counselor who is qualified as described in paragraph (3) of subsection (b) or by other means as described in paragraph (2)(A)(ii) of that subsection;

''(ii) is provided, to the extent practicable—

''(I) in a class held in person with fewer than 50 attendees; or

''(II) one-on-one between the member and a financial services counselor or a qualified representative described in subclause (III) or (IV) of subsection (b)(2)(A)(ii); and

''(iii) is provided using computer-based methods only if methods described in clause (ii) are impractical or unavailable;

''(C) ensure that—

''(i) an in-person class described in subparagraph (B)(i)(I) is available to the spouse of a member; and

''(ii) if a spouse of a member is unable to attend such a class in person—

''(I) training is available to the spouse through Military OneSource; and

''(II) the member is informed during the in-person training of the member under subparagraph (B)(i) with respect to how the member's spouse can access the training;

''(D) ensure that such training, and all documents and materials provided in relation to such training, are presented or written in manner that the Secretary determines can be understood by the average enlisted member.''.

(b) QUALIFIED REPRESENTATIVES FOR COUNSELING FOR MEMBERS AND SPOUSES.—Subsection (b)(2)(A)(ii) of such section is amended by adding at the end the following:

''(IV) Through qualified representatives of banks or credit unions operating on military installations pursuant to an operating agreement with the Department of Defense or a military department.''.

(c) PROVISION OF RETIREMENT INFORMATION.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) PROVISION OF RETIREMENT INFORMATION.—In each training under subsection (a) and in each meeting to provide counseling under subsection (b), a member of the armed forces shall be provided with—

''(1) all forms relating to retirement that are relevant to the member, including with respect to the Thrift Savings Plan;

''(2) information with respect to how to find additional information; and

''(3) contact information for counselors provided through—

''(A) the Personal Financial Counselor program, the Personal Financial Management program, or Military OneSource; or

''(B) nonprofit organizations or agencies that have in effect agreements with the Department of Defense to provide financial services counseling.''.

(d) ADVISORY COUNCIL ON FINANCIAL READINESS.—Such section is further amended by inserting after subsection (e), as redesignated by subsection (c)(1), the following new subsection:

''(f) ADVISORY COUNCIL ON FINANCIAL READINESS.—

''(1) ESTABLISHMENT.—There is established an Advisory Council on Financial Readiness (in this section referred to as the 'Council').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Council shall consist of 12 members appointed by the Secretary of Defense, as follows:

''(i) Three shall be representatives of military support organizations.

''(ii) Three shall be representatives of veterans service organizations.

''(iii) Three shall be representatives of private, nonprofit organizations with a vested interest in education and communication of financial education and financial services.

''(iv) Three shall be representatives of governmental entities with a vested interest in education and communication of financial education and financial services.

''(B) QUALIFICATIONS.—The Secretary shall appoint members to the Council from among individuals qualified to appraise military compensation, military retirement, and financial literacy training.

''(C) TERMS.—Members of the Council shall serve for terms of three years, except that, of the members first appointed—

''(i) four shall be appointed for terms of one year;

''(ii) four shall be appointed for terms of two years; and

''(iii) four shall be appointed for terms of three years.

''(D) REAPPOINTMENT.—A member of the Council may be reappointed for additional terms.

''(E) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term of office for which such member's predecessor was appointed shall be appointed only for the remainder of such term.

''(3) DUTIES AND FUNCTIONS.—The Council shall—

''(A) advise the Secretary with respect to matters relating to the financial literacy and financial readiness of members of the armed forces; and

''(B) submit to the Secretary recommendations with respect to those matters.

''(4) MEETINGS.—

''(A) IN GENERAL.—The Council shall meet not less frequently than twice each year and at such other times as the Secretary requests.

''(B) QUORUM.—A majority of members shall constitute a quorum and action shall be taken only by a majority vote of the members present and voting.

''(5) SUPPORT SERVICES.—The Secretary—

''(A) shall provide to the Council an executive secretary and such secretarial, clerical, and other support services as the Council considers necessary to carry out the duties of the Council; and

''(B) may request that other Federal agencies provide statistical data, reports, and other information that is reasonably accessible to assist the Council in the performance of the duties of the Council.

''(6) COMPENSATION.—While away from their homes or regular places of business in the performance of services for the Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

''(7) ANNUAL REPORT.—Not less frequently than annually, the Secretary shall submit to Congress a report that—

''(A) describes each recommendation received from the Council during the preceding year; and

''(B) includes a statement, with respect to each such recommendation, of whether the Secretary has implemented the recommendation and, if not, a description of why the Secretary has not implemented the recommendation.

''(8) TERMINATION.—Section 1013 of title 5 (relating to termination) shall not apply to the Council.

''(9) DEFINITIONS.—In this subsection:

''(A) MILITARY SUPPORT ORGANIZATION.—The term 'military support organization' means an organization that provides support to members of the armed forces and their families with respect to education, finances, health care, employment, and overall well-being.

''(B) VETERANS SERVICE ORGANIZATION.—The term 'veterans service organization' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38.''.

(e) REPORT ON EFFECTIVENESS OF FINANCIAL SERVICES COUNSELING.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on financial literacy training and financial services counseling provided under section 992 of title 10, United States Code, as amended by this section, that assesses—

(1) the effectiveness of such training and counseling, which shall be determined using actual localized data similar to the Unit Risk Inventory Survey of the Army; and

(2) whether additional training or counseling is necessary for enlisted members of the Armed Forces or for officers.

(f) REGULATIONS.—The Secretary of Defense may prescribe such regulations as are necessary to carry out the amendments made by this section.

SA 207. Mr. DURBIN (for himself, Mr. OSSOFF, and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. TERMINATION OF AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.

(a) FUTURE AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted into law after the date of the enactment of this Act shall terminate on the date that is 10 years after the date of the enactment of such authorization or declaration.

(b) EXISTING AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted before the date of the enactment of this Act shall terminate on the date that is 6 months after the date of such enactment.

SA 208. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 633. VERIFICATION OF THE FINANCIAL INDEPENDENCE OF FINANCIAL SERVICES COUNSELORS IN THE DEPARTMENT OF DEFENSE.

(a) VERIFICATION OF FINANCIAL INDEPENDENCE.—Section 992(b) of title 10, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii)—

(i) by striking ''may'' and inserting ''shall'';

(ii) by striking ''installation by any means elected by the Secretary from among the following:'' and inserting ''installation—'';

(iii) in subclause (I)—

(I) by striking ''Through'' and inserting ''through''; and

(II) by striking ''Defense.'' and inserting ''Defense;'';

(iv) in subclause (II)—

(I) by striking ''By contract'' and inserting ''by contract''; and

(II) by striking ''Internet.'' and inserting ''Internet; or''; and

(v) in subclause (III)—

(I) by striking ''Through'' and inserting ''through''; and

(II) by striking ''counseling.'' and inserting ''counseling; and''; and

(C) by adding at the end the following new clause:

''(iii) may not provide financial services through any individual unless such individual agrees to submit financial disclosures annually to the Secretary.'';

(2) in paragraph (2)(B), by striking ''installation by any of the means set forth in subparagraph (A)(ii), as elected by the Secretary concerned.'' and inserting ''installation in accordance with the requirements established under clauses (ii) and (iii) of subparagraph (A).''; and

(3) in paragraph (4)—

(A) by inserting ''(A)'' before ''The Secretary''; and

(B) by inserting at the end the following new subparagraphs:

''(B) In carrying out the requirements of subparagraph (A), the Secretary concerned shall establish a requirement that each financial services counselor under paragraph (2)(A)(i), and any other individual providing counseling on financial services under paragraph (2), submit financial disclosures annually to the Secretary.

''(C) The Secretary concerned shall review all financial disclosures submitted pursuant

to subparagraph (B) to ensure the counselor, or the individual providing counseling, is free from conflict as required under this paragraph.

''(D) If the Secretary concerned determines that a financial services counselor under paragraph (2)(A)(i), or any other individual providing counseling on financial services under paragraph (2), is not free from conflict as required under this paragraph, the Secretary shall ensure that the counselor, or the individual providing counseling, does not provide such services until such time as the Secretary determines that such conflict is resolved.''.

(b) REPORT ON FINANCIAL INDEPENDENCE.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, each Secretary concerned shall submit to Congress a report on the percentage of financial services counselors under paragraph (2)(A)(i) of section 992(b) of title 10, United States Code (as amended by subsection (a)), and other individuals providing counseling on financial services under paragraph (2) of such section (as amended by subsection (a)), whom the Secretary determined to be free from conflicts as required under paragraph (4) of such section (as amended by subsection (a)).

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given to such term in section 101 of title 10, United States Code.

SA 209. Mrs. FEINSTEIN (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATIONS ON EXCEPTING POSITIONS FROM COMPETITIVE SERVICE AND TRANSFERRING POSITIONS.

(a) DEFINITIONS.—In this section—

(1) the term ''agency'' means any department, agency, or instrumentality of the Federal Government;

(2) the term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code;

(3) the term ''Director'' means the Director of the Office of Personnel Management; and

(4) the term ''excepted service'' has the meaning given the term in section 2103 of title 5, United States Code.

(b) LIMITATIONS.—A position in the competitive service may not be excepted from the competitive service unless that position is placed—

(1) in any of schedules A through E, as described in section 6.2 of title 5, Code of Federal Regulations, as in effect on September 30, 2020; and

(2) under the terms and conditions under part 6 of title 5, Code of Federal Regulations, as in effect on September 30, 2020.

(c) TRANSFERS.—

(1) WITHIN EXCEPTED SERVICE.—A position in the excepted service may not be transferred to any schedule other than a schedule described in subsection (b)(1).

(2) OPM CONSENT REQUIRED.—An agency may not transfer any occupied position from the competitive service or the excepted service into schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulations, without the prior consent of the Director.

(3) LIMIT DURING PRESIDENTIAL TERM.—During any 4-year presidential term, an agency may not transfer from a position in the competitive service to a position in the excepted service the greater of the following:

(A) A total number of employees that is more than 1 percent of the total number of employees employed by that agency, as of the first day of that presidential term.

(B) 5 employees.

(4) EMPLOYEE CONSENT REQUIRED.—Notwithstanding any other provision of this section—

(A) an employee who occupies a position in the excepted service may not be transferred to an excepted service schedule other than the schedule in which that position is located without the prior written consent of the employee; and

(B) an employee who occupies a position in the competitive service may not be transferred to the excepted service without the prior written consent of the employee.

(d) OTHER MATTERS.—

(1) APPLICATION.—Notwithstanding section 7425(b) of title 38, United States Code, this section shall apply to a position under chapter 73 or 74 of that title.

(2) REPORT.—Not later than March 15 of each calendar year, the Director shall submit to Congress a report on the immediately preceding calendar year that lists—

(A) each position that, during the year covered by the report, was transferred from the competitive service to the excepted service and a justification as to why each such position was so transferred; and

(B) any violation of this section that occurred during the year covered by the report.

(e) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Director shall issue regulations to implement this section.

SA 210. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVIII—ENERGY SECURITY COOPERATION WITH ALLIED PARTNERS IN EUROPE ACT OF 2023

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Energy Security Cooperation with Allied Partners in Europe Act of 2023''.

SEC. 1802. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to reduce the dependency of allies and partners of the United States on Russian energy resources, especially natural gas, in order for those countries to achieve lasting and dependable energy security;

(2) to condemn the Government of the Russian Federation for, and to deter that government from, using its energy resources as a geopolitical weapon to coerce, intimidate, and influence other countries;

(3) to improve energy security in Europe by increasing access to diverse, reliable, and affordable energy;

(4) to promote energy security in Europe by working with the European Union and other allies of the United States to develop liberalized energy markets that provide diversified energy sources, suppliers, and routes;

(5) to continue to strongly oppose the Nord Stream 2 pipeline based on its detrimental effects on the energy security of the European Union and the economy of Ukraine and other countries in Central Europe through which natural gas is transported; and

(6) to support countries that are allies or partners of the United States by expediting the export of energy resources from the United States.

SEC. 1803. NORTH ATLANTIC TREATY ORGANIZATION.

The President should direct the United States Permanent Representative on the Council of the North Atlantic Treaty Organization (in this title referred to as ''NATO'') to use the voice and influence of the United States to encourage NATO member countries to work together to achieve energy security for those countries and countries in Europe and Eurasia that are partners of NATO.

SEC. 1804. TRANSATLANTIC ENERGY STRATEGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States and other NATO member countries should explore ways to ensure that NATO member countries diversify their energy supplies and routes in order to enhance their energy security, including through the development of a transatlantic energy strategy.

(b) TRANSATLANTIC ENERGY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of Energy, shall submit to the appropriate congressional committees a transatlantic energy strategy for the United States—

(A) to enhance the energy security of NATO member countries and countries that are partners of NATO; and

(B) to increase exports of energy from the United States to such countries.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

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

(B) the Committee on Foreign Affairs of the House of Representatives.

SEC. 1805. EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO UNITED STATES ALLIES.

(a) IN GENERAL.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by inserting ''(1)'' before ''For purposes'';

(2) by striking ''nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas'' and inserting ''foreign country described in paragraph (2)''; and

(3) by adding at the end the following:

''(2) A foreign country described in this paragraph is—

''(A) a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas;

''(B) a member country of the North Atlantic Treaty Organization;

''(C) subject to paragraph (3), Japan; and

''(D) any other foreign country if the Secretary of State, in consultation with the Secretary of Defense, determines that exportation of natural gas to that foreign country would promote the national security interests of the United States.

''(3) The exportation of natural gas to Japan shall be deemed to be consistent with the public interest pursuant to paragraph (1), and applications for such exportation shall be granted without modification or delay under that paragraph, during only such period as the Treaty of Mutual Cooperation and Security, signed at Washington January 19, 1960, and entered into force June 23, 1960

(11 UST 1632; TIAS 4509), between the United States and Japan, remains in effect.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to applications for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) that are pending on, or filed on or after, the date of the enactment of this Act.

SEC. 1806. MANDATORY SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF PIPELINES IN THE RUSSIAN FEDERATION.

(a) IN GENERAL.—The President shall impose five or more of the sanctions described in section 235 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9529) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, makes an investment described in subsection (b) or sells, leases, or provides to the Government of the Russian Federation, or to any entity owned or controlled by that government, for the construction of Russian energy export pipelines, goods, services, technology, information, or support described in subsection (c)—

(1) any of which has a fair market value of $1,000,000 or more; or

(2) that, during a 12-month period, have an aggregate fair market value of $5,000,000 or more.

(b) INVESTMENT DESCRIBED.—An investment described in this subsection is any contribution of assets, including a loan guarantee or any other transfer of value, that directly and significantly contributes to the enhancement of the ability of the Government of the Russian Federation, or any entity owned or controlled by that government, to construct energy export pipelines.

(c) GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.—Goods, services, technology, information, or support described in this subsection are goods, services, technology, information, or support that could directly and significantly facilitate the maintenance or expansion of the construction, modernization, or repair of energy export pipelines by the Government of the Russian Federation or any entity owned or controlled by that government.

(d) PRESIDENTIAL WAIVER AUTHORITY AND NOTICE TO CONGRESS.—

(1) PRESIDENTIAL WAIVER AUTHORITY.—The President may waive the application of sanctions under this section if the President determines that it is in the national security interests of the United States to waive such sanctions.

(2) NOTICE TO CONGRESS.—Not less than 15 days before taking action to waive the application of sanctions under paragraph (1), the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a notification of, and written justification for, the action.

(e) EXCEPTION FOR IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authority to impose sanctions under subsection (a) shall not include the authority to impose sanctions with respect to the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SA 211. Mr. KENNEDY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURES BY DIRECTORS, OFFICERS, AND PRINCIPAL STOCKHOLDERS.

(a) IN GENERAL.—Section 16(a)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78p(a)(1)) is amended by inserting ''(including any such security of a foreign private issuer, as that term is defined in section 240.3b–4 of title 17, Code of Federal Regulations, or any successor regulation)'' after ''pursuant to section 12''.

(b) EFFECT ON REGULATION.—If any provision of section 240.3a12–3(b) of title 17, Code of Federal Regulations, or any successor regulation, is inconsistent with the amendment made by subsection (a), that provision of such section 240.3a12–3(b) (or such successor) shall have no force or effect.

(c) ISSUANCE OR AMENDMENT OF REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall issue final regulations (or amend existing regulations of the Commission) to carry out the amendment made by subsection (a).

SA 212. Mr. CRAMER (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BANK SERVICE COMPANY EXAMINATION COORDINATION.

(a) BANK SERVICE COMPANY ACT IMPROVEMENTS.—The Bank Service Company Act (12 U.S.C. 1861 et seq.) is amended—

(1) in section 1(b) (12 U.S.C. 1861(b))—

(A) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) the term 'State banking agency' has the meaning given the term 'State bank supervisor' in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);'';

(2) in section 5(a) (12 U.S.C. 1865(a)), by inserting '', in consultation with the State banking agency,'' after ''agency''; and

(3) in section 7 (12 U.S.C. 1867)—

(A) in subsection (a)—

(i) in the first sentence, by inserting ''or State banking agency'' after ''agency''; and

(ii) in the second sentence, by inserting ''or State banking agency'' before ''that'';

(B) in subsection (c)—

(i) in the matter preceding paragraph (1), by inserting ''or a State banking agency'' after ''banking agency''; and

(ii) by striking ''such agency'' each place such term appears and inserting ''such Federal or State agency'';

(C) by redesignating subsection (d) as subsection (f);

(D) by inserting after subsection (c) the following:

''(d) AVAILABILITY OF INFORMATION.—Information obtained pursuant to the regulation and examination of service providers under this section or applicable State law may be furnished by and accessible to Federal and State agencies to the same extent that supervisory information concerning depository institutions is authorized to be furnished to and required to be accessible by Federal and State agencies under section 7(a)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1817(a)(2)) or State law, as applicable.

''(e) COORDINATION WITH STATE BANKING AGENCIES.—If a State bank is principal shareholder, principal member, shareholder, or member of a bank service company, the appropriate Federal banking agency, in carrying out examinations authorized by this section, shall—

''(1) provide reasonable and timely notice to the State banking agency; and

''(2) to the fullest extent possible, coordinate and avoid duplication of examination activities, reporting requirements, and requests for information.'';

(E) in subsection (f), as so redesignated, by inserting '', in consultation with State banking agencies,'' after ''agencies''; and

(F) by adding at the end the following:

''(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as granting authority for a State banking agency to examine a bank service company if no such authority exists in State law.''.

(b) DETERMINATION OF BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 213. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. REPORT ON DEPARTMENT OF DEFENSE SECURITY CLEARANCE PROCESS UPDATES.

(a) STUDY REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status of the updates the Secretary is carrying out to the security clearance process and the methods the Secretary is pursuing to ensure the security clearance process of the Department of Defense continues to protect national security.

(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) A review of the last 10 years of cases of those who held security clearances granted by the Department that were ultimately charged with terrorism, espionage, counterintelligence, or other related crimes.

(2) A review of any existing internal processes applicable to the suspension of security clearances for those individuals.

(3) Any policy that may address revocation of clearances of individuals who are found to pose a threat to other members of the Armed Forces or to national security after their clearance process has been adjudicated.

(4) A review of the processes of the Department to support the transition to the continuous vetting system and status of the transition.

(5) Recommendations on enhancing existing security review processes and recommendations for future new processes to address any gaps identified and lessons learned from the review.

(c) FORM AND PUBLIC AVAILABILITY.—The report submitted pursuant to subsection (a) shall be—

(1) submitted to Congress under such subsection in classified form and detailing relevant case information; and

(2) revised to redact classified information and made available to the public on a website of the Department.

SA 214. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 565. FULL-TIME TELEWORK FOR CERTAIN MILITARY SPOUSES EMPLOYED BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 30 calendar days after receiving a request from a covered individual under this section, the Secretary of Defense shall—

(1) authorize such covered individual to work 100 percent remotely if the Secretary determines that the duties of such covered individual do not require the presence of the covered individual in the workplace; or

(2) in the case of a covered individual who does not receive authorization under paragraph (1)—

(A) reassign the covered individual to a position in the Department at the new permanent duty location of the spouse of such covered individual; or

(B) grant the covered individual terminal leave without pay for the greater of—

(i) the duration of the service of the spouse of the covered individual at such permanent duty location; or

(ii) the period of 36 consecutive months following the permanent change of station.

(b) DEFINITION.—In this section, the term ''covered individual'' means an individual—

(1) who is the spouse of a member of the Armed Forces;

(2) who is employed by the Department of Defense; and

(3) who relocates because such member receives a permanent change of station.

SA 215. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 584. REPORTS ON CERTAIN OUT-OF-CYCLE AND PREMATURE PERSONNEL TRANSFERS.

(a) IN GENERAL.—Not later than December 1, 2025, and each December 1 thereafter, the Secretary of Defense shall submit to the congressional defense committees, and any other committee of Congress the Secretary considers appropriate, a report detailing the number and nature of out-of-cycle or premature personnel transfers carried out during the preceding fiscal year for individuals described in subsection (b) as a result of such individuals, or the dependents of such individuals, being affected by—

(1) sexual assault;

(2) sexual harassment;

(3) humanitarian or compassionate requests;

(4) discrimination, harassment, bullying, reprisals, or threats based on the race, color, national origin, religion, sex (including gender identity), or sexual orientation of such individuals or dependents;

(5) medical issues, including lack of access to care for such individuals or dependents at their current duty location; or

(6) child custody arrangements.

(b) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who is—

(1) a member of the armed forces on active duty;

(2) a member of the armed forces in a reserve component;

(3) a member of the National Guard; or

(4) a civilian employee of the Department of Defense.

(c) ELEMENTS.—Each report required by subsection (a) shall include the following for the preceding fiscal year:

(1) The total number of personnel transfers for each reason described in paragraphs (1) through (6) of subsection (a).

(2) Demographic information of each individual involved in such a transfer, including the age, gender, and military rank or civilian pay grade of the individual.

(3) An analysis of the geographic distribution of such transfers.

(4) For each such transfer, the branch or component of the Department of Defense to which the individual concerned was transferred.

(5) A description of any trend or pattern identified in the data, including recurring issues or areas of concern.

(6) An estimate of the total cost of such transfers.

(d) FORM.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex, as necessary to protect sensitive information.

(e) PRIVACY.—To ensure the privacy of military personnel, personally identifiable information shall not be included in any report under this section.

(f) PUBLIC AVAILABILITY.—The Secretary shall make each report required by subsection (a) available to the public on the internet website of the Department of Defense.

(g) DEFINITIONS.—In this section:

(1) OUT-OF-CYCLE OR PREMATURE.—With respect to a personnel transfer, the term ''out-of-cycle or premature'' means an assignment action taken in advance of the originally scheduled or anticipated rotation date of the personnel concerned.

(2) PERSONNEL TRANSFER.—The term ''personnel transfer'' includes a permanent change of duty station, temporary duty assignment, reassignment, permanent change of assignment, and any other movement of military personnel within the Department of Defense.

SA 216. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT.

(a) BOUNDARY ADJUSTMENT.—Section 507(c) of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk(c)) is amended by striking paragraph (1) and inserting the following:

''(1) BOUNDARY.—

''(A) IN GENERAL.—The recreation area shall consist of—

''(i) the land, water, and interests in land and water generally depicted as the recreation area on the map entitled 'Santa Monica Mountains National Recreation Area and Santa Monica Mountains Zone, California, Boundary Map', numbered 80,047–C, and dated August 2001; and

''(ii) the land, water, and interests in land and water, as generally depicted as 'Proposed Addition' on the map entitled 'Rim of the Valley Unit—Santa Monica Mountains National Recreation Area', numbered 638/147,723, and dated April 2023.

''(B) AVAILABILITY OF MAPS.—The maps described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

''(C) REVISIONS.—After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, in writing, of the proposed revision, the Secretary may make minor revisions to the boundaries of the recreation area by publication of a revised drawing or other boundary description in the Federal Register.''.

(b) ADMINISTRATION.—Any land or interest in land acquired by the Secretary of the Interior within the Rim of the Valley Unit shall be administered as part of the Santa Monica Mountains National Recreation Area (referred to in this section as the ''National Recreation Area'') in accordance with the laws (including regulations) applicable to the National Recreation Area.

(c) UTILITIES AND WATER RESOURCE FACILITIES.—The addition of the Rim of the Valley Unit to the National Recreation Area shall not affect the operation, maintenance, or modification of water resource facilities or public utilities within the Rim of the Valley Unit, except that any utility or water resource facility activities in the Rim of the Valley Unit shall be conducted in a manner that reasonably avoids or reduces the impact of the activities on resources of the Rim of the Valley Unit.

SA 217. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12____. GLOBAL ELECTORAL EXCHANGE PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Global Electoral Exchange Act''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) recent elections globally have illustrated the urgent need for the promotion and exchange of international best election practices, particularly in the areas of cybersecurity, results transmission, transparency of electoral data, election dispute resolution, and the elimination of discriminatory registration practices and other electoral irregularities;

(2) the advancement of democracy worldwide promotes United States interests, as stable democracies provide new market opportunities, improve global health outcomes, and promote economic freedom and regional security;

(3) credible elections are the cornerstone of a healthy democracy and enable all persons to exercise their basic human right to have a say in how they are governed;

(4) inclusive elections strengthen the credibility and stability of democracies more broadly;

(5) at the heart of a strong election cycle is the professionalism of the election management body and an empowered civil society;

(6) the development of local expertise via peer-to-peer learning and exchanges promotes the independence of such bodies from internal and external influence; and

(7) supporting the efforts of peoples in democratizing societies to build more representative governments in their respective countries is in the national interest of the United States.

(c) ESTABLISHMENT.—The Secretary of State is authorized to establish and administer a Global Electoral Exchange Program (referred to in this section as the ''Program'') to promote the utilization of sound election administration practices around the world.

(d) PURPOSE.—The purpose of the Program shall include the promotion and exchange of international best election practices, including in the areas of—

(1) cybersecurity;

(2) the protection of election systems against influence campaigns;

(3) results transmission;

(4) transparency of electoral data;

(5) election dispute resolution;

(6) the elimination of discriminatory registration practices and electoral irregularities;

(7) inclusive and equitable promotion of candidate participation;

(8) equitable access to polling places, voter education information, and voting mechanisms (including by persons with disabilities); and

(9) other sound election administration practices.

(e) EXCHANGE OF ELECTORAL AUTHORITIES.—

(1) IN GENERAL.—The Secretary of State, in consultation, as appropriate, with the Administrator of the United States Agency for International Development, may award grants to any United States-based organization that—

(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(B) has experience in, and a primary focus on, foreign comparative election systems or subject matter expertise in the administration or integrity of such systems; and

(C) submits an application in such form, and satisfying such requirements, as the Secretary may require.

(2) TYPES OF GRANTS.—An organization described in paragraph (1) may receive a grant under this subsection to design and implement programs that—

(A) bring to the United States election administrators and officials, including government officials, poll workers, civil society representatives, members of the judiciary, and others who participate in the organization and administration of public elections in a foreign country that faces challenges to its electoral process to study election procedures in the United States for educational purposes; or

(B) take election administrators and officials of the United States or of another country, including government officials, poll workers, civil society representatives, members of the judiciary, and others who participate in the organization and administration of public elections to another country to study and discuss election procedures in such country for educational purposes.

(3) LIMITS ON ACTIVITIES.—Activities administered under the Program may not—

(A) include observation of an election for the purposes of assessing the validity or legitimacy of that election;

(B) facilitate any advocacy for a certain electoral result by a grantee when participating in the Program; or

(C) be carried out without proper consultation with State and local authorities in the United States that administer elections.

(4) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should establish and maintain a network of Global Electoral Exchange Program alumni, to promote communication and further exchange of information regarding sound election administration practices among current and former Program participants.

(5) LIMITATION.—A recipient of a grant under the Program may only use such grant for the purpose for which such grant was awarded, unless otherwise authorized by the Secretary of State.

(6) NONDUPLICATIVE.—Grants made under this subsection may not be duplicative of any other grants made under any other provision of law for similar or related purposes.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for each of the fiscal years 2024 through 2028 to carry out this section.

(g) CONGRESSIONAL OVERSIGHT.—Not later than 1 year after the date of the enactment of this Act and annually thereafter for the following 2 years, the Secretary of State shall provide a briefing to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the status of any activities carried out under this section during the preceding year, including—

(1) a summary of all exchanges conducted under the Program, including information regarding grantees, participants, and the locations where program activities were held;

(2) a description of the criteria used to select grantees under the Program; and

(3) recommendations for the improvement of the Program in furtherance of the purpose specified in subsection (d).

SA 218. Ms. KLOBUCHAR (for herself and Mr. CRUZ) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. PROTECTING COVERED INFORMATION IN PUBLIC RECORDS.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE LEGISLATIVE OFFICERS.—The term ''applicable legislative officers'' means—

(A) with respect to a Member of the Senate, the Sergeant at Arms and Doorkeeper of the Senate and the Secretary of the Senate, acting jointly; and

(B) with respect to a Member of, or Delegate or Resident Commissioner to, the House of Representatives, the Sergeant at Arms of the House of Representatives and the Chief Administrative Officer of the House of Representatives, acting jointly.

(2) AT-RISK INDIVIDUAL.—The term ''at-risk individual'' means—

(A) a Member of Congress;

(B) any individual who is the spouse, parent, sibling, or child of an individual described in subparagraph (A);

(C) any individual to whom an individual described in subparagraph (A) stands in loco parentis;

(D) any other individual living in the household of an individual described in subparagraph (A);

(E) any employee whose pay is disbursed by the Secretary of the Senate who is identified by the Director of Senate Security as the target of an ongoing threat; or

(F) any employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives who is identified by the Director of the Office of House Security as the target of an ongoing threat.

(3) COVERED INFORMATION.—The term ''covered information'' means—

(A) a home address, including a primary residence or secondary residences;

(B) a home or personal mobile telephone number;

(C) a personal email address;

(D) a social security number or driver's license number;

(E) a bank account or credit or debit card number;

(F) a license plate number or other unique identifier of a vehicle owned, leased, or regularly used by an at-risk individual;

(G) the identification of a child, who is under 18 years of age, of an at-risk individual;

(H) information regarding schedules of school or day care attendance or routes taken to or from the school or day care by an at-risk individual;

(I) information regarding routes taken to or from an employment location by an at-risk individual; or

(J) precise geolocation data that is not anonymized and can identify the location of a device of an at-risk individual.

(4) DATA BROKER.—

(A) IN GENERAL.—The term ''data broker'' means a commercial entity engaged in collecting, assembling, or maintaining personal information concerning an individual who is not a customer, client, or an employee of that entity in order to sell the information or otherwise profit from providing third-party access to the information.

(B) EXCLUSION.—The term ''data broker'' does not include a commercial entity engaged in the following activities:

(i) Engaging in reporting, news-gathering, speaking, or other activities intended to inform the public on matters of public interest or public concern.

(ii) Providing 411 directory assistance or directory information services, including name, address, and telephone number, on behalf of or as a function of a telecommunications carrier.

(iii) Using personal information internally, providing access to businesses under common ownership or affiliated by corporate control, or selling or providing data for a

transaction or service requested by or concerning the individual whose personal information is being transferred.

(iv) Providing publicly available information via real-time or near-real-time alert services for health or safety purposes.

(v) A consumer reporting agency subject to the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

(vi) A financial institution subject to the Gramm-Leach-Bliley Act (Public Law 106–102) and regulations implementing that Act.

(vii) A covered entity for purposes of the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

(viii) The collection and sale or licensing of covered information incidental to conducting the activities described in clauses (i) through (vii).

(5) GOVERNMENT AGENCY.—The term ''Government agency'' includes—

(A) an Executive agency, as defined in section 105 of title 5, United States Code; and

(B) any agency in the judicial branch or legislative branch.

(6) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'' means an at-risk individual—

(A) who is the spouse, parent, sibling, or child of another at-risk individual;

(B) to whom another at-risk individual stands in loco parentis; or

(C) living in the household of another at-risk individual.

(7) MEMBER OF CONGRESS.—The term ''Member of Congress'' means—

(A) a Member of the Senate; or

(B) a Member of, or Delegate or Resident Commissioner to, the House of Representatives.

(8) TRANSFER.—The term ''transfer'' means to sell, license, trade, or exchange for consideration the covered information of an at-risk individual.

(b) GOVERNMENT AGENCIES.—

(1) IN GENERAL.—Each at-risk individual may—

(A) file written notice of the status of the individual as an at-risk individual, for themselves and their immediate family members, with each Government agency that includes information necessary to ensure compliance with this section, as determined by the applicable legislative officers; and

(B) request that each Government agency described in subparagraph (A) mark as private their covered information and that of their immediate family members.

(2) NO PUBLIC POSTING.—

(A) IN GENERAL.—Government agencies shall not publicly post or display publicly available content that includes covered information of an at-risk individual.

(B) DEADLINE.—Upon receipt of a request by an at-risk individual under paragraph (1)(B), a Government agency shall remove the covered information of the at-risk individual, and any immediate family member on whose behalf the at-risk individual submitted the request, from publicly available content not later than 72 hours after such receipt.

(3) EXCEPTIONS.—Nothing in this section shall prohibit a Government agency from providing access to records containing the covered information of an at-risk individual to a third party if the third party—

(A) possesses a signed release from the at-risk individual or a court order;

(B) is subject to the requirements of title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.); or

(C) executes a confidentiality agreement with the Government agency.

(c) DELEGATION OF AUTHORITY.—

(1) IN GENERAL.—An at-risk individual may directly, or through an agent designated by the at-risk individual, make any notice or request required or authorized by this section on behalf of the at-risk individual. The notice or request shall include information necessary to ensure compliance with this section.

(2) AUTHORIZATION OF LEGISLATIVE OFFICERS TO MAKE REQUESTS.—

(A) LEGISLATIVE OFFICERS.—Upon written request of a Member of Congress, the applicable legislative officers are authorized to make any notice or request required or authorized by this section on behalf of the Member of Congress. The notice or request shall include information necessary to ensure compliance with this section, as determined by the applicable legislative officers. Any notice or request made under this paragraph shall be deemed to have been made by the Member of Congress and comply with the notice and request requirements of this section.

(B) LIST.—In lieu of individual notices or requests, the applicable legislative officers may provide Government agencies, data brokers, persons, businesses, or associations with a list of Members of Congress and their immediate family members that includes information necessary to ensure compliance with this section, as determined by the applicable legislative officers for the purpose of maintaining compliance with this section. Such list shall be deemed to comply with individual notice and request requirements of this section.

(d) DATA BROKERS AND OTHER BUSINESSES.—

(1) PROHIBITIONS.—

(A) DATA BROKERS.—It shall be unlawful for a data broker to knowingly sell, license, trade for consideration, or purchase covered information of an at-risk individual.

(B) OTHER BUSINESSES.—

(i) IN GENERAL.—Except as provided in clause (ii), no person, business, or association shall publicly post or publicly display on the internet covered information of an at-risk individual if the at-risk individual, or an immediate family member on behalf of the at-risk individual, has made a written request to that person, business, or association to not disclose the covered information of the at-risk individual.

(ii) EXCEPTIONS.—Clause (i) shall not apply to—

(I) the display on the internet of the covered information of an at-risk individual if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(II) covered information that the at-risk individual voluntarily publishes on the internet after the date of enactment of this Act; or

(III) covered information received from a Federal Government source (or from an employee or agent of the Federal Government).

(2) REQUIRED CONDUCT.—

(A) IN GENERAL.—After receiving a written request under paragraph (1)(B)(i), the person, business, or association shall—

(i) remove within 72 hours the covered information from the internet and ensure that the information is not made available on any website or subsidiary website controlled by that person, business, or association; and

(ii) ensure that the covered information of the at-risk individual is not made available on any website or subsidiary website controlled by that person, business, or association.

(B) TRANSFER.—

(i) IN GENERAL.—Except as provided in clause (ii), after receiving a written request under paragraph (1)(B)(i), the person, business, or association shall not transfer the covered information of the at-risk individual to any other person, business, or association through any medium.

(ii) EXCEPTIONS.—Clause (i) shall not apply to—

(I) the transfer of the covered information of the at-risk individual if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(II) covered information that the at-risk individual voluntarily publishes on the internet after the date of enactment of this Act; or

(III) a transfer made at the request of the at-risk individual or that is necessary to effectuate a request to the person, business, or association from the at-risk individual.

(e) REDRESS.—An at-risk individual whose covered information is made public as a result of a violation of this section may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction.

(f) RULES OF CONSTRUCTION.—

(1) IN GENERAL.—Nothing in this section shall be construed—

(A) to prohibit, restrain, or limit—

(i) the lawful investigation or reporting by the press of any unlawful activity or misconduct alleged to have been committed by an at-risk individual;

(ii) the reporting on an at-risk individual regarding matters of public concern; or

(iii) the disclosure of information otherwise required under Federal law;

(B) to impair access to the actions or statements of a Member of Congress in the course of carrying out the public functions of the Member of Congress;

(C) to limit the publication or transfer of covered information with the written consent of the at-risk individual; or

(D) to prohibit information sharing by a data broker to a Federal, State, Tribal, or local government, or any unit thereof.

(2) PROTECTION OF COVERED INFORMATION.—This section shall be broadly construed to favor the protection of the covered information of at-risk individuals.

(g) SEVERABILITY.—If any provision of this section, or the application of such provision to any person or circumstance, is held to be unconstitutional, the remaining provisions of this section, and the application of the provision to any other person or circumstance, shall not be affected.

SA 219. Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1063. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON IMPLEMENTATION OF UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AND IMPROVING ACCESS TO VOTER REGISTRATION INFORMATION AND ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct—

(1) an analysis of the effectiveness of the Federal Government in carrying out its responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) to promote access to voting for absent uniformed services voters; and

(2) a study on means for improving access to voter registration information and assistance for members of the Armed Forces and their family members.

(b) ELEMENTS.—

(1) ANALYSIS.—The analysis required by subsection (a)(1) shall include analysis of the following:

(A) Data and information pertaining to the transmission of ballots to absent unformed services voters.

(B) Data and information pertaining to the methods of transmission of voted ballots from absent uniformed services voters, including the efficacy and security of such methods.

(C) Data and information pertaining to the treatment by election officials of voted ballots transmitted by absent uniformed services voters, including—

(i) the rate at which such ballots are counted in elections;

(ii) the rate at which such ballots are rejected in elections; and

(iii) the reasons for such rejections.

(D) An analysis of the effectiveness of the assistance provided to absent uniformed services voters by Voting Assistance Officers of the Federal Voting Assistance Program of the Department of Defense.

(E) A review of the extent of coordination between Voting Assistance Officers and State and local election officials.

(F) Information regarding such other issues relating to the ability of absent uniformed services voters to register to vote, vote, and have their ballots counted in elections for Federal office.

(G) Data and information pertaining to—

(i) the awareness of members of the Armed Forces and their family members of the requirement under section 1566a of title 10, United States Code, that the Secretaries of the military departments provide voter registration information and assistance; and

(ii) whether members of the Armed Forces and their family members received such information and assistance at the times required by subsection (c) of that section.

(2) STUDY.—The study required by subsection (a)(2) shall include the following:

(A) An assessment of potential actions to be undertaken by the Secretary of each military department to increase access to voter registration information and assistance for members of the Armed Forces and their family members.

(B) An estimate of the costs and requirements to fully meet the needs of members of the Armed Forces for access to voter registration information and assistance.

(c) METHODS.—In conducting the analysis and study required by subsection (a), the Comptroller General shall, in cooperation and consultation with the Secretaries of the military departments—

(1) use existing information from available government and other public sources; and

(2) acquire, through the Comptroller General's own investigations, interviews, and analysis, such other information as the Comptroller General requires to conduct the analysis and study.

(d) REPORT REQUIRED.—Not later than September 30, 2025, the Comptroller General shall submit to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives a report on the analysis and study required by subsection (a).

(e) DEFINITIONS.—In this section:

(1) ABSENT UNIFORMED SERVICES VOTER.—The term ''absent uniformed services voter'' has the meaning given that term in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310).

(2) FAMILY MEMBER.—The term ''family member'', with respect to a member of the Armed Forces, means a spouse and other dependent (as defined in section 1072 of title 10, United States Code) of the member.

SA 220. Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION F—ARCHITECT OF THE CAPITOL APPOINTMENT ACT OF 2023

SEC. 6001. SHORT TITLE.

This division may be cited as the ''Architect of the Capitol Appointment Act of 2023''.

SEC. 6002. APPOINTMENT AND TERM OF SERVICE OF ARCHITECT OF THE CAPITOL.

(a) APPOINTMENT.—The Architect of the Capitol shall be appointed, without regard to political affiliation and solely on the basis of fitness to perform the duties of the office, upon a majority vote of a congressional commission (referred to in this section as the ''commission'') consisting of the Speaker of the House of Representatives, the majority leader of the Senate, the minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on Appropriations of the House of Representatives, the chairman and ranking minority member of the Committee on Appropriations of the Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, and the chairman and ranking minority member of the Committee on Rules and Administration of the Senate.

(b) TERM OF SERVICE.—The Architect of the Capitol shall be appointed for a term of 10 years and, upon a majority vote of the members of the commission, may be reappointed for additional 10-year terms.

(c) REMOVAL.—The Architect of the Capitol may be removed from office at any time upon a majority vote of the members of the commission.

(d) CONFORMING AMENDMENTS.—

(1) Section 319 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 1801) is repealed.

(2) The matter under the heading ''FOR THE CAPITOL:'' under the heading ''DEPARTMENT OF THE INTERIOR.'' of the Act of February 14, 1902 (32 Stat. 19, chapter 17; incorporated in 2 U.S.C. 1811) is amended by striking '', and he shall be appointed by the President''.

(e) EFFECTIVE DATE.—This section, and the amendments made by this section, shall apply with respect to appointments made on or after the date of enactment of this Act.

SEC. 6003. APPOINTMENT OF DEPUTY ARCHITECT OF THE CAPITOL; VACANCY IN ARCHITECT OR DEPUTY ARCHITECT.

Section 1203 of title I of division H of the Consolidated Appropriations Resolution, 2003 (2 U.S.C. 1805) is amended—

(1) in subsection (a)—

(A) by inserting ''(in this section referred to as the 'Architect')'' after ''The Architect of the Capitol''; and

(B) by inserting ''(in this section referred to as the 'Deputy Architect')'' after ''Deputy Architect of the Capitol'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) DEADLINE.—The Architect shall appoint a Deputy Architect under subsection (a) not later than 120 days after—

''(1) the date on which the Architect is appointed under section 6002 of the Architect of the Capitol Appointment Act of 2023, if there is no Deputy Architect on the date of the appointment; or

''(2) the date on which a vacancy arises in the office of the Deputy Architect.'';

(4) in subsection (c), as so redesignated, by striking ''of the Capitol'' each place it appears; and

(5) by adding at the end the following:

''(d) FAILURE TO APPOINT.—If the Architect does not appoint a Deputy Architect on or before the applicable date specified in subsection (b), the congressional commission described in section 6002(a) of the Architect of the Capitol Appointment Act of 2023 shall appoint the Deputy Architect by a majority vote of the members of the commission.

''(e) NOTIFICATION.—If the position of Deputy Architect becomes vacant, the Architect shall immediately notify the members of the congressional commission described in section 6002(a) of the Architect of the Capitol Appointment Act of 2023.''.

SEC. 6004. DEPUTY ARCHITECT OF THE CAPITOL TO SERVE AS ACTING IN CASE OF ABSENCE, DISABILITY, OR VACANCY.

(a) IN GENERAL.—The Deputy Architect of the Capitol (in this section referred to as the ''Deputy Architect'') shall act as Architect of the Capitol (in this section referred to as the ''Architect'') if the Architect is absent or disabled or there is no Architect.

(b) ABSENCE, DISABILITY, OR VACANCY IN OFFICE OF DEPUTY ARCHITECT.—For purposes of subsection (a), if the Deputy Architect is also absent or disabled or there is no Deputy Architect, the congressional commission described in section 6002(a) shall designate, by a majority vote of the members of the commission, an individual to serve as acting Architect until—

(1) the end of the absence or disability of the Architect or the Deputy Architect; or

(2) in the case of vacancies in both positions, an Architect has been appointed under section 6002(a).

(c) AUTHORITY.—An officer serving as acting Architect under subsection (a) or (b) shall perform all the duties and exercise all the authorities of the Architect, including the authority to delegate the duties and authorities of the Architect in accordance with the matter under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Appropriation Act, 1956 (2 U.S.C. 1803).

(d) CONFORMING AMENDMENT.—The matter under the heading ''SALARIES'' under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Branch Appropriation Act, 1971 (2 U.S.C. 1804) is amended by striking '': *Provided*,'' and all that follows through ''no Architect''.

SA 221. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part III of subtitle B of title XXVIII, add the following:

SEC. 2853. REPORT ON PLAN TO REPLACE HOUSES AT FORT LEONARD WOOD.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress an unclassified report on the plan of the Army to replace all 1,142 houses at Fort Leonard Wood that the Army has designated as being in need of repair.

SA 222. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SENSE OF CONGRESS ON CONSTITUTIONAL REQUIREMENT THAT CONGRESS DECLARE WAR BEFORE THE UNITED STATES ENGAGES IN WAR.

It is the sense of Congress that Article 5 of the North Atlantic Treaty does not supersede the constitutional requirement that Congress declare war before the United States engages in war.

SA 223. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. ENDING CHILD TRAFFICKING.

(a) SHORT TITLE.—This section may be cited as the ''End Child Trafficking Now Act''.

(b) DNA TESTING.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by inserting after section 211 the following:

''SEC. 211A. FAMILIAL RELATIONSHIP DOCUMENTARY REQUIREMENTS.

''(a) IN GENERAL.—Except as provided in subsection (b), an alien who has attained 18 years of age may not be admitted into the United States with a minor.

''(b) EXCEPTIONS.—An alien described in subsection (a) may be admitted into the United States with a minor if—

''(1) the alien presents to the Secretary of Homeland Security—

''(A) 1 or more documents that prove that such alien is a relative or guardian of such minor; and

''(B) a witness that testifies that such alien is a relative or guardian of such minor; or

''(2) a DNA test administered by the Secretary of Health and Human Services proves that such alien is a relative of such minor.

''(c) ADMINISTRATION OF DNA TEST.—The Secretary of Homeland Security shall request, and the Secretary of Health and Human Services shall administer, a DNA test only if the Secretary of Homeland Security is unable to determine, based on the evidence presented in accordance with subsection (b)(1), that an adult alien is a relative or guardian of the minor accompanying such alien.

''(d) DENIAL OF CONSENT.—

''(1) ALIEN.—An alien described in subsection (a) is inadmissible if—

''(A) the Secretary of Homeland Security determines that such alien has presented insufficient evidence under subsection (b)(1) to prove that the alien is a relative of the minor; and

''(B) the alien refuses to consent to a DNA test.

''(2) MINOR.—A minor accompanying an alien who is inadmissible under paragraph (1) shall be treated as an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(e) DNA TEST RESULTS.—If the results of a DNA test administered pursuant to subsection (c) fail to prove that an alien described in subsection (a) is a relative of a minor accompanying such alien, an immigration officer shall conduct such interviews as may be necessary to determine whether such alien is a relative or guardian of such minor.

''(f) ARREST.—An immigration officer may, pursuant to section 287, arrest an alien described in subsection (a) if the immigration officer—

''(1) determines, after conducting interviews pursuant to subsection (e), that such alien is not related to the minor accompanying the alien; and

''(2) has reason to believe that such alien is guilty of a felony offense, including the offenses of human trafficking, recycling of a minor, or alien smuggling.

''(g) DEFINITIONS.—In this section—

''(1) MINOR.—The term 'minor' means an alien who has not attained 18 years of age.

''(2) RECYCLING.—The term 'recycling' means that a minor is being used to enter the United States on more than 1 occasion by an alien who has attained 18 years of age and is not the relative or the guardian of such minor;

''(3) RELATIVE.—The term 'relative' means an individual related by consanguinity within the second degree, as determined by common law.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 note) is amended by inserting after the item relating to section 211 the following:

''Sec. 211A. Familial relationship documentary requirements.''.

(c) CRIMINALIZING RECYCLING OF MINORS.—

(1) IN GENERAL.—Chapter 69 of title 18, United States Code, is amended by adding at the end the following:

''§ 1430. Recycling of minors

''(a) IN GENERAL.—Any person 18 years of age or older who knowingly uses, for the purpose of entering the United States, a minor to whom the individual is not a relative or guardian, shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) RELATIVE.—In this section, the term 'relative' means an individual related by consanguinity within the second degree, as determined by common law.''.

(2) CLERICAL AMENDMENT.—The chapter analysis for chapter 69 of title 18, United States Code, is amended by adding at the end the following:

''1430. Recycling of minors.''.

SA 224. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

(1) mobile mammography initiatives;

(2) advanced mammography equipment; and

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

SA 225. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. TERMINATION OF POLICIES ALLOWING TRAVEL AND TRANSPORTATION ALLOWANCES AND NONCHARGEABLE LEAVE FOR TRAVEL TO ACCESS ABORTION SERVICES.

Not later than 7 days after the date of the enactment of this Act, the Secretary of Defense shall terminate the policies, pursuant to the Department of Defense memorandum entitled ''Ensuring Access to Reproductive Health Care'', and dated October 20, 2022, authorizing—

(1) the provision of travel and transportation allowances for a member of the Armed Forces to travel to access abortion services or for a dependant of the member to access to such services; and

(2) a member to take leave that is not chargeable against the member's leave account for such travel.

SEC. 1084. AUTHORIZATION OF AMOUNTS TO SUPPORT INITIATIVES FOR MOBILE MAMMOGRAPHY SERVICES FOR VETERANS.

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

(1) mobile mammography initiatives;

(2) advanced mammography equipment; and

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

SA 226. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. MIGRANT PROTECTION PROTOCOLS.

(a) SHORT TITLE.—This section may be cited as the ''Make the Migrant Protection Protocols Mandatory Act of 2023''.

(b) MANDATORY IMPLEMENTATION OF THE MIGRANT PROTECTION PROTOCOLS.—Section 235(b)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(2)(C)) is amended by striking ''may'' and inserting ''shall''.

SA 227. Mr. BUDD submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION ON DIVESTMENT OF F–15E AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2024 through 2029 may be obligated or expended to divest any F–15E aircraft.

SA 228. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. MICROLOAN PROGRAM DEFINITIONS.

Section 7(m)(11) of the Small Business Act (15 U.S.C. 636(m)(11)) is amended—

(1) in subparagraph (C)(ii), by striking the period at the end and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.''.

SA 229. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII of division A, add the following:

SEC. 849. EXPANDING ELIGIBILITY FOR CERTAIN CONTRACTS.

(a) COMPETITIVE THRESHOLDS.—Section 8018 of title VIII of division A of the Department of Defense Appropriations Act, 2007 (15 U.S.C. 637 note) is amended by striking ''with agencies of the Department of Defense'' and inserting ''with agencies and departments of the Federal Government''.

(b) RULEMAKING.—Not later than 180 days after the date of enactment of this Act, in order to carry out the amendments made by subsection (a)—

(1) the Administrator of the Small Business Administration, in consultation with the Administrator for Federal Procurement Policy, shall promulgate regulations; and

(2) the Federal Acquisition Regulatory Council established under section 1302(a) of title 41, United States Code, shall amend the Federal Acquisition Regulation.

SA 230. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REQUIREMENT FOR UNQUALIFIED OPINION ON FINANCIAL STATEMENT.

The Secretary of Defense shall ensure that the Department of Defense has received an unqualified opinion on its financial statements by October 1, 2027.

SA 231. Mr. YOUNG (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. SENSE OF THE SENATE ON DIGITAL TRADE AND THE DIGITAL ECONOMY.

(a) FINDINGS.—Congress makes the following findings:

(1) Over half of the world's population, totaling more than 5,000,000,000 people, use the internet.

(2) The digital economy encompasses the economic and social activity from billions of online connections among people, businesses, devices, and data as a result of the internet, mobile technology, and the internet of things.

(3) The Bureau of Economic Analysis found that the digital economy contributed nearly 10.3 percent of United States gross domestic product and supported 8,000,000 United States jobs in 2020.

(4) The digital sector added 1,400,000 new jobs between 2019 and 2022.

(5) United States jobs supported by the digital economy have sustained annual wage growth at a rate of 5.9 percent since 2010, as compared to a 4.2 percent for all jobs.

(6) In 2021, United States exports of digital services surpassed $594,000,000,000, accounting for more than half of all United States services exports and generating a digital services trade surplus for the United States of $262,300,000,000.

(7) Digital trade bolsters the digital economy by enabling the sale of goods on the internet and the supply of online services across borders and depends on the free flow of data across borders to promote commerce, manufacturing, and innovation.

(8) Digital trade has become increasingly vital to United States workers and businesses of all sizes, including the countless small and medium-sized enterprises that use digital technology, data flows, and e-commerce to export goods and services across the world.

(9) Digital trade has advanced entrepreneurship opportunities for women, people of color, and individuals from otherwise underrepresented backgrounds and enabled the formation of innovative start-ups.

(10) International supply chains are becoming increasingly digitized and data driven and businesses in a variety of industries, such as construction, healthcare, transportation, and aerospace, invested heavily in digital supply chain technologies in 2020.

(11) United States Trade Representative Katherine Tai said, ''[T]here is no bright line separating digital trade from the digital economy—or the 'traditional' economy for that matter. Nearly every aspect of our economy has been digitized to some degree.''.

(12) Industries outside of the technology sector, such as manufacturing and agriculture, are integrating digital technology into their businesses in order to increase efficiency, improve safety, reach new customers, and remain globally competitive.

(13) The increasing reliance on digital technologies has modernized legacy processes, accelerated workflows, increased access to information and services, and strengthened security in a variety of industries, leading to better health, environmental, and safety outcomes.

(14) The COVID–19 pandemic has led to increased uptake and reliance on digital technologies, data flows, and e-commerce.

(15) Ninety percent of adults in the United States say that the internet has been essential or important for them personally during the COVID–19 pandemic.

(16) United States families, workers, and business owners have seen how vital access to the internet has been to daily life, as work, education, medicine, and communication with family and friends have shifted increasingly online.

(17) Many individuals and families, especially in rural and Tribal communities, struggle to participate in the digital economy because of a lack of access to a reliable and affordable internet connection.

(18) New developments in technology must be deployed with consideration to the unique access challenges of rural, urban underserved, and vulnerable communities.

(19) Digital trade has the power to help level the playing field and uplift those in traditionally unrepresented or underrepresented communities.

(20) Countries have negotiated international rules governing digital trade in various bilateral and plurilateral agreements, but those rules remain fragmented, and no multilateral agreement on digital trade exists within the World Trade Organization.

(21) The United States, through free trade agreements or other digital agreements, has been a leader in developing a set of rules and standards on digital governance and e-commerce that has helped allies and partners of the United States unlock the full economic and social potential of digital trade.

(22) Congress recognizes the need for agreements on digital trade, as indicated by its support for a robust digital trade chapter in the United States-Mexico-Canada Agreement.

(23) Other countries are operating under their own digital rules, some of which are contrary to democratic values shared by the United States and many allies and partners of the United States.

(24) Those countries are attempting to advance their own digital rules on a global scale.

(25) Examples of the plethora of nontariff barriers to digital trade that have emerged around the globe include—

(A) overly restrictive data localization requirements and limitations on cross border data flows that do not achieve legitimate public policy objectives;

(B) intellectual property rights infringement;

(C) policies that make market access contingent on forced technology transfers or voluntary transfers subject to coercive terms;

(D) web filtering;

(E) economic espionage;

(F) cybercrime exposure; and

(G) government-directed theft of trade secrets.

(26) Certain countries are pursuing or have implemented digital policies that unfairly discriminate against innovative United States technology companies and United States workers that create and deliver digital products and services.

(27) The Government of the People's Republic of China is currently advancing a model for digital governance and the digital economy domestically and abroad through its Digital Silk Road Initiative that permits censorship, surveillance, human and worker rights abuses, forced technology transfers, and data flow restrictions at the expense of human and worker rights, privacy, the free flow of data, and an open internet.

(28) The 2022 Country Reports on Human Rights Practices of the Department of State highlighted significant human rights issues committed by the People's Republic of China in the digital realm, including ''arbitrary interference with privacy including pervasive and intrusive technical surveillance and monitoring including the use of COVID–19 tracking apps for nonpublic-health purposes; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others; serious restrictions on internet freedom, including site blocking''.

(29) The United States discourages digital authoritarianism, including practices that undermine human and worker rights and result in other social and economic coercion.

(30) Allies and trading partners of the United States in the Indo-Pacific region have urged the United States to deepen economic engagement in the region by negotiating rules on digital trade and technology standards.

(31) The digital economy has provided new opportunities for economic development, entrepreneurship, and growth in developing countries around the world.

(32) Negotiating strong digital trade principles and commitments with allies and partners across the globe enables the United States to unite like-minded economies around common standards and ensure that principles of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of digital governance.

(33) United States leadership and substantive engagement is necessary to ensure that global digital rules reflect United States values so that workers are treated fairly, small businesses can compete and win in the global economy, and consumers are guaranteed the right to privacy and security.

(34) The United States supports rules that reduce digital trade barriers, promote free expression and the free flow of information, enhance privacy protections, protect sensitive information, defend human and worker rights, prohibit forced technology transfer, and promote digitally enabled commerce.

(35) The United States supports efforts to cooperate with allies and trading partners to mitigate the risks of cyberattacks, address potentially illegal or deceptive business activities online, promote financial inclusion and digital workforce skills, and develop rules to govern the use of artificial intelligence and other emerging and future technologies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should negotiate strong, inclusive, forward-looking, and enforceable rules on digital trade and the digital economy with like-minded countries as part of a broader trade and economic strategy to address digital barriers and ensure that the United States values of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of the digital world and advanced technology;

(2) in conducting such negotiations, the United States must—

(A) pursue digital trade rules that—

(i) serve the best interests of workers, consumers, and small and medium-sized enterprises;

(ii) empower United States workers;

(iii) fuel wage growth; and

(iv) lead to materially positive economic outcomes for all people in the United States;

(B) ensure that any future agreement prevents the adoption of non-democratic, coercive, or overly restrictive policies that would be obstacles to a free and open internet and harm the ability of the e-commerce marketplace to continue to grow and thrive;

(C) coordinate sufficient trade-related assistance to ensure that developing countries can improve their capacity and benefit from increased digital trade; and

(D) consult closely with all relevant stakeholders, including workers, consumers, small and medium-sized enterprises, civil society groups, and human rights advocates; and

(3) with respect to any negotiations for an agreement facilitating digital trade, the United States Trade Representative and the heads of other relevant Federal agencies must—

(A) consult closely and on a timely basis with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives about the substance of those negotiations and the requisite legal authority to bind the United States to any such agreement;

(B) keep both committees fully apprised of those negotiations; and

(C) provide to those committees, including staff with appropriate security clearances, adequate access to the text of the negotiating proposal of the United States before presenting the proposal in the negotiations.

SA 232. Mr. YOUNG (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION F—COUNTERING ECONOMIC COERCION ACT OF 2023

SEC. 6001. SHORT TITLE.

This title may be cited as the ''Countering Economic Coercion Act of 2023''.

SEC. 6002. SENSE OF CONGRESS.

The following is the sense of Congress:

(1) Foreign adversaries are increasingly using economic coercion to pressure, punish, and influence United States allies and partners.

(2) Economic coercion causes economic harm to United States allies and partners and creates malign influence on the sovereign political actions of such allies and partners.

(3) Economic coercion can threaten the essential security of the United States and its allies.

(4) Economic coercion is often characterized by—

(A) arbitrary, abusive, and discriminatory actions that seek to interfere with sovereign actions, violate international trade rules, and run counter to the rules-based international order;

(B) capricious, pre-textual, and non-transparent actions taken without due process afforded;

(C) intimidation or threats of punitive actions; and

(D) informal actions that take place without explicit government action.

(5) Existing mechanisms for trade dispute resolution and international arbitration are inadequate for responding to economic coercion in a timely and effective manner as foreign adversaries exploit plausible deniability and lengthy processes to evade accountability.

(6) The United States should provide meaningful economic and political support to foreign trading partners affected by economic coercion.

(7) Supporting foreign trading partners affected by economic coercion can lead to opportunities for United States businesses, investors, and workers to reach new markets and customers.

(8) Responding to economic coercion will be most effective when the United States provides relief to affected foreign trading partners in coordination with allies and like-minded countries.

(9) Such coordination will further demonstrate broad resolve against economic coercion.

SEC. 6003. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees''—

(A) means—

(i) the Committee on Foreign Relations of the Senate; and

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

(B) includes—

(i) with respect to the exercise of any authority under subsection (a)(1) or (b) of section 6005—

(I) the Committee on Finance of the Senate; and

(II) the Committee on Ways and Means of the House of Representatives; and

(ii) with respect to the exercise of any authority under paragraph (6) or (8) of section 6005(a)—

(I) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(II) the Committee on Financial Services of the House of Representatives.

(2) ECONOMIC COERCION.—The term ''economic coercion'' means actions, practices, or threats undertaken by a foreign adversary to unreasonably restrain, obstruct, or manipulate trade, foreign aid, investment, or commerce in an arbitrary, capricious, or non-transparent manner with the intention to cause economic harm to achieve strategic political objectives or influence sovereign political actions.

(3) EXPORT; EXPORT ADMINISTRATION REGULATIONS; IN-COUNTRY TRANSFER; REEXPORT.—The terms ''export'', ''Export Administration Regulations'', ''in-country transfer'', and ''reexport'' have the meanings given those terms in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

(4) FOREIGN ADVERSARY.—The term ''foreign adversary'' has the meaning given that term in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)).

(5) FOREIGN TRADING PARTNER.—The term ''foreign trading partner'' means a jurisdiction that is a trading partner of the United States.

SEC. 6004. DETERMINATION OF ECONOMIC COERCION.

(a) PRESIDENTIAL DETERMINATION.—

(1) IN GENERAL.—If the President determines that a foreign trading partner is subject to economic coercion by a foreign adversary, the President may exercise, in a manner proportionate to the economic coercion, any authority described—

(A) in section 6005(a) to support or assist the foreign trading partner; or

(B) in section 6005(b) to penalize the foreign adversary.

(2) INFORMATION; HEARINGS.—To inform any determination or exercise of authority under paragraph (1), the President shall—

(A) obtain the written opinion and analysis of the Secretary of State, the Secretary of Commerce, the Secretary of the Treasury, the United States Trade Representative, and the heads of other Federal agencies, as the President considers appropriate;

(B) seek information and advice from and consult with other relevant officers of the United States; and

(C) afford other interested parties an opportunity to present relevant information and advice.

(3) CONSULTATION WITH CONGRESS.—The President shall consult with the appropriate congressional committees—

(A) not earlier than 30 days and not later than 10 days before exercising any authority under paragraph (1); and

(B) not less frequently than once every 180 days for the duration of the exercise of such authority.

(4) NOTICE.—Not later than 30 days after the date that the President determines that a foreign trading partner is subject to economic coercion or exercises any authority under paragraph (1), the President shall publish in the Federal Register—

(A) a notice of the determination or exercise of authority; and

(B) a description of the economic coercion that the foreign adversary is applying to the foreign trading partner and other circumstances that led to such determination or exercise of authority.

(b) EXPEDITED DETERMINATION.—

(1) IN GENERAL.—If the Secretary of State determines that a foreign trading partner is subject to economic coercion by a foreign adversary, the Secretary of State or the head of the relevant Federal agency may exercise any authority described in paragraphs (2) through (7) of section 6005(a).

(2) NOTICES.—

(A) IN GENERAL.—Not later than 10 days after a determination under paragraph (1), the Secretary of State shall submit to the appropriate congressional committees a notice of such determination.

(B) EXERCISE OF AUTHORITY.—Not later than 10 days after the exercise of any authority described in paragraphs (2) through (7) of section 6005(a) that relies on the determination for which the Secretary of State submitted notice under subparagraph (A), the Secretary of State or the head of the relevant Federal agency relying on such determination shall submit to the appropriate congressional committees a notice of intent to exercise such authority, but not more frequently than once every 90 days.

(c) REVOCATION OF DETERMINATION.—

(1) IN GENERAL.—Any determination made by the President under subsection (a) or the Secretary of State under subsection (b) shall be revoked on the earliest of—

(A) the date that is 2 years after the date of such determination;

(B) the date of the enactment of a joint resolution of disapproval revoking the determination; or

(C) the date on which the President issues a proclamation revoking the determination.

(2) TERMINATION OF AUTHORITIES.—Any authority described in section 6005(a) exercised pursuant to a determination that has been revoked under paragraph (1) shall cease to be exercised on the date of such revocation, except that such revocation shall not affect—

(A) any action taken or proceeding pending not finally concluded or determined on such date; or

(B) any rights or duties that matured or penalties that were incurred prior to such date.

SEC. 6005. AUTHORITIES TO ASSIST FOREIGN TRADING PARTNERS AFFECTED BY ECONOMIC COERCION.

(a) AUTHORITIES WITH RESPECT TO FOREIGN TRADING PARTNERS.—The authorities described in this subsection are the following:

(1) Subject to section 6007, with respect to goods imported into the United States from a foreign trading partner subject to economic coercion by a foreign adversary—

(A) the reduction or elimination of duties; or

(B) the modification of tariff-rate quotas.

(2) Requesting appropriations for foreign aid to the foreign trading partner.

(3) Expedited decisions with respect to the issuance of licenses for the export or reexport to, or in-country transfer in, the foreign trading partner of items subject to controls under the Export Administration Regulations, consistent with the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.).

(4) Expedited regulatory processes related to the importation of goods and services into the United States from the foreign trading partner.

(5) Requesting the necessary authority and appropriations for sovereign loan guarantees to the foreign trading partner.

(6) The waiver of policy requirements (other than policy requirements mandated by an Act of Congress, including the policies and procedures established pursuant to section 11 of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5)) as necessary to facilitate the provision of financing to support exports to the foreign trading partner.

(7) Requesting appropriations for loan loss reserves to facilitate the provision of financing to support United States exports to the foreign trading partner.

(8) The exemption of financing provided to support United States exports to the foreign trading partner from section 8(g)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635g(g)(1)).

(b) AUTHORITIES WITH RESPECT TO FOREIGN ADVERSARIES.—With respect to goods imported into the United States from a foreign adversary engaged in economic coercion of a foreign trading partner, the authorities described in this subsection are the following:

(1) The increase in duties.

(2) The modification of tariff-rate quotas.

SEC. 6006. COORDINATION WITH ALLIES AND PARTNERS.

(a) COORDINATION BY PRESIDENT.—After a determination by the President that a foreign trading partner is subject to economic coercion by a foreign adversary, the President shall endeavor to coordinate—

(1) the exercise of the authorities described in section 6005 with the exercise of relevant authorities by allies and partners in order to broaden economic support to the foreign trading partner affected by economic coercion; and

(2) with allies and partners to issue joint condemnation of the actions of the foreign adversary and support for the foreign trading partner.

(b) COORDINATION BY SECRETARY.—The Secretary of State, in coordination with the heads of the relevant agencies, shall endeavor—

(1) to encourage allies and partners to identify or create mechanisms and authorities necessary to facilitate the coordination under subsection (a)(1);

(2) to coordinate with allies and partners to increase opposition to economic coercion in the international community;

(3) to coordinate with allies and partners to deter the use of economic coercion by foreign adversaries; and

(4) to engage with foreign trading partners to gather information about possible instances of economic coercion and share such information with the appropriate congressional committees.

SEC. 6007. CONDITIONS WITH RESPECT TO TARIFF AUTHORITY.

(a) LIMITATIONS ON TARIFF AUTHORITY.—The authority described in section 6005(a)(1)—

(1) does not include the authority to reduce or eliminate antidumping or countervailing duties imposed under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.);

(2) may only apply to an article if—

(A) such article is—

(i) designated by the President as an eligible article for purposes of the Generalized System of Preferences under section 503 of the Trade Act of 1974 (19 U.S.C. 2463); and

(ii) imported directly from the foreign trading partner into the customs territory of the United States; and

(B) the sum of the cost or value of the materials produced in the foreign trading partner and the direct costs of processing operations performed in such foreign trading partner is not less than 35 percent of the appraised value of such article at the time it is entered;

(3) may not apply to any article that is the product of the foreign trading partner by virtue of having merely undergone—

(A) simple combining or packaging operations; or

(B) mere dilution with water or another substance that does not materially alter the characteristics of the article; and

(4) may not be applied in a manner that would provide indirect economic benefit to a foreign adversary.

(b) CONSULTATION WITH CONGRESS.—

(1) IN GENERAL.—Before exercising any authority described in subsection (a)(1) or (b) of section 6005, the President shall submit to the appropriate congressional committees a notice of intent to exercise such authority that includes a description of—

(A) the circumstances that merit the exercise of such authority;

(B) the expected effects of the exercise of such authority on the economy of the United States and businesses, workers, farmers, and ranchers in the United States;

(C) the expected effects of the exercise of such authority on the foreign trading partner; and

(D) the expected effects of the exercise of such authority on the foreign adversary.

(2) CONGRESSIONAL REVIEW.—

(A) IN GENERAL.—During the period of 45 calendar days beginning on the date on

which the President submits a notice of intent under paragraph (1), the appropriate congressional committees should hold hearings and briefings and otherwise obtain information in order to fully review the proposed exercise of authority.

(B) LIMITATION ON EXERCISE OF AUTHORITY DURING CONGRESSIONAL REVIEW.—Notwithstanding any other provision of law, during the period for congressional review described in subparagraph (A) of a notice of intent submitted under paragraph (1), the President may not take the proposed exercise of authority unless a joint resolution of approval with respect to that exercise of authority is enacted.

(C) EFFECT OF ENACTMENT OF JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a notice of intent submitted under paragraph (1) is enacted during the period for congressional review described in subparagraph (A), the President may not take the proposed exercise of authority.

SEC. 6008. PROCESS FOR JOINT RESOLUTIONS OF APPROVAL OR DISAPPROVAL.

(a) DEFINITIONS.—In this division:

(1) JOINT RESOLUTION OF APPROVAL.—The term ''joint resolution of approval'' means only a joint resolution of either House of Congress—

(A) which does not have a preamble;

(B) the title of which is as follows: ''A joint resolution approving the President's exercise of authority under section 6005 of the Countering Economic Coercion Act of 2023.''; and

(C) the sole matter after the resolving clause of which is as follows: ''That Congress approves the exercise of authority by the President under section 6005 of the Countering Economic Coercion Act of 2023, submitted to Congress on _____.'', with the blank space being filled with the appropriate date.

(2) JOINT RESOLUTION OF DISAPPROVAL.—The term ''joint resolution of disapproval'' means—

(A) with respect to a determination under section 6004(a), only a joint resolution of either House of Congress—

(i) which does not have a preamble;

(ii) the title of which is as follows: ''A joint resolution disapproving the President's determination under section 6004(a) of the Countering Economic Coercion Act of 2023.''; and

(iii) the sole matter after the resolving clause of which is as follows: ''That Congress disapproves the determination of the President under section 6004(a) of the Countering Economic Coercion Act of 2023, published in the Federal Register on _____.'', with the blank space being filled with the appropriate date;

(B) with respect to a determination under section 6004(b), only a joint resolution of either House of Congress—

(i) which does not have a preamble;

(ii) the title of which is as follows: ''A joint resolution disapproving the Secretary of State's determination under section 6004(b) of the Countering Economic Coercion Act of 2023.''; and

(iii) the sole matter after the resolving clause of which is as follows: ''That Congress disapproves the determination of the Secretary of State under section 6004(b) of the Countering Economic Coercion Act of 2023, submitted to Congress on _____.'', with the blank space being filled with the appropriate date; and

(C) with respect to section 6007, only a joint resolution of either House of Congress—

(i) which does not have a preamble;

(ii) the title of which is as follows: ''A joint resolution disapproving the President's exercise of authority under section 6005 of the Countering Economic Coercion Act of 2023.''; and

(iii) the sole matter after the resolving clause of which is as follows: ''That Congress disapproves the exercise of authority by the President under section 6005 of the Countering Economic Coercion Act of 2023, submitted to Congress on _____.'', with the blank space being filled with the appropriate date.

(b) INTRODUCTION IN THE HOUSE OF REPRESENTATIVES.—During a period of 5 legislative days beginning on the date that a notice of determination is published in the Federal Register in accordance with section 6004(a)(4) or submitted to the appropriate congressional committees in accordance with section 6004(b)(2)(A) or a notice of intent is submitted to the appropriate congressional committees in accordance with section 6004(b)(2)(B) or section 6007(b)(1), a joint resolution of approval or a joint resolution of disapproval may be introduced in the House of Representatives by the majority leader or the minority leader.

(c) INTRODUCTION IN THE SENATE.—During a period of 5 days on which the Senate is in session beginning on the date that a notice of determination is published in the Federal Register in accordance with section 6004(a)(4) or submitted to the appropriate congressional committees in accordance with section 6004(b)(2)(A) or a notice of intent is submitted to the appropriate congressional committees in accordance with section 6004(b)(2)(B) or section 6007(b)(1), a joint resolution of approval or a joint resolution of disapproval may be introduced in the Senate by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(d) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) REPORTING AND DISCHARGE.—If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported such joint resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(2) PROCEEDING TO CONSIDERATION.—In the House of Representatives, the following procedures shall apply to a joint resolution of approval or a joint resolution of disapproval:

(A) Beginning on the third legislative day after each committee to which a joint resolution of approval or joint resolution of disapproval has been referred reports it to the House of Representatives or has been discharged from further consideration of the joint resolution, it shall be in order to move to proceed to consider the joint resolution in the House of Representatives.

(B) All points of order against the motion are waived. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed on a joint resolution with regard to the same certification. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except two hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(e) CONSIDERATION IN THE SENATE.—

(1) COMMITTEE REFERRAL.—A joint resolution of approval or a joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Foreign Relations.

(2) REPORTING AND DISCHARGE.—If the Committee on Foreign Relations has not reported a joint resolution of approval or a joint resolution of disapproval within 10 days on which the Senate is in session after the date of referral of such joint resolution, that committee shall be discharged from further consideration of such joint resolution and the joint resolution shall be placed on the appropriate calendar.

(3) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Foreign Relations reports the joint resolution of approval or the joint resolution of disapproval to the Senate or has been discharged from its consideration (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) shall be waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution of approval or the joint resolution of disapproval is agreed to, the joint resolution shall remain the unfinished business until disposed.

(4) DEBATE.—Debate on a joint resolution of approval or a joint resolution of disapproval, and on all debatable motions and appeals in connection with such joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(5) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the joint resolution of approval or the joint resolution of disapproval and a single quorum call at the conclusion of the debate, if requested in accordance with the rules of the Senate.

(6) RULES OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to the joint resolution of approval or the joint resolution of disapproval shall be decided without debate.

(7) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to the joint resolution of approval or the joint resolution of disapproval, including all debatable motions and appeals in connection with such joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(f) PROCEDURES IN THE SENATE.—Except as otherwise provided in this section, the following procedures shall apply in the Senate to a joint resolution of approval or a joint resolution of disapproval to which this section applies:

(1) Except as provided in paragraph (2), a joint resolution of approval or a joint resolution of disapproval that has passed the House of Representatives shall, when received in the Senate, be referred to the Committee on Foreign Relations for consideration in accordance with this subsection.

(2) If a joint resolution of approval or a joint resolution of disapproval to which this section applies was introduced in the Senate before receipt of a joint resolution of approval or a joint resolution of disapproval that has passed the House of Representatives, the joint resolution from the House of Representatives shall, when received in the Senate, be placed on the calendar. If this paragraph applies, the procedures in the Senate with respect to a joint resolution of approval or a joint resolution of disapproval introduced in the Senate that contains the identical matter as a joint resolution of approval or a joint resolution of disapproval that passed the House of Representatives shall be the same as if no joint resolution of approval or joint resolution of disapproval had been received from the House of Representatives, except that the vote on passage in the Senate shall be on the joint resolution of approval or the joint resolution of disapproval that passed the House of Representatives.

(g) RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution of approval or a joint resolution of disapproval under this paragraph, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 233. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. ENHANCED AUTHORITY TO SHARE INFORMATION WITH RESPECT TO MERCHANDISE SUSPECTED OF VIOLATING INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) shall provide to the person information that appears on the merchandise, including—

''(A) its packaging, materials, and containers, including labels; and

''(B) its packing materials and containers, including labels; and''; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.''.

SA 234. Mr. COONS (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. EXTENSION OF INCREASED DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSES OF VETERANS WHO DIE FROM AMYOTROPHIC LATERAL SCLEROSIS.

(a) EXTENSION.—Section 1311(a)(2) of title 38, United States Code, is amended—

(1) by inserting ''(A)'' before ''The rate''; and

(2) by adding at the end the following new subparagraph:

''(B) A veteran whom the Secretary determines died from amyotrophic lateral sclerosis shall be treated as a veteran described in subparagraph (A) without regard for how long the veteran had such disease prior to death.''.

(b) APPLICABILITY.—Subparagraph (B) of section 1311(a)(2) of title 38, United States Code, as added by subsection (a), shall apply to a veteran who dies from amyotrophic lateral sclerosis on or after October 1, 2022.

SA 235. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. FUNDING FOR INFRASTRUCTURE AND FACILITIES PROJECTS FOR B–21 BOMBER AIRCRAFT AT DYES AIR FORCE BASE.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2024 by section 301 for operation and maintenance for the Air Force is hereby increased by $45,000,000, with the amount of the increase to be available for facilities sustainment to carry out infrastructure and facilities projects to make Dyes Air Force Base capable to receive nuclear-capable B–21 bomber aircraft, including—

(1) project 100012 (ADAL Traffic Lanes Tye Gate Entry);

(2) project 100009 (ADAL Traffic Lanes Main Gate Entry);

(3) project 203002 (Hazardous Cargo Pad); and

(4) project 033005 (Enlisted Dorm).

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2024 by section 201 for research, development, test, and evaluation for the Air Force is hereby decreased by $45,000,000, with the amount of the decrease to be taken from amounts available for research, development, test, and evaluation for the B–21 bomber program (PE 0604015F).

SA 236. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28___. MODIFICATION OF INFRASTRUCTURE TO EXPEDITE THE DEPLOYMENT BY RAIL OF HEAVY ARMORED DIVISIONS AND ASSOCIATED EQUIPMENT FROM INSTALLATIONS OF THE ARMY TO NAVAL PORTS.

(a) IN GENERAL.—The Secretary of Defense shall modify or improve the infrastructure necessary to expedite the deployment by rail of heavy armored divisions and associated equipment from installations of the Army in the United States to naval ports in support of a large-scale conflict with a near-peer adversary to ensure that installations of the Army that house armored divisions have a rail facility with multiple spurs to allow for the expedited deployment of troops and equipment.

(b) USE OF AMOUNTS.—The Secretary may expend not more than $150,000,000 to carry out the requirement under subsection (a).

SA 237. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. USE OF IMMERSIVE LEARNING ACROSS TRAINING ORGANIZATIONS AND MAJOR COMMANDS OF THE AIR FORCE.

(a) IN GENERAL.—The Secretary of the Air Force shall fully integrate and scale the use of immersive learning across training organizations and major commands of the Air Force as a program of record.

(b) MINIMIZE COST.—The Secretary of the Air Force shall make efforts to minimize the cost of developing immersive learning training required under subsection (a) by employing software solutions that provide low-code and no-code capabilities—

(1) to enable members of the Air Force to create, manage, and sustain the curriculum going forward; and

(2) to enable instructors to record, edit, and adjust courses without added scope or cost.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of the Secretary in incorporating immersive learning platforms into a new program of record to deliver a modernized training capability to members of the Air Force.

SA 238. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORTING TO DEPARTMENT OF LABOR REGARDING MEMBERS OF THE ARMED FORCES SCHEDULED TO TRANSITION FROM SERVICE.

(a) IN GENERAL.—Not less than every six months, the Secretary of Defense, in consultation with the service Secretaries, shall provide to the Department of Labor of each State contact information for each member of the Armed Forces scheduled to transition from service in the next six months, including name, current physical address, and civilian email address.

(b) OPT-OUT OPTION.—Members of the Armed Forces and State Departments of Labor shall be provided the opportunity to opt out of providing and receiving the information described in subsection (a).

SA 239. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. AUTHORIZATION OF AMOUNTS TO THE DEPARTMENT OF DEFENSE TO BE USED TO CONDUCT ANNUAL AND PERIODIC INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE TRAINING ALONG THE LAND AND WATER BORDERS OF THE UNITED STATES.

(a) AUTHORIZATION OF AMOUNTS.—

(1) JOINT TASK FORCE NORTH.—The amount authorized to be appropriated to the Department of Defense for fiscal year 2024 for operation and maintenance for the Joint Task Force North is hereby increased by $25,000,000.

(2) JOINT INTERAGENCY TASK FORCE SOUTH.—The amount authorized to be appropriated to the Department of Defense for fiscal year 2024 for operation and maintenance for the Joint Interagency Task Force South is hereby increased by $25,000,000.

(b) USE OF AMOUNTS.—

(1) IN GENERAL.—The amounts of the increases under paragraphs (1) and (2) of subsection (a) shall be used by aviation units from the Army, Navy, and Air Force to conduct annual and periodic intelligence, surveillance, and reconnaissance training along the land and water borders of the United States.

(2) USE OF CAMERA FEEDS.—In conducting training under paragraph (1), aviation units described in such paragraph shall provide the live feed from any cameras or sensors used on the aircraft during the training to the Commissioner of U.S. Customs and Border Protection.

SA 240. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28___. USE OF MODULAR CONSTRUCTION TO PROCURE BLAST, BALLISTIC, OR ENVIRONMENTAL RESISTANT BUILDINGS FOR THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Where appropriate, the Secretary of Defense shall consider the potential cost and time savings offered by procuring blast, ballistic, or environmental resistant buildings for the Department of Defense produced through modular construction.

(b) MODULAR CONSTRUCTION DEFINED.—In this section, the term ''modular construction'' means construction done offsite in a controlled factory environment.

SA 241. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. REPEAL OF WAIVER AND TERMINATION PROVISIONS OF PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note) is amended by striking subsections (f) and (h).

SA 242. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2882. ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) REPORT REQUIRED.—

(1) UPDATE OF 2017 ASSESSMENT ON SCHOOL CAPACITY AND CONDITION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an update of the assessment on the capacity and facility condition deficiencies of elementary and secondary public schools on military installations conducted by the Secretary in July 2017 under section 2814 of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2717). In updating the assessment, the Secretary shall take into consideration factors including—

(A) schools that have had changes in their condition or capacity since the 2017 assessment; and

(B) the capacity and facility condition deficiencies of schools omitted from that assessment.

(2) ADDITIONAL INFORMATION.—The Secretary shall include in the update submitted under paragraph (1) a report on the status of the funds already appropriated, and the schedule for completion of projects already approved, under the programs funded under—

(A) section 8127 of the Consolidated Appropriations Act, 2018 (Public Law 115–141; 132 Stat. 492);

(B) section 8128 of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Public Law 115–245; 132 Stat. 3029);

(C) section 8121 of the Consolidated Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2365);

(D) section 8118 of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1332); and

(E) section 8109 of the Consolidated Appropriations Act, 2022 (Public Law 117–103; 136 Stat. 201).

(b) COMPTROLLER GENERAL EVALUATION.—Not later than 180 days after the date of submission of the report under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees an evaluation of the updated assessment prepared by the Secretary of Defense under subsection (a)(1), including an evaluation of the accuracy and analytical sufficiency of the updated assessment.

SA 243. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SANCTIONS AGAINST DESTABILIZING IRANIAN-RUSSIAN AGGRESSION ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''Sanctions Against Destabilizing Iranian-Russian Aggression Act of 2023'' or the ''SADIRA Act of 2023''.

(b) REPORT ON IRANIAN COOPERATION AND SANCTIONS EVASION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on cooperation between the Russian Federation and the Islamic Republic of Iran.

(2) CONTENTS.—The report required by paragraph (1) shall include—

(A) a description of the scope and extent of damage inflicted on the military and civilian infrastructure of Ukraine by weapons, including unmanned combat aerial vehicles, transferred to the Russian Federation by the Government of the Islamic Republic of Iran, including an estimate of the monetary cost for the reconstruction of such infrastructure;

(B) a description of any foreign person that, since 2021 for the first report and since the previous report for subsequent reports, has facilitated the transfer of arms, including unmanned combat aerial vehicles and fighter jets, between the Russian Federation and the Islamic Republic of Iran, including—

(i) a determination as to whether any covered Iranian entity has facilitated such transfer;

(ii) an identification of—

(I) each Iranian person or Russian person, including the owner or operator of any airport or seaport, that has facilitated such transfer;

(II) any person over which such an Iranian person or Russian person has significant control;

(III) each Iranian entity identified under subclause (I) or (II) that has attacked a United States citizen using an unmanned

combat aerial vehicle, as defined for the purpose of the United Nations Register of Conventional Arms;

(IV) any entity over which an entity identified under subclause (III) has significant control; and

(V) each airport or seaport used by each Iranian person or Russian person identified under subclause (I) to facilitate such transfer;

(iii) in the case of a positive determination under clause (i) with respect to a covered Iranian entity described in subparagraph (C) or (D) of paragraph (4), an identification of any foreign person that facilitated a significant transaction or transactions with, or provided material support to, the Iran Airports Company or any entity operated by the Iran Airports Company or over which the Iran Airports Company has significant control;

(C) an identification, including any addresses, of any foreign financial institution that has used any financial messaging system—

(i) described by the memorandum of understanding between the Russian Federation and the Islamic Republic of Iran, signed in Tehran on January 30, 2023; or

(ii) otherwise designed to evade sanctions imposed by the United States with respect to the Russian Federation or the Islamic Republic of Iran;

(D) an identification, including the International Maritime Organization number, the Vessel Identification Number, the current name, any past name, the current flag, and any past flag, of any vessel that was—

(i) knowingly used by a foreign person for the transport of petroleum or petroleum products from the Islamic Republic of Iran; and

(ii) subsequently knowingly used by a foreign person for activities that would be prohibited if conducted by a United States person pursuant to sections 1(a)(ii) and 5 of Executive Order 14071 (50 U.S.C. 1701 note; relating to prohibiting new investment in and certain services to the Russian Federation in response to continued Russian Federation aggression);

(E) an identification, including any addresses, of any foreign financial institution that has—

(i) knowingly conducted or facilitated any significant financial transaction with the Central Bank of Iran or another sanctioned Iranian financial institution for the purpose of repatriating to the Government of the Islamic Republic of Iran assets subject to restrictions described in section 1245(d) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)); or

(ii) established financial channels for conducting or facilitating any significant financial transaction described in clause (i); and

(F) a determination as to whether the transfer of an unmanned combat aerial vehicle to the Russian Federation by the Islamic Republic of Iran would still be in violation of United Nations Security Council Resolution 2231 (2015) if such transfer occurred after October 31, 2023.

(3) LIMITATION.—Beginning on the date that is 90 days after the date of the enactment of this Act, none of the funds authorized to be appropriated or otherwise made available for the official travel expenses of the Special Envoy for Iran may be obligated or expended until the report required under this section is submitted to the appropriate congressional committees.

(4) COVERED IRANIAN ENTITY DEFINED.—In this section, the term ''covered Iranian entity'' means any of the following:

(A) The Islamic Revolutionary Guard Corps.

(B) The Central Bank of Iran.

(C) The Iran Airports Company.

(D) Any entity operated by the Iran Airports Company or over which the Iran Airports Company has significant control.

(c) SANCTIONS WITH RESPECT TO RUSSIAN-IRANIAN TRANSFERS OF ARMS AND SANCTIONS EVASION.—

(1) SANCTIONS WITH RESPECT TO THE EVASION OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION.—

(A) PROPERTY BLOCKING.—Subject to section 10(d) of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8909(d)), President shall impose, with respect to each foreign person identified pursuant to subparagraphs (C) and (D) and clauses (ii) and (iii) of subparagraph (B) of subsection (b)(2), the sanctions described in section 10(b) of that Act.

(B) INCLUSION ON SDN LIST.—The President shall include on the SDN list each Iranian entity, Russian entity, foreign financial institution, or other foreign person identified pursuant to subparagraphs (C) and (D) and clauses (ii) and (iii) of subparagraph (B) of subsection (b)(2).

(2) ADDITIONAL TERRORISM SANCTIONS WITH RESPECT TO ATTACKS ON UNITED STATES CITIZENS.—

(A) DESIGNATION AS FOREIGN TERRORIST ORGANIZATION.—The President shall designate each Iranian entity identified pursuant to subclause (III) or (IV) of subsection (b)(2)(B)(ii) as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(B) SANCTIONS UNDER EXECUTIVE ORDER 13224.—The President shall impose, with respect to any Iranian entity identified pursuant to subclause (III) or (IV) of subsection (b)(2)(B)(ii), the sanctions applicable with respect to a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism), as in effect on the date of the enactment of this Act.

(C) ADDITIONAL RESTRICTIONS ON SANCTIONS WITH RESPECT TO ATTACKS ON UNITED STATES CITIZENS.—The President may not issue any termination or waiver, take any licensing action, or remove any person from the SDN list if such termination, waiver, licensing action, or removal would significantly alter the application of sanctions described in this section with respect to any Iranian entity identified pursuant to subclause (III) or (IV) of subsection (b)(2)(B)(ii) until the date that is not earlier than 10 years after the imposition of such sanctions.

(d) APPLICATION OF EXISTING SANCTIONS RELATING TO THE RELEASE OF SANCTIONED IRANIAN ASSETS.—

(1) IN GENERAL.—With respect to each foreign financial institution identified pursuant to subsection (b)(2)(E), the President shall impose the sanctions described in section 1245(d)(1)(A) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(1)(A)).

(2) EXCEPTION RELATED TO COMPENSATION TO UKRAINE.—The President may not impose sanctions under paragraph (1) if the President submits to the appropriate congressional committees a certification that the Government of the Islamic Republic of Iran has fully compensated the Government of Ukraine for reconstruction in an amount not less than the estimate provided pursuant to subsection (b)(2)(A).

(3) REQUIREMENT RELATED TO PRIOR COMPENSATION OWED TO AMERICAN CITIZENS.—The President may not submit the certification under paragraph (2) until the President transmits to the appropriate congressional committees a certification that the Government of the Islamic Republic of Iran has fully compensated each United States person with an outstanding judgment rendered by a United States court against the Government of the Islamic Republic of Iran.

(e) APPLICATION OF EXISTING SANCTIONS RELATING TO IRANIAN CIVIL AVIATION.—

(1) IN GENERAL.—The President may not issue any termination or waiver, take any licensing action, or remove any person from the SDN list if such termination, waiver, licensing action, or removal would authorize the export or reexport by a foreign person of eligible aircrafts to the Islamic Republic of Iran on temporary sojourn otherwise restricted under part 560 of title 31, Code of Federal Regulations (commonly known as the ''Iranian Transactions and Sanctions Regulations'').

(2) APPLICATION TO EXISTING ACTIONS.—Any termination, waiver, or licensing action described in paragraph (1) and issued before the date of the enactment of this Act, including General License J-1 of the Office of Foreign Assets Control, is rescinded and may not be reissued.

(3) EXCEPTION FOR NEGATIVE DETERMINATION RELATED TO THE IRAN AIRPORTS COMPANY.—If the President has made a negative determination with respect to all covered Iranian entities described in paragraphs (C) and (D) of subsection (b)(4) pursuant to subsection (b)(2)(B)(i) in the most recent report submitted under section 2, the President may take actions otherwise prohibited by subsection (a).

(f) APPLICATION OF EXISTING SANCTIONS RELATING TO RUSSIAN PORTS.—

(1) IN GENERAL.—With respect to any port or facility in the Russian Federation, the Secretary shall impose the sanctions described in section 70110(a) of title 46, United States Code.

(2) WAIVER.—If the Secretary has previously determined during the last review period described under section 70108 of title 46, United States Code, that a port or facility in the Russian Federation is maintaining effective anti-terrorism measures and such port or facility has not been identified pursuant to subsection (b)(2)(B)(ii)(V), the Secretary may waive the application of subsection (a) with respect to such port or facility.

(3) RESTRICTION ON PERIODIC REVIEW.—With the exception of paragraph (2), the Secretary may not issue any termination or waiver or take any licensing action if such termination, waiver, or licensing action would significantly alter the application of sanctions described in paragraph (1) until the date that is not earlier than 2 years after the imposition of such sanctions.

(4) SECRETARY DEFINED.—In this section, the term ''Secretary'' has the meaning given that term in section 70101 of title 46, United States Code.

(g) APPLICATION OF EXISTING SANCTIONS RELATING TO RUSSIAN-IRANIAN NUCLEAR COOPERATION.—

(1) IN GENERAL.—The President may not issue any termination or waiver, take any licensing action, or remove any person from the SDN list if such termination, waiver, licensing action, or removal would significantly alter the application of sanctions under section 1244, 1245, 1246, or 1247 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803 et seq.) to permit transactions in connection with the nuclear program of the Islamic Republic of Iran involving Russian persons.

(2) APPLICATION TO EXISTING ACTIONS.—Any termination, waiver, or licensing action described in paragraph (1) in effect before the date of the enactment of this Act is rescinded and may not be reissued unless modified to exclude any transaction in connection

with the nuclear program of the Islamic Republic of Iran involving a Russian person.

(h) DEFINITIONS.—

(1) IN GENERAL.—In this Act:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(B) ELIGIBLE AIRCRAFT.—The term ''eligible aircraft'' means a fixed-wing civil aircraft of United States origin or that consists of at least 10 percent of United States controlled content and that—

(i) is classified under Export Control Classification Number (ECCN) 9A991.b on the Commerce Control List (as set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations); and

(ii) is registered in a jurisdiction other than the United States or any country in Country Group E:1 of Supplement No.1 to Part 740 of the Export Administration Regulations.

(C) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(D) IRAN AIRPORT COMPANY.—The term ''Iran Airport Company'' means the Iran Airports and Air Navigation Company and the Iranian Airports Holding Company.

(E) IRANIAN ENTITY.—The term ''Iranian entity'' means an entity organized under the laws of the Islamic Republic of Iran or otherwise subject to the jurisdiction of the Government of Iran, including—

(i) the Islamic Revolutionary Guard Corps; and

(ii) the Central Bank of the Islamic Republic of Iran.

(F) IRANIAN PERSON.—The term ''Iranian person'' means—

(i) an individual who is a citizen or national of the Islamic Republic of Iran; or

(ii) an Iranian entity.

(G) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(H) RUSSIAN ENTITY.—The term ''Russian entity'' means an entity organized under the laws of Russia or otherwise subject to the jurisdiction of the Russia Federation, including Rosatom State Nuclear Energy Corporation (commonly known as ''ROSATOM''), or a successor entity.

(I) RUSSIAN PERSON.—The term ''Russian person'' means—

(i) an individual who is a citizen or national of the Russian Federation; or

(ii) a Russian entity.

(J) SANCTIONED IRANIAN FINANCIAL INSTITUTION.—The term ''sanctioned Iranian financial institution'' means an Iranian financial institution (as that term is defined in section 104A of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b)) designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(K) SDN LIST.—The term ''SDN list'' means the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(L) SIGNIFICANT CONTROL.—The term ''significant control'', with respect to an entity, means an ownership interest in the entity that is equal to or greater than 10 percent.

(M) UNITED STATES PERSON.—The term ''United States person'' means—

(i) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(ii) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(2) DETERMINATIONS OF SIGNIFICANCE.—For purposes of this section, in determining if financial transactions are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SA 244. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. EXTENSION OF PROHIBITION ON CERTAIN REDUCTIONS TO B–1 BOMBER AIRCRAFT SQUADRONS.

Section 133(c)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1574) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

SA 245. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 124. ADDITIONAL FUNDING FOR PROCUREMENT OF CMV–22 AIRCRAFT.

The amount authorized to be appropriated for fiscal year 2024 by section 101 and available for aircraft procurement, Navy, as specified in the corresponding funding table in section 4101, for V–22 (medium lift), Line 8, is hereby increased by $755,574,000, with the amount of the increase to be available for the procurement of six additional CMV–22 aircraft.

SA 246. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION OF ESTABLISHMENT OR MAINTENANCE OF A UNIT OF THE JUNIOR RESERVE OFFICERS' TRAINING CORPS AT AN EDUCATIONAL INSTITUTION OWNED, OPERATED, OR CONTROLLED BY THE CHINESE COMMUNIST PARTY.

Section 2031 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) No unit may be established or maintained at an educational institution that is owned, operated, or controlled by a person that—

''(1) is the People's Republic of China;

''(2) is a member of the Chinese Communist Party;

''(3) is a member of the People's Liberation Army;

''(4) is identified by the Secretary of Defense under section 1260H(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese military company;

''(5) is included in the Non-SDN Chinese Military-Industrial Complex Companies List published by the Department of the Treasury; or

''(6) is owned by or controlled by or is an agency or instrumentality of any person described in paragraphs (1) through (5).''.

SA 247. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2___. STRATEGY ON SOLID ROCKET DEVELOPMENT.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a strategy to ensure the United States remains at the forefront in solid rocket development by continuing investments in additive manufacturing solid rocket propellants.

(b) ELEMENTS.—The strategy submitted pursuant to subsection (a) shall include strategies for the following:

(1) Bringing new entrants into the solid rocket motor industrial base of the United States.

(2) Accelerating manufacturing technologies that can help meet the replenishment needs in critical munitions.

(3) Ensuring that competitive procurements are used and nontraditional providers are encouraged to compete and become qualified new entrants.

SA 248. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. ADDITIONAL FUNDING FOR TESTING OF HYPERSONIC WEAPON SYSTEMS WITH B–1 BOMBER.

The amount authorized to be appropriated for fiscal year 2024 by section 201 for research, development, test, and evaluation is hereby increased by $30,000,000, with the amount of the increase to be available for the testing of hypersonic weapon systems with the B–1 bomber.

SA 249. Mr. HICKENLOOPER (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. STUDY ON THE ENERGY RESILIENCE AND RELIABILITY POSTURE OF MILITARY DEPARTMENTS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall conduct, and submit to the congressional defense committees a report (which may include a classified annex, if necessary) describing the results of, a study on the energy resilience and reliability posture of each military department, including—

(1) by identifying any risks to mission readiness posed by inadequate or insufficient domestic electric grid infrastructure or the inability to adequately transfer power between regions of the United States; and

(2) by identifying the potential national security benefits of deploying technologies allowing for superior control of power flows, such as high-voltage direct current transmission.

SA 250. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. METHANE WASTE EMISSIONS CHARGE.

(a) AMENDMENT TO REPORTING PERIOD.—Section 136(g) of the Clean Air Act (42 U.S.C. 7436(g)) is amended by striking ''The charge'' and inserting ''Except as provided in subsection (f)(5), the charge''.

(b) EXEMPTION.—Section 136(f)(5) of the Clean Air Act (42 U.S.C. 7436(f)(5)) is amended—

(1) in the paragraph heading, by striking ''EXEMPTION'' and inserting ''EXEMPTIONS'';

(2) by striking ''such emissions are caused'' and inserting the following: ''such emissions—

''(A) are caused'';

(3) in subparagraph (A) (as so designated), by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following:

''(B) occur before the date that is 1 year after the later of—

''(i) the date on which financial assistance is provided from the amounts appropriated in subsections (a) and (b) to owners and operators of applicable facilities in the industry segments listed in subsection (d); and

''(ii) the initial effective date of final regulations or guidance issued by the Administrator for implementing subsection (c) and this subsection.''.

SA 251. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—STOP CSAM Act of 2023

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Strengthening Transparency and Obligations to Protect Children Suffering from Abuse and Mistreatment Act of 2023'' or the ''STOP CSAM Act of 2023''.

SEC. 1092. PROTECTING CHILD VICTIMS AND WITNESSES IN FEDERAL COURT.

(a) IN GENERAL.—Section 3509 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking ''or exploitation'' and inserting ''exploitation, or kidnapping, including international parental kidnapping'';

(B) in paragraph (3), by striking ''physical or mental injury'' and inserting ''physical injury, psychological abuse'';

(C) by striking paragraph (5) and inserting the following:

''(5) the term 'psychological abuse' includes—

''(A) a pattern of acts, threats of acts, or coercive tactics intended to degrade, humiliate, intimidate, or terrorize a child; and

''(B) the infliction of trauma on a child through—

''(i) isolation;

''(ii) the withholding of food or other necessities in order to control behavior;

''(iii) physical restraint; or

''(iv) the confinement of the child without the child's consent and in degrading conditions;'';

(D) in paragraph (6), by striking ''child prostitution'' and inserting ''child sex trafficking'';

(E) by striking paragraph (7) and inserting the following:

''(7) the term 'multidisciplinary child abuse team' means a professional unit of individuals working together to investigate child abuse and provide assistance and support to a victim of child abuse, composed of representatives from—

''(A) health, social service, and legal service agencies that represent the child;

''(B) law enforcement agencies and prosecutorial offices; and

''(C) children's advocacy centers;'';

(F) in paragraph (9)(D)—

(i) by striking ''genitals'' and inserting ''anus, genitals,''; and

(ii) by striking ''or animal'';

(G) in paragraph (11), by striking ''and'' at the end;

(H) in paragraph (12)—

(i) by striking ''the term 'child abuse' does not'' and inserting ''the terms 'physical injury' and 'psychological abuse' do not''; and

(ii) by striking the period and inserting a semicolon; and

(I) by adding at the end the following:

''(13) the term 'covered person' means a person of any age who—

''(A) is or is alleged to be—

''(i) a victim of a crime of physical abuse, sexual abuse, exploitation, or kidnapping, including international parental kidnapping; or

''(ii) a witness to a crime committed against another person; and

''(B) was under the age of 18 when the crime described in subparagraph (A) was committed; and

''(14) the term 'protected information', with respect to a covered person, includes—

''(A) personally identifiable information of the covered person, including—

''(i) the name of the covered person;

''(ii) an address;

''(iii) a phone number;

''(iv) a user name or identifying information for an online, social media, or email account; and

''(v) any information that can be used to distinguish or trace the identity of the covered person, either alone or when combined with other information that is linked or linkable to the covered person;

''(B) medical, dental, behavioral, psychiatric, or psychological information of the covered person;

''(C) educational or juvenile justice records of the covered person; and

''(D) any other information concerning the covered person that is deemed 'protected information' by order of the court under subsection (d)(5).'';

(2) in subsection (b)—

(A) in paragraph (1)(C), by striking ''minor'' and inserting ''child''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''VIDEOTAPED'' and inserting ''RECORDED'';

(ii) in subparagraph (A), by striking ''that the deposition be recorded and preserved on videotape'' and inserting ''that a video recording of the deposition be made and preserved'';

(iii) in subparagraph (B)—

(I) in clause (ii), by striking ''that the child's deposition be taken and preserved by videotape'' and inserting ''that a video recording of the child's deposition be made and preserved'';

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking ''videotape'' and inserting ''recorded''; and

(bb) in subclause (IV), by striking ''videotape'' and inserting ''recording''; and

(III) in clause (v)—

(aa) in the heading, by striking ''VIDEOTAPE'' and inserting ''VIDEO RECORDING'';

(bb) in the first sentence, by striking ''made and preserved on video tape'' and inserting ''recorded and preserved''; and

(cc) in the second sentence, by striking ''videotape'' and inserting ''video recording'';

(iv) in subparagraph (C), by striking ''child's videotaped'' and inserting ''video recording of the child's'';

(v) in subparagraph (D)—

(I) by striking ''videotaping'' and inserting ''deposition''; and

(II) by striking ''videotaped'' and inserting ''recorded'';

(vi) in subparagraph (E), by striking ''videotaped'' and inserting ''recorded''; and

(vii) in subparagraph (F), by striking ''videotape'' each place the term appears and inserting ''video recording'';

(3) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in clause (i), by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(ii) in clause (ii)—

(I) by striking ''documents described in clause (i) or the information in them that

concerns a child'' and inserting ''a covered person's protected information''; and

(II) by striking '', have reason to know such information'' and inserting ''(including witnesses or potential witnesses), have reason to know each item of protected information to be disclosed'';

(B) in paragraph (2)—

(i) by striking ''the name of or any other information concerning a child'' each place the term appears and inserting ''a covered person's protected information'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(iii) by striking ''All papers'' and inserting the following:

''(A) IN GENERAL.—All papers''; and

(iv) by adding at the end the following:

''(B) ENFORCEMENT OF VIOLATIONS.—The court may address a violation of subparagraph (A) in the same manner as disobedience or resistance to a lawful court order under section 401(3).'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking ''a child from public disclosure of the name of or any other information concerning the child'' and inserting ''a covered person's protected information from public disclosure''; and

(II) by striking '', if the court determines that there is a significant possibility that such disclosure would be detrimental to the child'';

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''a child witness, and the testimony of any other witness'' and inserting ''any witness''; and

(bb) by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) in clause (ii), by striking ''child'' and inserting ''covered person''; and

(iii) by adding at the end the following:

''(C)(i) For purposes of this paragraph, there shall be a presumption that public disclosure of a covered person's protected information would be detrimental to the covered person.

''(ii) The court shall deny a motion for a protective order under subparagraph (A) only if the court finds that the party opposing the motion has rebutted the presumption under clause (i) of this subparagraph.'';

(D) in paragraph (4)—

(i) by striking ''This subsection'' and inserting the following:

''(A) DISCLOSURE TO CERTAIN PARTIES.—This subsection'';

(ii) in subparagraph (A), as so designated—

(I) by striking ''the name of or other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) by striking ''or an adult attendant, or to'' and inserting ''an adult attendant, a law enforcement agency for any intelligence or investigative purpose, or''; and

(iii) by adding at the end the following:

''(B) REQUEST FOR PUBLIC DISCLOSURE.—If any party requests public disclosure of a covered person's protected information to further a public interest, the court shall deny the request unless the court finds that—

''(i) the party seeking disclosure has established that there is a compelling public interest in publicly disclosing the covered person's protected information;

''(ii) there is a substantial probability that the public interest would be harmed if the covered person's protected information is not disclosed;

''(iii) the substantial probability of harm to the public interest outweighs the harm to the covered person from public disclosure of the covered person's protected information; and

''(iv) there is no alternative to public disclosure of the covered person's protected information that would adequately protect the public interest.''; and

(E) by adding at the end the following:

''(5) OTHER PROTECTED INFORMATION.—The court may order that information shall be considered to be 'protected information' for purposes of this subsection if the court finds that the information is sufficiently personal, sensitive, or identifying that it should be subject to the protections and presumptions under this subsection.'';

(4) by striking subsection (f) and inserting the following:

''(f) VICTIM IMPACT STATEMENT.—

''(1) PROBATION OFFICER.—In preparing the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, the probation officer shall request information from the multidisciplinary child abuse team, if applicable, or other appropriate sources to determine the impact of the offense on a child victim and any other children who may have been affected by the offense.

''(2) GUARDIAN AD LITEM.—A guardian ad litem appointed under subsection (h) shall—

''(A) make every effort to obtain and report information that accurately expresses the views of a child victim, and the views of family members as appropriate, concerning the impact of the offense; and

''(B) use forms that permit a child victim to express the child's views concerning the personal consequences of the offense, at a level and in a form of communication commensurate with the child's age and ability.'';

(5) in subsection (h), by adding at the end the following:

''(4) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $25,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.'';

(6) in subsection (i)—

(A) by striking ''A child testifying at or attending a judicial proceeding'' and inserting the following:

''(1) IN GENERAL.—A child testifying at a judicial proceeding, including in a manner described in subsection (b),'';

(B) in paragraph (1), as so designated—

(i) in the third sentence, by striking ''proceeding'' and inserting ''testimony''; and

(ii) by striking the fifth sentence; and

(C) by adding at the end the following:

''(2) RECORDING.—If the adult attendant is in close physical proximity to or in contact with the child while the child testifies—

''(A) at a judicial proceeding, a video recording of the adult attendant shall be made and shall become part of the court record; or

''(B) in a manner described in subsection (b), the adult attendant shall be visible on the closed-circuit television or in the recorded deposition.

''(3) COVERED PERSONS ATTENDING PROCEEDING.—A covered person shall have the right to be accompanied by an adult attendant when attending any judicial proceeding.'';

(7) in subsection (j)—

(A) by striking ''child'' each place the term appears and inserting ''covered person''; and

(B) in the fourth sentence—

(i) by striking ''and the potential'' and inserting '', the potential'';

(ii) by striking ''child's'' and inserting ''covered person's''; and

(iii) by inserting before the period at the end the following: '', and the necessity of the continuance to protect the defendant's rights'';

(8) in subsection (k), by striking ''child'' each place the term appears and inserting ''covered person''; and

(9) in subsection (l), by striking ''child'' each place the term appears and inserting ''covered person''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to conduct that occurs before, on, or after the date of enactment of this Act.

SEC. 1093. FACILITATING PAYMENT OF RESTITUTION; TECHNICAL AMENDMENTS TO RESTITUTION STATUTES.

Title 18, United States Code, is amended—

(1) in section 1593(c)—

(A) by inserting ''(1)'' after ''(c)'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court'';

(2) in section 2248(c)—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) ASSUMPTION OF CRIME VICTIM'S RIGHTS.—In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court'';

(3) in section 2259—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''DIRECTIONS.—Except as provided in paragraph (2), the'' and inserting ''RESTITUTION FOR CHILD PORNOGRAPHY PRODUCTION.—If the defendant was convicted of child pornography production, the''; and

(ii) in paragraph (2)(B), by striking ''$3,000.'' and inserting the following: ''—

''(i) $3,000; or

''(ii) 10 percent of the full amount of the victim's losses, if the full amount of the victim's losses is less than $3,000.''; and

(B) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

''(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term 'child pornography production' means—

''(A) a violation of subsection (a), (b), or (c) of section 2251, or an attempt or conspiracy to violate any of those subsections under subsection (e) of that section;

''(B) a violation of section 2251A;

''(C) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) produced by the defendant; or

''(ii) that the defendant attempted or conspired to produce;

''(D) a violation of section 2252A(g) if the series of felony violations involves not fewer than 1 violation—

''(i) described in subparagraph (A), (B), (E), or (F) of this paragraph;

''(ii) of section 1591; or

''(iii) of section 1201, chapter 109A, or chapter 117, if the victim is a minor;

''(E) a violation of subsection (a) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(1) of that section;

''(F) a violation of section 2260B(a)(2) for promoting or facilitating an offense—

''(i) described in subparagraph (A), (B), (D), or (E) of this paragraph; or

''(ii) under section 2422(b); and

''(G) a violation of chapter 109A or chapter 117, if the offense involves the production or attempted production of, or conspiracy to produce, child pornography.''; and

(ii) by striking paragraph (3) and inserting the following:

''(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term 'trafficking in child pornography' means—

''(A) a violation of subsection (d) of section 2251 or an attempt or conspiracy to violate that subsection under subsection (e) of that section;

''(B) a violation of paragraph (1), (2), or (3) of subsection (a) of section 2252, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(C) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) not produced by the defendant; or

''(ii) that the defendant did not attempt or conspire to produce;

''(D) a violation of paragraph (1), (2), (3), (4), or (6) of subsection (a) of section 2252A, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(E) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section;

''(F) a violation of section 2252A(g) if the series of felony violations exclusively involves violations described in this paragraph;

''(G) a violation of subsection (b) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(2) of that section; and

''(H) a violation of subsection (a)(1) of section 2260B, or a violation of subsection (a)(2) of that section for promoting or facilitating an offense described in this paragraph.'';

(4) in section 2259A(a)—

(A) in paragraph (1), by striking ''under section 2252(a)(4) or 2252A(a)(5)'' and inserting ''described in section 2259(c)(3)(C)''; and

(B) in paragraph (2), by striking ''any other offense for trafficking in child pornography'' and inserting ''any offense for trafficking in child pornography other than an offense described in section 2259(c)(3)(C)'';

(5) in section 2429—

(A) in subsection (b)(3), by striking ''2259(b)(3)'' and inserting ''2259(c)(2)''; and

(B) in subsection (d)—

(i) by inserting ''(1)'' after ''(d)'';

(ii) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(iii) in paragraph (2), as so designated, by inserting ''may assume the rights of the victim under this section'' after ''suitable by the court''; and

(6) in section 3664, by adding at the end the following:

''(q) TRUSTEE OR OTHER FIDUCIARY.—

''(1) IN GENERAL.—

''(A) APPOINTMENT OF TRUSTEE OR OTHER FIDUCIARY.—When the court issues an order of restitution under section 1593, 2248, 2259, 2429, or 3663, or subparagraphs (A)(i) and (B) of section 3663A(c)(1), for a victim described in subparagraph (B) of this paragraph, the court, at its own discretion or upon motion by the Government, may appoint a trustee or other fiduciary to hold any amount paid for restitution in a trust or other official account for the benefit of the victim.

''(B) COVERED VICTIMS.—A victim referred to in subparagraph (A) is a victim who is—

''(i) under the age of 18 at the time of the proceeding;

''(ii) incompetent or incapacitated; or

''(iii) subject to paragraph (3), a foreign citizen or stateless person residing outside the United States.

''(2) ORDER.—When the court appoints a trustee or other fiduciary under paragraph (1), the court shall issue an order specifying—

''(A) the duties of the trustee or other fiduciary, which shall require—

''(i) the administration of the trust or maintaining an official account in the best interests of the victim; and

''(ii) disbursing payments from the trust or account—

''(I) to the victim; or

''(II) to any individual or entity on behalf of the victim;

''(B) that the trustee or other fiduciary—

''(i) shall avoid any conflict of interest;

''(ii) may not profit from the administration of the trust or maintaining an official account for the benefit of the victim other than as specified in the order; and

''(iii) may not delegate administration of the trust or maintaining the official account to any other person;

''(C) if and when the trust or the duties of the other fiduciary will expire; and

''(D) the fees payable to the trustee or other fiduciary to cover expenses of administering the trust or maintaining the official account for the benefit of the victim, and the schedule for payment of those fees.

''(3) FACT-FINDING REGARDING FOREIGN CITIZENS AND STATELESS PERSON.—In the case of a victim who is a foreign citizen or stateless person residing outside the United States and is not under the age of 18 at the time of the proceeding or incompetent or incapacitated, the court may appoint a trustee or other fiduciary under paragraph (1) only if the court finds it necessary to—

''(A) protect the safety or security of the victim; or

''(B) provide a reliable means for the victim to access or benefit from the restitution payments.

''(4) PAYMENT OF FEES.—

''(A) IN GENERAL.—The court may, with respect to the fees of the trustee or other fiduciary—

''(i) pay the fees in whole or in part; or

''(ii) order the defendant to pay the fees in whole or in part.

''(B) APPLICABILITY OF OTHER PROVISIONS.—With respect to a court order under subparagraph (A)(ii) requiring a defendant to pay fees—

''(i) subsection (f)(3) shall apply to the court order in the same manner as that subsection applies to a restitution order;

''(ii) subchapter C of chapter 227 (other than section 3571) shall apply to the court order in the same manner as that subchapter applies to a sentence of a fine; and

''(iii) subchapter B of chapter 229 shall apply to the court order in the same manner as that subchapter applies to the implementation of a sentence of a fine.

''(C) EFFECT ON OTHER PENALTIES.—Imposition of payment under subparagraph (A)(ii) shall not relieve a defendant of, or entitle a defendant to a reduction in the amount of, any special assessment, restitution, other fines, penalties, or costs, or other payments required under the defendant's sentence.

''(D) SCHEDULE.—Notwithstanding any other provision of law, if the court orders the defendant to make any payment under subparagraph (A)(ii), the court may provide a payment schedule that is concurrent with the payment of any other financial obligation described in subparagraph (C).

''(5) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $15,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.''.

SEC. 1094. CYBERTIPLINE IMPROVEMENTS, AND ACCOUNTABILITY AND TRANSPARENCY BY THE TECH INDUSTRY.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) in section 2258A—

(A) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DUTY TO REPORT.—

''(1) DUTY.—In order to reduce the proliferation of online child exploitation and to prevent the online sexual exploitation of children, as soon as reasonably possible after obtaining actual knowledge of any facts or circumstances described in paragraph (2) or any apparent child pornography on the provider's service, and in any event not later than 60 days after obtaining such knowledge, a provider shall submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report containing—

''(A) the mailing address, telephone number, facsimile number, electronic mailing address of, and individual point of contact for, such provider; and

''(B) information described in subsection (b) concerning such facts or circumstances or apparent child pornography.

''(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances indicating an apparent, planned, or imminent violation of section 2251, 2251A, 2252, 2252A, 2252B, or 2260.

''(3) PERMITTED ACTIONS BASED ON REASONABLE BELIEF.—In order to reduce the proliferation of online child exploitation and to prevent the online sexual exploitation of children, if a provider has a reasonable belief that any facts or circumstances described in paragraph (2) exist, the provider may submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report described in paragraph (1).

''(b) CONTENTS OF REPORT.—

''(1) IN GENERAL.—In an effort to prevent the future sexual victimization of children, and to the extent the information is within the custody or control of a provider, each report provided under paragraph (1) or (3) of subsection (a)—

''(A) shall include, to the extent that it is applicable and reasonably available—

''(i) identifying information regarding any individual who is the subject of the report, including name, address, electronic mail address, user or account identification, Internet Protocol address, and uniform resource locator;

''(ii) the terms of service in effect at the time of—

''(I) the apparent violation; or

''(II) the detection of apparent child pornography or a planned or imminent violation;

''(iii) a copy of any apparent child pornography that is the subject of the report that was identified in a publicly available location;

''(iv) for each item of apparent child pornography included in the report under clause (iii) or paragraph (2)(C), information indicating whether—

''(I) the apparent child pornography was publicly available; or

''(II) the provider, in its sole discretion, viewed the apparent child pornography, or any copy thereof, at any point concurrent with or prior to the submission of the report; and

''(v) for each item of apparent child pornography that is the subject of the report, an indication as to whether the apparent child pornography—

''(I) has previously been the subject of a report under paragraph (1) or (3) of subsection (a); or

''(II) is the subject of multiple contemporaneous reports due to rapid and widespread distribution; and

''(B) may, at the sole discretion of the provider, include the information described in paragraph (2) of this subsection.

''(2) OTHER INFORMATION.—The information referred to in paragraph (1)(B) is the following:

''(A) HISTORICAL REFERENCE.—Information relating to when and how a customer or subscriber of a provider uploaded, transmitted, or received content relating to the report or when and how content relating to the report was reported to, or discovered by the provider, including a date and time stamp and time zone.

''(B) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual or website, which may include the Internet Protocol address or verified address, or, if not reasonably available, at least one form of geographic identifying information, including area code or zip code, provided by the customer or subscriber, or stored or obtained by the provider.

''(C) APPARENT CHILD PORNOGRAPHY.—Any apparent child pornography not described in paragraph (1)(A)(iii), or other content related to the subject of the report.

''(D) COMPLETE COMMUNICATION.—The complete communication containing any apparent child pornography or other content, including—

''(i) any data or information regarding the transmission of the communication; and

''(ii) any visual depictions, data, or other digital files contained in, or attached to, the communication.

''(E) TECHNICAL IDENTIFIER.—An industry-standard hash value or other similar industry-standard technical identifier for any reported visual depiction as it existed on the provider's service.

''(F) DESCRIPTION.—For any item of apparent child pornography that is the subject of the report, an indication of whether—

''(i) the depicted sexually explicit conduct involves—

''(I) genital, oral, or anal sexual intercourse;

''(II) bestiality;

''(III) masturbation;

''(IV) sadistic or masochistic abuse; or

''(V) lascivious exhibition of the anus, genitals, or pubic area of any person; and

''(ii) the depicted minor is—

''(I) an infant or toddler;

''(II) prepubescent;

''(III) pubescent;

''(IV) post-pubescent; or

''(V) of an indeterminate age or developmental stage.'';

''(c) FORWARDING OF REPORT AND OTHER INFORMATION TO LAW ENFORCEMENT.—

''(1) IN GENERAL.—Pursuant to its clearinghouse role as a private, nonprofit organization, and at the conclusion of its review in furtherance of its nonprofit mission, NCMEC shall make available each report submitted under paragraph (1) or (3) of subsection (a) to one or more of the following law enforcement agencies:

''(A) Any Federal law enforcement agency that is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(B) Any State or local law enforcement agency that is involved in the investigation of child sexual exploitation.

''(C) A foreign law enforcement agency designated by the Attorney General under subsection (d)(3) or a foreign law enforcement agency that has an established relationship with the Federal Bureau of Investigation, Immigration and Customs Enforcement, or INTERPOL, and is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(2) TECHNICAL IDENTIFIERS.—If a report submitted under paragraph (1) or (3) of subsection (a) contains an industry-standard hash value or other similar industry-standard technical identifier—

''(A) NCMEC may compare that hash value or identifier with any database or repository of visual depictions owned or operated by NCMEC; and

''(B) if the comparison under subparagraph (A) results in a match, NCMEC may include the matching visual depiction from its database or repository when forwarding the report to an agency described in subparagraph (A) or (B) of paragraph (1).'';

(B) in subsection (d)—

(i) in paragraph (2), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(1)(A)''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)''; and

(II) in subparagraph (C), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)'';

(C) by striking subsection (e) and inserting the following:

''(e) FAILURE TO COMPLY WITH REQUIREMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) OFFENSE.—It shall be unlawful for a provider to knowingly—

''(i) fail to submit a report under subsection (a)(1) within the time period required by that subsection; or

''(ii) fail to preserve material as required under subsection (h).

''(B) PENALTY.—

''(i) IN GENERAL.—A provider that violates subparagraph (A) shall be fined—

''(I) in the case of an initial violation, not more than $150,000; and

''(II) in the case of any second or subsequent violation, not more than $300,000.

''(ii) HARM TO INDIVIDUALS.—The maximum fine under clause (i) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(2) CIVIL PENALTY.—

''(A) VIOLATIONS RELATING TO CYBERTIPLINE REPORTS AND MATERIAL PRESERVATION.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $50,000 and not more than $100,000 if the provider knowingly—

''(i) fails to submit a report under subsection (a)(1) within the time period required by that subsection;

''(ii) fails to preserve material as required under subsection (h); or

''(iii) submits a report under paragraph (1) or (3) of subsection (a) that—

''(I) contains materially false or fraudulent information; or

''(II) omits information described in subsection (b)(1)(A) that is reasonably available.

''(B) ANNUAL REPORT VIOLATIONS.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $100,000 and not more than $1,000,000 if the provider knowingly—

''(i) fails to submit an annual report as required under subsection (i); or

''(ii) submits an annual report under subsection (i) that—

''(I) contains a materially false, fraudulent, or misleading statement; or

''(II) omits information described in subsection (i)(1) that is reasonably available.

''(C) HARM TO INDIVIDUALS.—The amount of a civil penalty under subparagraph (A) or (B) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(D) COSTS OF CIVIL ACTIONS.—A provider that commits a violation described in subparagraph (A) or (B) shall be liable to the United States Government for the costs of a civil action brought to recover a civil penalty under that subparagraph.

''(E) ENFORCEMENT.—This paragraph shall be enforced in accordance with sections 3731, 3732, and 3733 of title 31, except that a civil action to recover a civil penalty under subparagraph (A) or (B) of this paragraph may only be brought by the United States Government.

''(3) DEPOSIT OF FINES AND PENALTIES.—Notwithstanding any other provision of law, any criminal fine or civil penalty collected under this subsection shall be deposited into the Child Pornography Victims Reserve as provided in section 2259B.'';

(D) in subsection (f), by striking paragraph (3) and inserting the following:

''(3) affirmatively search, screen, or scan for—

''(A) facts or circumstances described in subsection (a)(2);

''(B) information described in subsection (b)(2); or

''(C) any apparent child pornography.'';

(E) in subsection (g)—

(i) in paragraph (2)(A)—

(I) in clause (iii), by inserting ''or personnel at a children's advocacy center'' after ''State)''; and

(II) in clause (iv), by striking ''State or subdivision of a State'' and inserting ''State, subdivision of a State, or children's advocacy center'';

(ii) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''paragraph (1) or (3) of'' before ''subsection (a)''; and

(iii) in paragraph (4), by striking ''subsection (a)(1)'' and inserting ''paragraph (1) or (3) of subsection (a)'';

(F) in subsection (h)—

(i) in paragraph (1), by striking ''subsection (a)(1)'' and inserting ''paragraph (1) or (3) of subsection (a)''; and

(ii) by adding at the end the following:

''(5) RELATION TO REPORTING REQUIREMENT.—Submission of a report as described in paragraph (1) or (3) of subsection (a) does not satisfy the obligations under this subsection.''; and

(G) by adding at the end the following:

''(i) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than March 31 of the second year beginning after the date of enactment of the STOP CSAM Act of 2023, and of each year thereafter, a provider that had more than 1,000,000 unique monthly visitors or users during each month of the preceding year and accrued revenue of more than $50,000,000 during the preceding year shall submit to the Attorney General and the Chair of the Federal Trade Commission a report, disaggregated by subsidiary, that provides the following information for the preceding year to the extent such information is applicable and reasonably available:

''(A) CYBERTIPLINE DATA.—

''(i) The total number of reports that the provider submitted under paragraph (1) or (3) of subsection (a).

''(ii) Which items of information described in subsection (b)(2) are routinely included in the reports submitted by the provider under paragraph (1) or (3) of subsection (a).

''(B) REPORT AND REMOVE DATA.—With respect to section 1096 of the STOP CSAM Act of 2023—

''(i) a description of the provider's designated reporting system;

''(ii) the number of complete notifications received;

''(iii) the number of proscribed visual depictions involving a minor that were removed; and

''(iv) the total amount of any fine ordered and paid.

''(C) OTHER REPORTING TO THE PROVIDER.—

''(i) The measures the provider has in place to receive other reports concerning child sexual exploitation and abuse using the provider's product or on the provider's service.

''(ii) The average time for responding to reports described in clause (i).

''(iii) The number of reports described in clause (i) that the provider received.

''(iv) A summary description of the actions taken upon receipt of the reports described in clause (i).

''(D) POLICIES.—

''(i) A description of the policies of the provider with respect to the commission of child sexual exploitation and abuse using the provider's product or on the provider's service, including how child sexual exploitation and abuse is defined.

''(ii) A description of possible consequences for violations of the policies described in clause (i).

''(iii) The methods of informing users of the policies described in clause (i).

''(iv) The process for adjudicating potential violations of the policies described in clause (i).

''(E) CULTURE OF SAFETY.—

''(i) The measures and technologies that the provider deploys to protect children from sexual exploitation and abuse using the provider's product or service.

''(ii) The measures and technologies that the provider deploys to prevent the use of the provider's product or service by individuals seeking to commit child sexual exploitation and abuse.

''(iii) Factors that interfere with the provider's ability to detect or evaluate instances of child sexual exploitation and abuse.

''(iv) An assessment of the efficacy of the measures and technologies described in clauses (i) and (ii) and the impact of the factors described in clause (iii).

''(F) SAFETY BY DESIGN.—The measures that the provider takes before launching a new product or service to assess—

''(i) the safety risks for children with respect to sexual exploitation and abuse; and

''(ii) whether and how individuals could use the new product or service to commit child sexual exploitation and abuse.

''(G) TRENDS AND PATTERNS.—Any information concerning emerging trends and changing patterns with respect to the commission of online child sexual exploitation and abuse.

''(2) AVOIDING DUPLICATION.—Notwithstanding the requirement under the matter preceding paragraph (1) that information be submitted annually, in the case of any report submitted under that paragraph after the initial report, a provider shall submit information described in subparagraphs (D) through (G) of that paragraph not less frequently than once every 3 years or when new information is available, whichever is more frequent.

''(3) LIMITATION.—Nothing in paragraph (1) shall require the disclosure of trade secrets or other proprietary information.

''(4) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Attorney General and the Chair of the Federal Trade Commission shall publish the reports received under this subsection.

''(B) REDACTION.—

''(i) IN GENERAL.—The Attorney General and Chair of the Federal Trade Commission shall redact from a report published under subparagraph (A) any information as necessary to avoid—

''(I) undermining the efficacy of a safety measure described in the report; or

''(II) revealing how a product or service of a provider may be used to commit online child sexual exploitation and abuse.

''(ii) ADDITIONAL REDACTION.—

''(I) REQUEST.—In addition to information redacted under clause (i), a provider may request the redaction, from a report published under subparagraph (A), of any information that is law enforcement sensitive or otherwise not suitable for public distribution.

''(II) AGENCY DISCRETION.—The Attorney General and Chair of the Federal Trade Commission—

''(aa) shall consider a request made under subclause (I); and

''(bb) may, in their discretion, redact from a report published under subparagraph (A) any information that is law enforcement sensitive or otherwise not suitable for public distribution, whether or not requested.'';

(2) in section 2258B—

(A) in subsection (a)—

(i) by striking ''may not be brought in any Federal or State court''; and

(ii) by striking ''Except as provided in subsection (b), a civil claim or criminal charge'' and inserting the following:

''(1) LIMITED LIABILITY.—Except as provided in subsection (b), a civil claim or criminal charge described in paragraph (2) may not be brought in any Federal or State court.

''(2) COVERED CLAIMS AND CHARGES.—A civil claim or criminal charge referred to in paragraph (1) is a civil claim or criminal charge''; and

(B) in subsection (b)(1), by inserting ''or knowingly failed to comply with a requirement under section 2258A'' after ''misconduct'';

(3) in section 2258C—

(A) in subsection (a)(1), by inserting ''use of the provider's products or services to commit'' after ''stop the'';

(B) in subsection (b)—

(i) by striking ''Any provider'' and inserting the following:

''(1) IN GENERAL.—Any provider'';

(ii) in paragraph (1), as so designated, by striking ''receives'' and inserting '', in its sole discretion, obtains''; and

(iii) by adding at the end the following:

''(2) LIMITATION ON SHARING WITH OTHER ENTITIES.—A provider that obtains elements under subsection (a)(1) may not distribute those elements, or make those elements available, to any other entity, except for the sole and exclusive purpose of stopping the online sexual exploitation of children.''; and

(C) in subsection (c)—

(i) by striking ''subsections'' and inserting ''subsection'';

(ii) by striking ''providers receiving'' and inserting ''a provider to obtain'';

(iii) by inserting '', or'' after ''NCMEC''; and

(iv) by inserting ''use of the provider's products or services to commit'' after ''stop the'';

(4) in section 2258E—

(A) in paragraph (6), by striking ''electronic communication service provider'' and inserting ''electronic communication service'';

(B) in paragraph (7), by striking ''and'' at the end;

(C) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(9) the term 'publicly available', with respect to a visual depiction on a provider's service, means the visual depiction can be viewed by or is accessible to all users of the service, regardless of the steps, if any, a user must take to create an account or to gain access to the service in order to access or view the visual depiction.'';

(5) in section 2259B(a), by inserting '', any fine or penalty collected under section 2258A(e) or subparagraph (A) of section 1096(g)(24) of the STOP CSAM Act of 2023 (except as provided in clauses (i) and (ii)(I) of subparagraph (B) of such section 1096(g)(24)),'' after ''2259A''; and

(6) by adding at the end the following:

''§ 2260B. Liability for certain child exploitation offenses

''(a) OFFENSE.—It shall be unlawful for a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), that operates through the use of any facility or means of interstate or foreign commerce or in or affecting interstate or foreign commerce, through such service to knowingly—

''(1) host or store child pornography or make child pornography available to any person; or

''(2) otherwise knowingly promote or facilitate a violation of section 2251, 2251A, 2252, 2252A, or 2422(b).

''(b) PENALTY.—A provider of an interactive computer service that violates subsection (a)—

''(1) subject to paragraph (2), shall be fined not more than $1,000,000; and

''(2) if the offense involves a conscious or reckless risk of serious personal injury or an individual is harmed as a direct and proximate result of the violation, shall be fined not more than $5,000,000.

''(c) RULES OF CONSTRUCTION.—

''(1) APPLICABILITY TO LEGAL PROCESS.—Nothing in this section shall be construed to apply to any action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.

''(2) KNOWLEDGE WITH RESPECT TO EACH ITEM REQUIRED.—For purposes of subsection (a)(1), the term 'knowingly' shall be construed to mean knowledge of each item of child pornography that the provider hosted, stored, or made available.

''(d) DEFENSE.—In a prosecution under subsection (a)(1), it shall be a defense, which the provider must establish by a preponderance of the evidence, that—

''(1) the provider disabled access to or removed the child pornography as soon as possible, and in any event not later than 48 hours after obtaining knowledge that the child pornography was being hosted, stored, or made available by the provider (or, in the case of a provider that, for the most recent calendar year, averaged fewer than 10,000,000 active users on a monthly basis in the United States, as soon as possible, and in any event not later than 2 business days after obtaining such knowledge); or

''(2) the provider—

''(A) exercised its best effort to disable access to or remove the child pornography but was unable to do so for reasons outside the provider's control; and

''(B) determined it is technologically impossible for the provider to disable access to or remove the child pornography.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by adding at the end the following:

''2260B. Liability for certain child exploitation offenses.''.

SEC. 1095. EXPANDING CIVIL REMEDIES FOR VICTIMS OF ONLINE CHILD SEXUAL EXPLOITATION.

Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title'' and inserting ''a child exploitation violation or conduct relating to child exploitation'';

(B) by inserting ''or conduct'' after ''as a result of such violation''; and

(C) by striking ''sue in any'' and inserting ''bring a civil action in the''; and

(2) by adding at the end the following:

''(d) DEFINITIONS.—In this section—

''(1) the term 'child exploitation violation' means a violation of section 1589, 1590, 1591, 1594(a) (involving a violation of section 1589, 1590, or 1591), 1594(b) (involving a violation of section 1589 or 1590), 1594(c), 2241, 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title;

''(2) the term 'conduct relating to child exploitation' means—

''(A) with respect to a provider of an interactive computer service or a software distribution service operating through the use of any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce, the intentional, knowing, or reckless promotion or facilitation of a violation of section 1591, 1594(c), 2251, 2251A, 2252, 2252A, or 2422(b) of this title; and

''(B) with respect to a provider of an interactive computer service operating through the use of any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce, the intentional, knowing, or reckless hosting or storing of child pornography or making child pornography available to any person;

''(3) the term 'interactive computer service' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

''(4) the term 'software distribution service' means an online service, whether or not operated for pecuniary gain, from which individuals can purchase, obtain, or download software that—

''(A) can be used by an individual to communicate with another individual, by any means, to store, access, distribute, or receive any visual depiction, or to transmit any live visual depiction; and

''(B) was not developed by the online service.

''(e) RELATION TO SECTION 230 OF THE COMMUNICATIONS ACT OF 1934.—Nothing in section 230 of the Communications Act of 1934 (47 U.S.C. 230) shall be construed to impair or limit any claim brought under this section for conduct relating to child exploitation.

''(f) RULES OF CONSTRUCTION.—

''(1) APPLICABILITY TO LEGAL PROCESS.—Nothing in this section shall be construed to apply to any action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.

''(2) KNOWLEDGE WITH RESPECT TO EACH ITEM REQUIRED.—For purposes of conduct relating to child exploitation described in subsection (d)(2)(B), the term 'knowing' shall be construed to mean knowledge of each item of child pornography that the provider hosted, stored, or made available.

''(g) ENCRYPTION TECHNOLOGIES.—

''(1) IN GENERAL.—Notwithstanding subsection (a), none of the following actions or circumstances shall serve as an independent basis for liability of a provider of an interactive computer service for conduct relating to child exploitation:

''(A) The provider utilizes full end-to-end encrypted messaging services, device encryption, or other encryption services.

''(B) The provider does not possess the information necessary to decrypt a communication.

''(C) The provider fails to take an action that would otherwise undermine the ability of the provider to offer full end-to-end encrypted messaging services, device encryption, or other encryption services.

''(2) CONSIDERATION OF EVIDENCE.—Nothing in paragraph (1) shall be construed to prohibit a court from considering evidence of actions or circumstances described in that paragraph if the evidence is otherwise admissible.

''(h) DEFENSE.—In a claim under subsection (a) involving knowing conduct relating to child exploitation described in subsection (d)(2)(B), it shall be a defense, which the provider must establish by a preponderance of the evidence, that—

''(1) the provider disabled access to or removed the child pornography as soon as possible, and in any event not later than 48 hours after obtaining knowledge that the child pornography was being hosted, stored, or made available by the provider (or, in the case of a provider that, for the most recent calendar year, averaged fewer than 10,000,000 active users on a monthly basis in the United States, as soon as possible, and in any event not later than 2 business days after obtaining such knowledge); or

''(2) the provider—

''(A) exercised its best effort to disable access to or remove the child pornography but was unable to do so for reasons outside the provider's control; and

''(B) determined it is technologically impossible for the provider to disable access to or remove the child pornography.''.

SEC. 1096. REPORTING AND REMOVAL OF PROSCRIBED VISUAL DEPICTIONS RELATING TO CHILDREN; ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.

(a) FINDINGS.—Congress finds the following:

(1) Over 40 years ago, the Supreme Court of the United States ruled in New York v. Ferber, 458 U.S. 747 (1982), that child sexual abuse material (referred to in this subsection as ''CSAM'') is a ''category of material outside the protections of the First Amendment''. The Court emphasized that children depicted in CSAM are harmed twice: first through the abuse and exploitation inherent in the creation of the materials, and then through the continued circulation of the imagery, which inflicts its own emotional and psychological injury.

(2) The Supreme Court reiterated this point 9 years ago in Paroline v. United States, 572 U.S. 434 (2014), when it explained that CSAM victims suffer ''continuing and grievous harm as a result of [their] knowledge that a large, indeterminate number of individuals have viewed and will in the future view images of the sexual abuse [they] endured''.

(3) In these decisions, the Supreme Court noted that the distribution of CSAM invades the privacy interests of the victims.

(4) The co-mingling online of CSAM with other, non-explicit depictions of the victims links the victim's identity with the images of their abuse. This further invades a victim's privacy and disrupts their sense of security, thwarting what the Supreme Court has described as ''the individual interest in avoiding disclosure of personal matters''.

(5) The internet is awash with child sexual abuse material. In 2021, the CyberTipline, operated by the National Center for Missing & Exploited Children to combat online child sexual exploitation, received reports about 39,900,000 images and 44,800,000 videos depicting child sexual abuse.

(6) Since 2017, Project Arachnid, operated by the Canadian Centre for Child Protection, has sent over 26,000,000 notices to online providers about CSAM and other exploitive material found on their platforms. According to the Canadian Centre, some providers are slow to remove the material, or take it down only for it to be reposted again a short time later.

(7) This legislation is needed to create an easy-to-use and effective procedure to get CSAM and harmful related imagery quickly taken offline and kept offline to protect children, stop the spread of illegal and harmful content, and thwart the continued invasion of the victims' privacy.

(b) IMPLEMENTATION.—

(1) IMPLEMENTATION.—Except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the Child Online Protection Board established under subsection (d), shall begin operations, at which point providers shall begin receiving notifications as set forth in subsection (c)(2).

(2) EXTENSION.—The Commission may extend the deadline under paragraph (1) by not more than 180 days if the Commission provides notice of the extension to the public and to Congress.

(3) PUBLIC NOTICE.—The Commission shall provide notice to the public of the date that the Child Online Protection Board established under subsection (d) is scheduled to begin operations on—

(A) the date that is 60 days before such date that the Board is scheduled to begin operations; and

(B) the date that is 30 days before such date that the Board is scheduled to begin operations.

(c) REPORTING AND REMOVAL OF PROSCRIBED VISUAL DEPICTIONS RELATING TO CHILDREN.—

(1) IN GENERAL.—If a provider receives a complete notification as set forth in paragraph (2)(A) that the provider is hosting a proscribed visual depiction relating to a child, as soon as possible, but in any event not later than 48 hours after such notification is received by the provider (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), the provider shall—

(A)(i) remove the proscribed visual depiction relating to a child; and

(ii) notify the complainant that it has done so; or

(B) notify the complainant that the provider—

(i) has determined that visual depiction referenced in the notification does not constitute a proscribed visual depiction relating to a child;

(ii) is unable to remove the proscribed visual depiction relating to a child using reasonable means; or

(iii) has determined that the notification is duplicative under paragraph (2)(C)(i).

(2) NOTIFICATION REQUIREMENTS.—

(A) IN GENERAL.—To be complete under this subsection, a notification must be a written communication to the designated reporting system of the provider (or, if the provider does not have a designated reporting system, a written communication that is served on the provider in accordance with subparagraph (F)) that includes the following:

(i) An identification of, and information reasonably sufficient to permit the provider to locate, the alleged proscribed visual depiction relating to a child. Such information may include, at the option of the complainant, a copy of the alleged proscribed visual depiction relating to a child or the uniform resource locator where such alleged proscribed visual depiction is located.

(ii) The complainant's name and contact information, to include a mailing address, telephone number, and an electronic mail address, except that, if the complainant is the victim depicted in the alleged proscribed

visual depiction relating to a child, the complainant may elect to use an alias, including for purposes of the signed statement described in clause (v), and omit a mailing address.

(iii) If applicable, a statement indicating that the complainant has previously notified the provider about the alleged proscribed visual depiction relating to a child which may, at the option of the complainant, include a copy of the previous notification.

(iv) A statement indicating that the complainant has a good faith belief that the information in the notification is accurate.

(v) A signed statement under penalty of perjury indicating that the notification is submitted by—

(I) the victim depicted in the alleged proscribed visual depiction relating to a child;

(II) an authorized representative of the victim depicted in the alleged proscribed visual depiction relating to a child; or

(III) a qualified organization.

(B) INCLUSION OF MULTIPLE VISUAL DEPICTIONS IN SAME NOTIFICATION.—A notification may contain information about more than one alleged proscribed visual depiction relating to a child, but shall only be effective with respect to each alleged proscribed visual depiction relating to a child included in the notification to the extent that the notification includes sufficient information to identify and locate such visual depiction.

(C) LIMITATION ON DUPLICATIVE NOTIFICATIONS.—

(i) IN GENERAL.—After a complainant has submitted a notification to a provider, the complainant may submit additional notifications at any time only if the subsequent notifications involve—

(I) a different alleged proscribed visual depiction relating to a minor;

(II) the same alleged proscribed visual depiction relating to a minor that is in a different location; or

(III) recidivist hosting.

(ii) NO OBLIGATION.—A provider who receives any additional notifications that do not comply with clause (i) shall not be required to take any additional action except—

(I) as may be required with respect to the original notification; and

(II) to notify the complainant as provided in paragraph (1)(B)(iii).

(D) INCOMPLETE OR MISDIRECTED NOTIFICATION.—

(i) REQUIREMENT TO CONTACT COMPLAINANT REGARDING INSUFFICIENT INFORMATION.—

(I) REQUIREMENT TO CONTACT COMPLAINANT.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the visual depiction that is the subject of the notification but does contain the complainant contact information described in subparagraph (A)(ii), the provider shall, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to obtain such information.

(II) EFFECT OF COMPLAINANT PROVIDING SUFFICIENT INFORMATION.—If the provider is able to contact the complainant and obtain sufficient information to identify or locate the visual depiction that is the subject of the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the information needed to identify or locate the visual depiction.

(III) EFFECT OF COMPLAINANT INABILITY TO PROVIDE SUFFICIENT INFORMATION.—If the provider is able to contact the complainant but does not obtain sufficient information to identify or locate the visual depiction that is the subject of the notification, the provider shall so notify the complainant not later than 48 hours after the provider determines that it is unable to identify or locate the visual depiction (or, in the case of a small provider, not later than 2 business days after the small provider makes such determination), after which no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(IV) EFFECT OF COMPLAINANT FAILURE TO RESPOND.—If the complainant does not respond to the provider's attempt to contact the complainant under this clause within 14 days of such attempt, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(ii) TREATMENT OF INCOMPLETE NOTIFICATION WHERE COMPLAINANT CANNOT BE CONTACTED.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the visual depiction that is the subject of the notification and does not contain the complainant contact information described in subparagraph (A)(ii) (or if the provider is unable to contact the complainant using such information), no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) TREATMENT OF NOTIFICATION NOT SUBMITTED TO DESIGNATED REPORTING SYSTEM.—If a provider has a designated reporting system, and a complainant submits a notification under this subsection to the provider without using such system, the provider shall not be considered to have received the notification.

(E) OPTION TO CONTACT COMPLAINANT REGARDING THE PROSCRIBED VISUAL DEPICTION INVOLVING A MINOR.—

(i) CONTACT WITH COMPLAINANT.—If the provider believes that the proscribed visual depiction involving a minor referenced in the notification does not meet the definition of such term as provided in subsection (r)(10), the provider may, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to so indicate.

(ii) FAILURE TO RESPOND.—If the complainant does not respond to the provider within 14 days after receiving the notification, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) COMPLAINANT RESPONSE.—If the complainant responds to the provider within 14 days after receiving the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the complainant's response.

(F) SERVICE OF NOTIFICATION WHERE PROVIDER HAS NO DESIGNATED REPORTING SYSTEM; PROCESS WHERE COMPLAINANT CANNOT SERVE PROVIDER.—

(i) NO DESIGNATED REPORTING SYSTEM.—If a provider does not have a designated reporting system, a complainant may serve the provider with a notification under this subsection to the provider in the same manner that petitions are required to be served under subsection (g)(4).

(ii) COMPLAINANT CANNOT SERVE PROVIDER.—If a provider does not have a designated reporting system and a complainant cannot reasonably serve the provider with a notification as described in clause (i), the complainant may bring a petition under subsection (g)(1) without serving the provider with the notification.

(G) RECIDIVIST HOSTING.—If a provider engages in recidivist hosting of a proscribed visual depiction relating to a child, in addition to any action taken under this section, a complainant may submit a report concerning such recidivist hosting to the CyberTipline operated by the National Center for Missing and Exploited Children, or any successor to the CyberTipline operated by the National Center for Missing and Exploited Children.

(H) PRESERVATION.—A provider that receives a complete notification under this subsection shall preserve the information in such notification in accordance with the requirements of sections 2713 and 2258A(h) of title 18, United States Code. For purposes of this subparagraph, the period for which providers shall be required to preserve information in accordance with such section 2258A(h) may be extended in 90-day increments on written request by the complainant or order of the Board.

(I) NON-DISCLOSURE.—Except as otherwise provided in subsection (g)(19)(C), for 120 days following receipt of a notification under this subsection, a provider may not disclose the existence of the notification to any person or entity except to an attorney for purposes of obtaining legal advice, the Board, the Commission, a law enforcement agency described in subparagraph (A), (B), or (C) of section 2258A(g)(3) of title 18, United States Code, the National Center for Missing and Exploited Children, or as necessary to respond to legal process. Nothing in the preceding sentence shall be construed to infringe on the provider's ability to communicate general information about terms of service violations.

(d) ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.—

(1) IN GENERAL.—There is established in the Federal Trade Commission a Child Online Protection Board, which shall administer and enforce the requirements of subsection (e) in accordance with this section.

(2) OFFICERS AND STAFF.—The Board shall be composed of 3 full-time Child Online Protection Officers who shall be appointed by the Commission in accordance with paragraph (5)(A). A vacancy on the Board shall not impair the right of the remaining Child Online Protection Officers to exercise the functions and duties of the Board.

(3) CHILD ONLINE PROTECTION ATTORNEYS.—Not fewer than 2 full-time Child Online Protection Attorneys shall be hired to assist in the administration of the Board.

(4) TECHNOLOGICAL ADVISER.—One or more technological advisers may be hired to assist with the handling of digital evidence and consult with the Child Online Protection Officers on matters concerning digital evidence and technological issues.

(5) QUALIFICATIONS.—

(A) OFFICERS.—

(i) IN GENERAL.—Each Child Online Protection Officer shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 7 years of legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(ii) EXPERIENCE.—Two of the Child Online Protection Officers shall have substantial experience in the evaluation, litigation, or

adjudication of matters relating to child sexual abuse material or technology-facilitated crimes against children.

(B) ATTORNEYS.—Each Child Online Protection Attorney shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 3 years of substantial legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(C) TECHNOLOGICAL ADVISER.—A technological adviser shall have at least one year of specialized experience with digital forensic analysis.

(6) COMPENSATION.—

(A) CHILD ONLINE PROTECTION OFFICERS.—

(i) DEFINITION.—In this subparagraph, the term ''senior level employee of the Federal Government'' means an employee, other than an employee in the Senior Executive Service, the position of whom is classified above GS–15 of the General Schedule.

(ii) PAY RANGE.—Each Child Online Protection Officer shall be compensated at a rate of pay that is not less than the minimum, and not more than the maximum, rate of pay payable for senior level employees of the Federal Government, including locality pay, as applicable.

(B) CHILD ONLINE PROTECTION ATTORNEYS.—Each Child Online Protection Attorney shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–15 of the General Schedule, including locality pay, as applicable.

(C) TECHNOLOGICAL ADVISER.—A technological adviser of the Board shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–14 of the General Schedule, including locality pay, as applicable.

(7) VACANCY.—If a vacancy occurs in the position of Child Online Protection Officer, the Commission shall act expeditiously to appoint an Officer for that position.

(8) SANCTION OR REMOVAL.—Subject to subsection (e)(2), the Chair of the Commission or the Commission may sanction or remove a Child Online Protection Officer.

(9) ADMINISTRATIVE SUPPORT.—The Commission shall provide the Child Online Protection Officers and Child Online Protection Attorneys with necessary administrative support, including technological facilities, to carry out the duties of the Officers and Attorneys under this section. The Department of Justice may provide equipment and guidance on the storage and handling of proscribed visual depictions relating to children.

(10) LOCATION OF BOARD.—The offices and facilities of the Child Online Protection Officers and Child Online Protection Attorneys shall be located at the headquarters or other office of the Commission.

(e) AUTHORITY AND DUTIES OF THE BOARD.—

(1) FUNCTIONS.—

(A) OFFICERS.—Subject to the provisions of this section and applicable regulations, the functions of the Officers of the Board shall be as follows:

(i) To render determinations on petitions that may be brought before the Officers under this section.

(ii) To ensure that petitions and responses are properly asserted and otherwise appropriate for resolution by the Board.

(iii) To manage the proceedings before the Officers and render determinations pertaining to the consideration of petitions and responses, including with respect to scheduling, discovery, evidentiary, and other matters.

(iv) To request, from participants and nonparticipants in a proceeding, the production of information and documents relevant to the resolution of a petition or response.

(v) To conduct hearings and conferences.

(vi) To facilitate the settlement by the parties of petitions and responses.

(vii) To impose fines as set forth in subsection (g)(24).

(viii) To provide information to the public concerning the procedures and requirements of the Board.

(ix) To maintain records of the proceedings before the Officers, certify official records of such proceedings as needed, and, as provided in subsection (g)(19)(A), make the records in such proceedings available to the public.

(x) To carry out such other duties as are set forth in this section.

(xi) When not engaged in performing the duties of the Officers set forth in this section, to perform such other duties as may be assigned by the Chair of the Commission or the Commission.

(B) ATTORNEYS.—Subject to the provisions of this section and applicable regulations, the functions of the Attorneys of the Board shall be as follows:

(i) To provide assistance to the Officers of the Board in the administration of the duties of those Officers under this section.

(ii) To provide assistance to complainants, providers, and members of the public with respect to the procedures and requirements of the Board.

(iii) When not engaged in performing the duties of the Attorneys set forth in this section, to perform such other duties as may be assigned by the Commission.

(C) DESIGNATED SERVICE AGENTS.—The Board may maintain a publicly available directory of service agents designated to receive service of petitions filed with the Board.

(2) INDEPENDENCE IN DETERMINATIONS.—

(A) IN GENERAL.—The Board shall render the determinations of the Board in individual proceedings independently on the basis of the records in the proceedings before it and in accordance with the provisions of this section, judicial precedent, and applicable regulations of the Commission.

(B) PERFORMANCE APPRAISALS.—Notwithstanding any other provision of law or any regulation or policy of the Commission, any performance appraisal of an Officer or Attorney of the Board may not consider the substantive result of any individual determination reached by the Board as a basis for appraisal except to the extent that result may relate to any actual or alleged violation of an ethical standard of conduct.

(3) DIRECTION BY COMMISSION.—Subject to paragraph (2), the Officers and Attorneys shall, in the administration of their duties, be under the supervision of the Chair of the Commission.

(4) INCONSISTENT DUTIES BARRED.—An Officer or Attorney of the Board may not undertake any duty that conflicts with the duties of the Officer or Attorney in connection with the Board, to include the obligation to render impartial determinations on petitions considered by the Board under this section.

(5) RECUSAL.—An Officer or Attorney of the Board shall recuse himself or herself from participation in any proceeding with respect to which the Officer or Attorney, as the case may be, has reason to believe that he or she has a conflict of interest.

(6) EX PARTE COMMUNICATIONS.—Except as may otherwise be permitted by applicable law, any party or interested owner involved in a proceeding before the Board shall refrain from ex parte communications with the Officers of the Board and the Commission relevant to the merits of such proceeding before the Board.

(7) JUDICIAL REVIEW.—Actions of the Officers and the Commission under this section in connection with the rendering of any determination are subject to judicial review as provided under subsection (g)(28).

(f) CONDUCT OF PROCEEDINGS OF THE BOARD.—

(1) IN GENERAL.—Proceedings of the Board shall be conducted in accordance with this section and regulations established by the Commission under this section, in addition to relevant principles of law.

(2) RECORD.—The Board shall maintain records documenting the proceedings before the Board.

(3) CENTRALIZED PROCESS.—Proceedings before the Board shall—

(A) be conducted at the offices of the Board without the requirement of in-person appearances by parties or others;

(B) take place by means of written submissions, hearings, and conferences carried out through internet-based applications and other telecommunications facilities, except that, in cases in which physical or other nontestimonial evidence material to a proceeding cannot be furnished to the Board through available telecommunications facilities, the Board may make alternative arrangements for the submission of such evidence that do not prejudice any party or interested owner; and

(C) be conducted and concluded in an expeditious manner without causing undue prejudice to any party or interested owner.

(4) REPRESENTATION.—

(A) IN GENERAL.—A party or interested owner involved in a proceeding before the Board may be, but is not required to be, represented by—

(i) an attorney; or

(ii) a law student who is qualified under applicable law governing representation by law students of parties in legal proceedings and who provides such representation on a pro bono basis.

(B) REPRESENTATION OF VICTIMS.—

(i) IN GENERAL.—A petition involving a victim under the age of 16 at the time the petition is filed shall be filed by an authorized representative, qualified organization, or a person described in subparagraph (A).

(ii) NO REQUIREMENT FOR QUALIFIED ORGANIZATIONS TO HAVE CONTACT WITH, OR KNOWLEDGE OF, VICTIM.—A qualified organization may submit a notification to a provider or file a petition on behalf of a victim without regard to whether the qualified organization has contact with the victim or knows the identity, location, or contact information of the victim.

(g) PROCEDURES TO CONTEST A FAILURE TO REMOVE A PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD OR A NOTIFICATION REPORTING A PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—

(1) PROCEDURE TO CONTEST A FAILURE TO REMOVE.—

(A) COMPLAINANT PETITION.—A complainant may file a petition to the Board claiming that, as applicable—

(i) the complainant submitted a complete notification to a provider concerning a proscribed visual depiction relating to a child, and that—

(I) the provider—

(aa) did not remove the proscribed visual depiction relating to a child within the timeframe required under subsection (c)(1)(A)(i); or

(bb) incorrectly claimed that—

(AA) the visual depiction at issue could not be located or removed through reasonable means;

(BB) the notification was incomplete; or

(CC) the notification was duplicative under subsection (c)(2)(C)(i); and

(II) did not file a timely petition to contest the notification with the Board under paragraph (2); or

(ii) a provider is hosting a proscribed visual depiction relating to a child, does not have a designated reporting system, and the

complainant was unable to serve a notification on the provider under this subsection despite reasonable efforts.

(B) ADDITIONAL CLAIM.—As applicable, a petition filed under subparagraph (A) may also claim that the proscribed visual depiction relating to a child at issue in the petition involves recidivist hosting.

(C) TIMEFRAME.—

(i) IN GENERAL.—A petition under this paragraph shall be considered timely if it is filed within 30 days of the applicable start date, as defined under clause (ii).

(ii) APPLICABLE START DATE.—For purposes of clause (i), the term ''applicable start date'' means—

(I) in the case of a petition under subparagraph (A)(i) claiming that the visual depiction was not removed or that the provider made an incorrect claim relating to the visual depiction or notification, the day that the provider's option to file a petition has expired under paragraph (2)(B); and

(II) in the case of a petition under subparagraph (A)(ii) related to a notification that could not be served, the last day of the 2-week period that begins on the day on which the complainant first attempted to serve a notification on the provider involved.

(D) IDENTIFICATION OF VICTIM.—Any petition filed to the Board by the victim or an authorized representative of the victim shall include the victim's legal name. A petition filed to the Board by a qualified organization may, but is not required to, include the victim's legal name. Any petition containing the victim's legal name shall be filed under seal. The victim's legal name shall be redacted from any documents served on the provider and interested owner or made publicly available.

(E) FAILURE TO REMOVE VISUAL DEPICTIONS IN TIMELY MANNER.—A complainant may file a petition under subparagraph (A)(i) claiming that a visual depiction was not removed even if the visual depiction was removed prior to the petition being filed, so long as the petition claims that the visual depiction was not removed within the timeframe specified in subsection (c)(1).

(2) PROCEDURE TO CONTEST A NOTIFICATION.—

(A) PROVIDER PETITION.—If a provider receives a complete notification as described in subsection (c)(2) through its designated reporting system or in accordance with subsection (c)(2)(F)(i), the provider may file a petition to the Board claiming that the provider has a good faith belief that, as applicable—

(i) the visual depiction that is the subject of the notification does not constitute a proscribed visual depiction relating to a child;

(ii) the notification is frivolous or was submitted with an intent to harass the provider or any person;

(iii) the alleged proscribed visual depiction relating to a child cannot reasonably be located by the provider;

(iv) for reasons beyond the control of the provider, the provider cannot remove the proscribed visual depiction relating to a child using reasonable means; or

(v) the notification was duplicative under subsection (c)(2)(C)(i).

(B) TIMEFRAME.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 14 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(ii) NO DESIGNATED REPORTING SYSTEM.—Subject to clause (iii), if a provider does not have a designated reporting system, a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 7 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(iii) SMALL PROVIDERS.—In the case of a small provider, each of the timeframes applicable under clauses (i) and (ii) shall be increased by 48 hours.

(3) COMMENCEMENT OF PROCEEDING.—

(A) IN GENERAL.—In order to commence a proceeding under this section, a petitioning party shall, subject to such additional requirements as may be prescribed in regulations established by the Commission, file a petition with the Board, that includes a statement of claims and material facts in support of each claim in the petition. A petition may set forth more than one claim. A petition shall also include information establishing that it has been filed within the applicable timeframe.

(B) REVIEW OF PETITIONS BY CHILD ONLINE PROTECTION ATTORNEYS.—Child Online Protection Attorneys may review petitions to assess whether they are complete. The Board may permit a petitioning party to refile a defective petition. The Attorney may assist the petitioning party in making any corrections.

(C) DISMISSAL.—The Board may dismiss, with or without prejudice, any petition that fails to comply with subparagraph (A).

(4) SERVICE OF PROCESS REQUIREMENTS FOR PETITIONS.—

(A) IN GENERAL.—For purposes of petitions under paragraphs (1) and (2), the petitioning party shall, at or before the time of filing a petition, serve a copy on the other party. A corporation, partnership, or unincorporated association that is subject to suit in courts of general jurisdiction under a common name shall be served by delivering a copy of the petition to its service agent, if one has been so designated.

(B) MANNER OF SERVICE.—

(i) SERVICE BY NONDIGITAL MEANS.—Service by nondigital means may be any of the following:

(I) Personal, including delivery to a responsible person at the office of counsel.

(II) By priority mail.

(III) By third-party commercial carrier for delivery within 3 days.

(ii) SERVICE BY DIGITAL MEANS.—Service of a paper may be made by sending it by any digital means, including through a provider's designated reporting system.

(iii) WHEN SERVICE IS COMPLETED.—Service by mail or by commercial carrier is complete 3 days after the mailing or delivery to the carrier. Service by digital means is complete on filing or sending, unless the party making service is notified that the paper was not received by the party served.

(C) PROOF OF SERVICE.—A petition filed under paragraph (1) or (2) shall contain—

(i) an acknowledgment of service by the person served;

(ii) proof of service consisting of a statement by the person who made service certifying—

(I) the date and manner of service;

(II) the names of the persons served; and

(III) their mail or electronic addresses, facsimile numbers, or the addresses of the places of delivery, as appropriate for the manner of service; or

(iii) a statement indicating that service could not reasonably be completed.

(D) ATTORNEY FEES AND COSTS.—Except as otherwise provided in this subsection, all parties to a petition shall bear their own attorney fees and costs.

(5) SERVICE OF OTHER DOCUMENTS.—Documents submitted or relied upon in a proceeding, other than the petition, shall be served in accordance with regulations established by the Commission.

(6) NOTIFICATION OF RIGHT TO OPT OUT.—In order to effectuate service on a responding party, the petition shall notify the responding party of their right to opt out of the proceeding before the Board, and the consequences of opting out and not opting out, including a prominent statement that by not opting out the respondent—

(A) loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States; and

(B) waives the right to a jury trial regarding the dispute.

(7) INITIAL PROCEEDINGS.—

(A) CONFERENCE.—Within 1 week of completion of service of a petition under paragraph (4), 1 or more Officers of the Board shall hold a conference to address the matters described in subparagraphs (B) and (C).

(B) OPT-OUT PROCEDURE.—At the conference, an Officer of the Board shall explain that the responding party has a right to opt out of the proceeding before the Board, and describe the consequences of opting out and not opting out as described in paragraph (6). A responding party shall have a period of 30 days, beginning on the date of the conference, in which to provide written notice of such choice to the petitioning party and the Board. If the responding party does not submit an opt-out notice to the Board within that 30-day period, the proceeding shall be deemed an active proceeding and the responding party shall be bound by the determination in the proceeding. If the responding party opts out of the proceeding during that 30-day period, the proceeding shall be dismissed without prejudice.

(C) DISABLING ACCESS.—At the conference, except for petitions setting forth claims described in clauses (iii) and (iv) of paragraph (2)(A), an Officer of the Board shall order the provider involved to disable public and user access to the alleged proscribed visual depiction relating to a child at issue in the petition for the pendency of the proceeding, including judicial review as provided in subsection (g)(28), unless the Officer of the Board finds that—

(i) it is likely that the Board will find that the petition is frivolous or was filed with an intent to harass any person;

(ii) there is a probability that disabling public and user access to such visual depiction will cause irreparable harm;

(iii) the balance of equities weighs in favor of preserving public and user access to the visual depiction; and

(iv) disabling public and user access to the visual depiction is contrary to the public interest.

(D) EFFECT OF FAILURE TO DISABLE ACCESS.—

(i) PROVIDER PETITION.—If the petition was filed by a provider, and the provider fails to comply with an order issued pursuant to subparagraph (B), the Board may—

(I) dismiss the petition with prejudice; and

(II) refer the matter to the Attorney General.

(ii) EFFECT OF DISMISSAL.—If a provider's petition is dismissed under clause (i)(I), the complainant may bring a petition under paragraph (1) as if the provider did not file a petition within the timeframe specified in paragraph (2)(B). For purposes of paragraph (1)(C)(ii), the applicable start date shall be the date the provider's petition was dismissed.

(iii) COMPLAINANT PETITION.—If the petition was filed by a complainant, and the provider fails to comply with an order issued pursuant to subparagraph (B), the Board—

(I) shall—

(aa) expedite resolution of the petition; and

(bb) refer the matter to the Attorney General; and

(II) may apply an adverse inference with respect to disputed facts against such provider.

(8) SCHEDULING.—Upon receipt of a complete petition and at the conclusion of the opt out procedure described in paragraph (7), the Board shall issue a schedule for the future conduct of the proceeding. A schedule issued by the Board may be amended by the Board in the interests of justice.

(9) CONFERENCES.—One or more Officers of the Board may hold a conference to address case management or discovery issues in a proceeding, which shall be noted upon the record of the proceeding and may be recorded or transcribed.

(10) PARTY SUBMISSIONS.—A proceeding of the Board may not include any formal motion practice, except that, subject to applicable regulations and procedures of the Board—

(A) the parties to the proceeding and an interested owner may make requests to the Board to address case management and discovery matters, and submit responses thereto; and

(B) the Board may request or permit parties and interested owners to make submissions addressing relevant questions of fact or law, or other matters, including matters raised sua sponte by the Officers of the Board, and offer responses thereto.

(11) DISCOVERY.—

(A) IN GENERAL.—Discovery in a proceeding shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission, as provided in regulations established by the Commission, except that—

(i) upon the request of a party, and for good cause shown, the Board may approve additional relevant discovery, on a limited basis, in particular matters, and may request specific information and documents from parties in the proceeding, consistent with the interests of justice;

(ii) upon the request of a party or interested owner, and for good cause shown, the Board may issue a protective order to limit the disclosure of documents or testimony that contain confidential information;

(iii) after providing notice and an opportunity to respond, and upon good cause shown, the Board may apply an adverse inference with respect to disputed facts against a party or interested owner who has failed to timely provide discovery materials in response to a proper request for materials that could be relevant to such facts; and

(iv) an interested owner shall only produce or receive discovery to the extent it relates to whether the visual depiction at issue constitutes a proscribed visual depiction relating to a child.

(B) PRIVACY.—Any alleged proscribed visual depiction relating to a child received by the Board or the Commission as part of a proceeding shall be filed under seal and shall remain in the care, custody, and control of the Board or the Commission. For purposes of discovery, the Board or Commission shall make the proscribed visual depiction relating to a child reasonably available to the parties and interested owner but shall not provide copies. The privacy protections described in section 3509(d) of title 18, United States Code, shall apply to the Board, Commission, provider, complainant, and interested owner.

(12) RESPONSES.—The responding party may refute any of the claims or factual assertions made by the petitioning party, and may also claim that the petition was not filed in the applicable timeframe or is barred under subsection (h). If a complainant is the petitioning party, a provider may additionally claim in response that the notification was incomplete and could not be made complete under subsection (c)(2)(D)(i). The petitioning party may refute any responses submitted by the responding party.

(13) INTERESTED OWNER.—An individual notified under paragraph (19)(C)(ii) may, within 14 days of being so notified, file a motion to join the proceeding for the limited purpose of claiming that the visual depiction at issue does not constitute a proscribed visual depiction relating to a child. The Board shall serve the motion on both parties. Such motion shall include a factual basis and a signed statement, submitted under penalty of perjury, indicating that the individual produced or created the visual depiction at issue. The Board shall dismiss any motion that does not include the signed statement or that was submitted by an individual who did not produce or create the visual depiction at issue. If the motion is granted, the interested owner may also claim that the notification and petition were filed with an intent to harass the interested owner. Any party may refute the claims and factual assertions made by the interested owner.

(14) EVIDENCE.—The Board may consider the following types of evidence in a proceeding, and such evidence may be admitted without application of formal rules of evidence:

(A) Documentary and other nontestimonial evidence that is relevant to the petitions or responses in the proceeding.

(B) Testimonial evidence, submitted under penalty of perjury in written form or in accordance with paragraph (15), limited to statements of the parties and nonexpert witnesses, that is relevant to the petitions or responses in a proceeding, except that, in exceptional cases, expert witness testimony or other types of testimony may be permitted by the Board for good cause shown.

(15) HEARINGS.—Unless waived by all parties, the Board shall conduct a hearing to receive oral presentations on issues of fact or law from parties and witnesses to a proceeding, including oral testimony, subject to the following:

(A) Any such hearing shall be attended by not fewer than two of the Officers of the Board.

(B) The hearing shall be noted upon the record of the proceeding and, subject to subparagraph (C), may be recorded or transcribed as deemed necessary by the Board.

(C) A recording or transcript of the hearing shall be made available to any Officer of the Board who is not in attendance.

(16) VOLUNTARY DISMISSAL.—

(A) BY PETITIONING PARTY.—Upon the written request of a petitioning party, the Board shall dismiss the petition, with or without prejudice.

(B) BY RESPONDING PARTY OR INTERESTED OWNER.—Upon written request of a responding party or interested owner, the Board shall dismiss any responses to the petition, and shall consider all claims and factual assertions in the petition to be true.

(17) FACTUAL FINDINGS.—Subject to paragraph (11)(A)(iii), the Board shall make factual findings based upon a preponderance of the evidence.

(18) DETERMINATIONS.—

(A) NATURE AND CONTENTS.—A determination rendered by the Board in a proceeding shall—

(i) be reached by a majority of the Board;

(ii) be in writing, and include an explanation of the factual and legal basis of the determination; and

(iii) include a clear statement of all fines, costs, and other relief awarded.

(B) DISSENT.—An Officer of the Board who dissents from a decision contained in a determination under subparagraph (A) may append a statement setting forth the grounds for that dissent.

(19) PUBLICATION AND DISCLOSURE.—

(A) PUBLICATION.—Each final determination of the Board shall be made available on a publicly accessible website, except that the final determination shall be redacted to protect confidential information that is the subject of a protective order under paragraph (11)(A)(ii) or information protected pursuant to paragraph (11)(B) and any other information protected from public disclosure under the Federal Trade Commission Act or any other applicable provision of law.

(B) FREEDOM OF INFORMATION ACT.—All information relating to proceedings of the Board under this section is exempt from disclosure to the public under section 552(b)(3) of title 5, except for determinations, records, and information published under subparagraph (A). Any information that is disclosed under this subparagraph shall have redacted any information that is the subject of a protective order under paragraph (11)(A)(ii) or protected pursuant to paragraph (11)(B).

(C) EFFECT OF PETITION ON NON-DISCLOSURE PERIOD.—

(i) Submission of a petition extends the non-disclosure period under subsection (c)(2)(I) for the pendency of the proceeding. The provider may submit an objection to the Board that nondisclosure is contrary to the interests of justice. The complainant may, but is not required to, respond to the objection. The Board should sustain the objection unless there is reason to believe that the circumstances in section 3486(a)(6)(B) of title 18, United States Code, exist and outweigh the interests of justice.

(ii) If the Board sustains an objection to the nondisclosure period, the provider or the Board may notify the apparent owner of the visual depiction in question about the proceeding, and include instructions on how the owner may move to join the proceeding under paragraph (13).

(iii) If applicable, the nondisclosure period expires 120 days after the Board's determination becomes final, except it shall expire immediately upon the Board's determination becoming final if the Board finds that the visual depiction is not a proscribed visual depiction relating to a minor.

(iv) The interested owner of a visual depiction may not bring any legal action against any party related to the proscribed visual depiction relating to a child until the Board's determination is final. Once the determination is final, the owner of the visual depiction may pursue any legal relief available under the law, subject to subsections (h), (k), and (l).

(20) RESPONDING PARTY'S DEFAULT.—If the Board finds that service of the petition on the responding party could not reasonably be completed, or the responding party has failed to appear or has ceased participating in a proceeding, as demonstrated by the responding party's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may enter a default determination, including the dismissal of any responses asserted by the responding party, as follows and in accordance with such other requirements as the Commission may establish by regulation:

(A) The Board shall require the petitioning party to submit relevant evidence and other information in support of the petitioning party's claims and, upon review of such evidence and any other requested submissions from the petitioning party, shall determine

whether the materials so submitted are sufficient to support a finding in favor of the petitioning party under applicable law and, if so, the appropriate relief and damages, if any, to be awarded.

(B) If the Board makes an affirmative determination under subparagraph (A), the Board shall prepare a proposed default determination, and shall provide written notice to the responding party at all addresses, including electronic mail addresses, reflected in the records of the proceeding before the Board, of the pendency of a default determination by the Board and of the legal significance of such determination. Such notice shall be accompanied by the proposed default determination and shall provide that the responding party has a period of 30 days, beginning on the date of the notice, to submit any evidence or other information in opposition to the proposed default determination.

(C) If the responding party responds to the notice provided under subparagraph (B) within the 30-day period provided in such subparagraph, the Board shall consider responding party's submissions and, after allowing the petitioning party to address such submissions, maintain, or amend its proposed determination as appropriate, and the resulting determination shall not be a default determination.

(D) If the respondent fails to respond to the notice provided under subparagraph (B), the Board shall proceed to issue the default determination. Thereafter, the respondent may only challenge such determination to the extent permitted under paragraph (28).

(21) PETITIONING PARTY OR INTERESTED OWNER'S FAILURE TO PROCEED.—If a petitioning party or interested owner who has joined the proceeding fails to proceed, as demonstrated by the failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may, upon providing written notice to the petitioning party or interested owner and a period of 30 days, beginning on the date of the notice, to respond to the notice, and after considering any such response, issue a determination dismissing the claims made by the petitioning party or interested owner. The Board may order the petitioning party to pay attorney fees and costs under paragraph (26)(B), if appropriate. Thereafter, the petitioning party may only challenge such determination to the extent permitted under paragraph (28).

(22) REQUEST FOR RECONSIDERATION.—A party or interested owner may, within 30 days after the date on which the Board issues a determination under paragraph (18), submit to the Board a written request for reconsideration of, or an amendment to, such determination if the party or interested owner identifies a clear error of law or fact material to the outcome, or a technical mistake. After providing the other parties an opportunity to address such request, the Board shall either deny the request or issue an amended determination.

(23) REVIEW BY COMMISSION.—If the Board denies a party or interested owner a request for reconsideration of a determination under paragraph (22), the party or interested owner may, within 30 days after the date of such denial, request review of the determination by the Commission in accordance with regulations established by the Commission. After providing the other party or interested owner an opportunity to address the request, the Commission shall either deny the request for review, or remand the proceeding to the Board for reconsideration of issues specified in the remand and for issuance of an amended determination. Such amended determination shall not be subject to further consideration or review, other than under paragraph (28).

(24) FAVORABLE RULING ON COMPLAINANT PETITION.—

(A) IN GENERAL.—If the Board grants a complainant's petition filed under this section, notwithstanding any other law, the Board shall—

(i) order the provider to immediately remove the proscribed visual depiction relating to a child, and to permanently delete all copies of the visual depiction known to and under the control of the provider unless the Board orders the provider to preserve the visual depiction;

(ii) impose a fine of $50,000 per proscribed visual depiction relating to a child covered by the determination, but if the Board finds that—

(I) the provider removed the proscribed visual depiction relating to a child after the period set forth in subsection (c)(1)(A)(i), but before the complainant filed a petition, such fine shall be $25,000;

(II) the provider has engaged in recidivist hosting for the first time with respect to the proscribed visual depiction relating to a child in question, such fine shall be $100,000 per proscribed visual depiction relating to a child; or

(III) the provider has engaged in recidivist hosting of the proscribed visual depiction relating to a child in question 2 or more times, such fine shall be $200,000 per proscribed visual depiction relating to a child;

(iii) order the provider to pay reasonable costs to the complainant; and

(iv) refer any matters involving intentional or willful conduct by a provider with respect to a proscribed visual depiction relating to a child, or recidivist hosting, to the Attorney General for prosecution under any applicable laws.

(B) PROVIDER PAYMENT OF FINE AND COSTS.—Notwithstanding any other law, the Board shall direct a provider to promptly pay fines and costs imposed under subparagraph (A) as follows:

(i) If the petition was filed by a victim, such fine and costs shall be paid to the victim.

(ii) If the petition was filed by an authorized representative of a victim—

(I) 30 percent of such fine shall be paid to the authorized representative and 70 percent of such fine paid to the victim; and

(II) costs shall be paid to the authorized representative.

(iii) If the petition was filed by a qualified organization—

(I) the fine shall be paid to the Child Pornography Victims Reserve as provided in section 2259B of title 18, United States Code; and

(II) costs shall be paid to the qualified organization.

(25) EFFECT OF DENIAL OF PROVIDER PETITION.—

(A) IN GENERAL.—If the Board denies a provider's petition to contest a notification filed under paragraph (2), it shall order the provider to immediately remove the proscribed visual depiction relating to a child, and to permanently delete all copies of the visual depiction known to and under the control of the provider unless the Board orders the provider to preserve the visual depiction.

(B) REFERRAL FOR FAILURE TO REMOVE MATERIAL.—If a provider does not remove and, if applicable, permanently delete a proscribed visual depiction relating to a child within 48 hours of the Board issuing a determination under subparagraph (A), or not later than 2 business days of the Board issuing a determination under subparagraph (A) concerning a small provider, the Board shall refer the matter to the Attorney General for prosecution under any applicable laws.

(C) COSTS FOR FRIVOLOUS PETITION.—If the Board finds that a provider filed a petition under paragraph (2) for a harassing or improper purpose or without reasonable basis in law or fact, the Board shall order the provider to pay the reasonable costs of the complainant.

(26) EFFECT OF DENIAL OF COMPLAINANT'S PETITION OR FAVORABLE RULING ON PROVIDER'S PETITION.—

(A) RESTORATION.—If the Board grants a provider's petition filed under paragraph (2) or if the Board denies a petition filed by the complainant under paragraph (1), the provider may restore access to any visual depiction that was at issue in the proceeding.

(B) COSTS FOR INCOMPLETE OR FRIVOLOUS NOTIFICATION AND HARASSMENT.—If, in granting or denying a petition as described in subparagraph (A), the Board finds that the notification contested in the petition could not be made complete under subsection (c)(2)(D), is frivolous, or is duplicative under subsection (c)(2)(C)(i), the Board may order the complainant to pay costs to the provider and any interested owner, which shall not exceed a total of $10,000, or, if the Board finds that the complainant filed the notification with an intent to harass the provider or any person, a total of $15,000.

(27) CIVIL ACTION; OTHER RELIEF.—

(A) IN GENERAL.—Whenever any provider or complainant fails to comply with a final determination of the Board issued under paragraph (18), the Department of Justice may commence a civil action in a district court of the United States to enforce compliance with such determination.

(B) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission or Department of Justice under any other provision of law.

(28) CHALLENGES TO THE DETERMINATION.—

(A) BASES FOR CHALLENGE.—Not later than 45 days after the date on which the Board issues a determination or amended determination in a proceeding, or not later than 45 days after the date on which the Board completes any process of reconsideration or the Commission completes a review of the determination, whichever occurs later, a party may seek an order from a district court, located where the provider or complainant conducts business or resides, vacating, modifying, or correcting the determination of the Board in the following cases:

(i) If the determination was issued as a result of fraud, corruption, misrepresentation, or other misconduct.

(ii) If the Board exceeded its authority or failed to render a determination concerning the subject matter at issue.

(iii) In the case of a default determination or determination based on a failure to prosecute, if it is established that the default or failure was due to excusable neglect.

(B) PROCEDURE TO CHALLENGE.—

(i) NOTICE OF APPLICATION.—Notice of the application to challenge a determination of the Board shall be provided to all parties to the proceeding before the Board, in accordance with the procedures applicable to service of a motion in the court where the application is made.

(ii) STAYING OF PROCEEDINGS.—For purposes of an application under this paragraph, any judge who is authorized to issue an order to stay the proceedings in an any other action brought in the same court may issue an order, to be served with the notice of application, staying proceedings to enforce the award while the challenge is pending.

(29) FINAL DETERMINATION.—A determination of the Board shall be final on the date that all opportunities for a party or interested owner to seek reconsideration or review of a determination under paragraph (22)

or (23), or for a party to challenge the determination under paragraph (28), have expired or are exhausted.

(h) EFFECT OF PROCEEDING.—

(1) SUBSEQUENT PROCEEDINGS.—The issuance of a final determination by the Board shall preclude the filing by any party of any subsequent petition that is based on the notification at issue in the final determination. This paragraph shall not limit the ability of any party to file a subsequent petition based on any other notification.

(2) DETERMINATION.—Except as provided in paragraph (1), the issuance of a final determination by the Board, including a default determination or determination based on a failure to prosecute, shall preclude relitigation of any allegation, factual claim, or response in any subsequent legal action or proceeding before any court, tribunal, or the Board, and may be relied upon for such purpose in a future action or proceeding arising from the same specific activity, subject to the following:

(A) No party or interested owner may relitigate any allegation, factual claim, or response that was properly asserted and considered by the Board in any subsequent proceeding before the Board involving the same parties or interested owner and the same proscribed visual depiction relating to a minor.

(B) A finding by the Board that a visual depiction constitutes a proscribed visual depiction relating to a child—

(i) may not be relitigated in any civil proceeding brought by an interested owner; and

(ii) may not be relied upon, and shall not have preclusive effect, in any other action or proceeding involving any party before any court or tribunal other than the Board.

(C) A determination by the Board shall not preclude litigation or relitigation as between the same or different parties before any court or tribunal other than the Board of the same or similar issues of fact or law in connection with allegations or responses not asserted or not finally determined by the Board.

(D) Except to the extent permitted under this subsection, any final determination of the Board may not be cited or relied upon as legal precedent in any other action or proceeding before any court or tribunal other than the Board.

(3) OTHER MATERIALS IN PROCEEDING.—A submission or statement of a party, interested owner, or witness made in connection with a proceeding before the Board, including a proceeding that is dismissed, may not serve as the basis of any action or proceeding before any court or tribunal except for any legal action related to perjury or for conduct described in subsection (k)(2). A statement of a party, interested owner, or witness may be received as evidence, in accordance with applicable rules, in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(4) FAILURE TO ASSERT RESPONSE.—Except as provided in paragraph (1), the failure or inability to assert any allegation, factual claim, or response in a proceeding before the Board shall not preclude the assertion of that response in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(i) ADMINISTRATION.—The Commission may issue regulations in accordance with section 553 of title 5, United States Code, to implement this section.

(j) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date on which Child Online Protection Board issues the first determination under this section, the Commission shall conduct, and report to Congress on, a study that addresses the following:

(A) The use and efficacy of the Child Online Protection Board in expediting the removal of proscribed visual depictions relating to children and resolving disputes concerning said visual depictions, including the number of proceedings the Child Online Protection Board could reasonably administer with current allocated resources.

(B) Whether adjustments to the authority of the Child Online Protection Board are necessary or advisable, including with respect to permissible claims, responses, fines, costs, and joinder by interested parties.

(C) Whether the Child Online Protection Board should be permitted to expire, be extended, or be expanded.

(D) Such other matters as the Commission believes may be pertinent concerning the Child Online Protection Board.

(2) CONSULTATION.—In conducting the study and completing the report required under paragraph (1), the Commission shall, to the extent feasible, consult with complainants, victims, and providers to include their views on the matters addressed in the study and report.

(k) LIMITED LIABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4), for distributing, receiving, accessing, or possessing a proscribed visual depiction relating to a child for the sole and exclusive purpose of complying with the requirements of this section, or for the sole and exclusive purpose of seeking or providing legal advice in order to comply with this section, may not be brought in any Federal or State court.

(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4)—

(A) for any conduct unrelated to compliance with the requirements of this section;

(B) if the Board, provider, complainant, interested owner, or representative under subsection (f)(4) (as applicable)—

(i) engaged in intentional misconduct; or

(ii) acted, or failed to act—

(I) with actual malice; or

(II) with reckless disregard to a substantial risk of causing physical injury without legal justification; or

(C) in the case of a claim against a complainant, if the complainant falsely claims to be a victim, an authorized representative of a victim, or a qualified organization.

(3) MINIMIZING ACCESS.—The Board, a provider, a complainant, an interested owner, or a representative under subsection (f)(4) shall—

(A) minimize the number of individuals that are provided access to any alleged, contested, or actual proscribed visual depictions relating to a child under this section;

(B) ensure that any alleged, contested, or actual proscribed visual depictions relating to a child are transmitted and stored in a secure manner and are not distributed to or accessed by any individual other than as needed to implement this section; and

(C) ensure that all copies of any proscribed visual depictions relating to a child are permanently deleted upon a request from the Board, Commission, or the Federal Bureau of Investigation.

(l) PROVIDER IMMUNITY FROM CLAIMS BASED ON REMOVAL OF VISUAL DEPICTION.—A provider shall not be liable to any person for any claim based on the provider's good faith removal of any alleged proscribed visual depiction relating to a child pursuant to a notification under this section, regardless of whether the visual depiction is found to be a proscribed visual depiction relating to a child by the Board.

(m) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(1) IN GENERAL.—This subtitle shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(2) NO PREEMPTION.—Nothing in this subtitle shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing child sex abuse material that is at least as protective of the rights of a victim as this section.

(n) DISCOVERY.—Nothing in this subtitle affects discovery, a subpoena or any other court order, or any other judicial process otherwise in accordance with Federal or State law.

(o) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to relieve a provider from any obligation imposed on the provider under section 2258A of title 18, United States Code.

(p) FUNDING.—There are authorized to be appropriated to pay the costs incurred by the Commission under this section, including the costs of establishing and maintaining the Board and its facilities, $40,000,000 for each year during the period that begins with the year in which this Act is enacted and ends with the year in which certain subsections of this section expire under subsection (q).

(q) SUNSET.—Except for subsections (a), (h), (k), (l), (m), (n), (o), and (r), this section shall expire 5 years after the date on which the Child Online Protection Board issues its first determination under this section.

(r) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Child Online Protection Board established under subsection (d).

(2) CHILD SEXUAL ABUSE MATERIAL.—The term ''child sexual abuse material'' has the meaning provided in section 2256(8) of title 18, United States Code.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) COMPLAINANT.—The term ''complainant'' means—

(A) the victim appearing in the proscribed visual depiction relating to a child;

(B) an authorized representative of the victim appearing in the proscribed visual depiction relating to a child; or

(C) a qualified organization.

(5) DESIGNATED REPORTING SYSTEM.—The term ''designated reporting system'' means a digital means of submitting a notification to a provider under this subsection that is publicly and prominently available, easily accessible, and easy to use.

(6) HOST.—The term ''host'' means to store or make a visual depiction available or accessible to the public or any users through digital means or on a system or network controlled or operated by or for a provider.

(7) IDENTIFIABLE PERSON.—The term ''identifiable person'' means a person who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature.

(8) INTERESTED OWNER.—The term ''interested owner'' means an individual who has joined a proceeding before the Board under subsection (g)(13).

(9) PARTY.—The term ''party'' means the complainant or provider.

(10) PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—The term ''proscribed visual depiction relating to a child'' means child sexual abuse material or a related exploitive visual depiction.

(11) PROVIDER.—The term ''provider'' means a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), and for purposes of subsections (k) and

(l), includes any director, officer, employee, or agent of such provider.

(12) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(a) of that Code that works to address child sexual abuse material and to support victims of child sexual abuse material.

(13) RECIDIVIST HOSTING.—The term ''recidivist hosting'' means, with respect to a provider, that the provider removes a proscribed visual depiction relating to a child pursuant to a notification or determination under this subsection, and then subsequently hosts a visual depiction that has the same hash value or other technical identifier as the visual depiction that had been so removed.

(14) RELATED EXPLOITIVE VISUAL DEPICTION.—The term ''related exploitive visual depiction'' means a visual depiction of an identifiable person of any age where—

(A) such visual depiction does not constitute child sexual abuse material, but is published with child sexual abuse material depicting that person; and

(B) there is a connection between such visual depiction and the child sexual abuse material depicting that person that is readily apparent from—

(i) the content of such visual depiction and the child sexual abuse material; or

(ii) the context in which such visual depiction and the child sexual abuse material appear.

(15) SMALL PROVIDER.—The term ''small provider'' means a provider that, for the most recent calendar year, averaged less than 10,000,000 active users on a monthly basis in the United States.

(16) VICTIM.—

(A) IN GENERAL.—The term ''victim'' means an individual of any age who is depicted in child sexual abuse material while under 18 years of age.

(B) ASSUMPTION OF RIGHTS.—In the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by a court, may assume the victim's rights to submit a notification or file a petition under this section, but in no event shall an individual who produced or conspired to produce the child sexual abuse material depicting the victim be named as such representative or guardian.

(17) VISUAL DEPICTION.—The term ''visual depiction'' has the meaning provided in section 2256(5) of title 18, United States Code.

SEC. 1097. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the provision or amendment to any other person or circumstance, shall not be affected

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SA 252. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) IN GENERAL.—None of the funds authorized by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended for the support of Ukraine until—

(1) the date on which the President submits to Congress a comprehensive diplomatic strategy designed to bring the conflict between Ukraine and the Russian Federation to a rapid conclusion; and

(2) Congress enacts a joint resolution approving such strategy.

(b) ELEMENTS.—The strategy described in subsection (a)—

(1) shall be designed to achieve a ceasefire in which the Russian Federation and Ukraine agree to abide by the terms and conditions of such ceasefire; and

(2) may not—

(A) extend beyond one year;

(B) commit United States military resources in excess of the total military contributions made by European member countries of the North Atlantic Treaty Organization; or

(C) be contingent on—

(i) United States involvement or funding of Ukrainian reconstruction; or

(ii) resolving existing territorial disputes between the Russian Federation and Ukraine.

SA 253. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle A—Limitation on Diplomatic Relations With Syria

SECTION 12__1. SHORT TITLE.

This subtitle may be cited as the ''Assad Regime Anti-Normalization Act of 2023''.

SEC. 12__2. MODIFICATIONS TO THE CAESAR SYRIA CIVILIAN PROTECTION ACT.

(a) CAESAR SYRIA CIVILIAN PROTECTION ACT.—Section 7412 of the Caesar Syria Civilian Protection Act of 2019 (title LXXIV of the National Defense Authorization Act for Fiscal Year 2020; 22 U.S.C. 8791 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''the President shall impose'' and all that follows through the end of the paragraph and inserting ''the President—''

''(A) shall impose the sanctions described in subsection (b) with respect to a foreign person that the President determines—

''(i) knowingly engages, on or after such date of enactment, in an activity described in paragraph (2);

''(ii) is an adult family member of a foreign person described in clause (i), unless the President determines there is clear and convincing evidence that such adult family member has disassociated themselves from the foreign person described in such clause and has no history of helping such foreign person conceal assets; or

''(iii) is owned or controlled by a foreign person described in clause (i) or (ii); and

''(B) may impose the sanctions described in subsection (b) with respect to a foreign person that the President determines knowingly provides, on or after such date of enactment, significant financial, material, or technological support to a foreign person engaging in an activity described in any of subparagraphs (B) through (H) of paragraph (2);''.

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by amending clause (i) to read as follows:

''(i) the Government of Syria (including any entity owned or controlled by the Government of Syria), a senior political figure of the Government of Syria, a member of the People's Assembly of Syria, or a senior foreign political figure (as such term is defined in section 101.605 of title 31, Code of Federal Regulations) of the Arab Socialist Ba'ath Party of Syria, including any such senior foreign political figure who is—

''(I) a member of the Central Command, Central Committee, or Auditing and Inspection Committee of such Party; or

''(II) a leader of a local branch of such Party;'';

(II) in clause (ii), by striking ''; or'' and inserting a semicolon;

(III) in clause (iii), by striking the semicolon and inserting ''; or''; and

(IV) by adding at the end the following new clause:

''(iv) Syria Arab Airlines, Cham Wings, or any foreign person owned or controlled by Syria Arab Airlines or Cham Wings;'';

(ii) by amending subparagraph (C) to read as follows:

''(C) knowingly sells or provides aircraft or spare aircraft parts—

''(i) to the Government of Syria; or

''(ii) for or on behalf of the Government of Syria to any foreign person operating in an area directly or indirectly controlled by the Government of Syria or foreign forces associated with the Government of Syria;'';

(iii) in subparagraph (D), by striking ''; or'' and inserting a semicolon;

(iv) in subparagraph (E)—

(I) by striking ''construction or engineering services'' and inserting ''construction, engineering, or commercial financial services''; and

(II) by striking the closing period and inserting a semicolon; and

(v) by adding at the end the following new subparagraphs:

''(F) purposefully engages in or directs—

''(i) the diversion of goods (including agricultural commodities, food, medicine, and medical devices), or any international humanitarian assistance, intended for the people of Syria; or

''(ii) the dealing in proceeds from the sale or resale of such diverted goods or international humanitarian assistance, as the case may be;

''(G) knowingly, directly or indirectly, engages in or attempts to engage in, the seizure, confiscation, theft, or expropriation for personal gain or political purposes of property, including real property, in Syria or owned by a citizen of Syria;

''(H) knowingly, directly or indirectly, engages in or attempts to engage in a transaction or transactions for or with such seized, confiscated, stolen, or expropriated property described in subparagraph (G); or

''(I) knowingly provides significant financial, material, or technological support to a foreign person engaging in an activity described in subparagraph (A).''; and

(C) by adding at the end the following new paragraphs:

''(4) TRANSACTION DEFINED.—For purposes of the determination required by subparagraph (a)(2)(A), the term 'transaction' includes in-kind transactions.

''(5) ADDITIONAL DEFINITIONS.—In this section:

''(A) COMMERCIAL FINANCIAL SERVICES.—The term 'commercial financial services'

means any transaction between the Government of Syria and a foreign bank or foreign financial institution operating in an area under the control of the Government of Syria that has a valuation of more than $5,000,000.

''(B) FINANCIAL INSTITUTION.—The term 'financial institution' means a financial institution specified in any of subparagraphs (A) through (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

''(6) SIGNIFICANT TRANSACTION CLARIFIED.—In this section, the term 'significant transaction' includes any natural gas, electricity, or other energy-related transaction.''; and

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

''(c) CONGRESSIONAL REQUESTS.—Not later than 120 days after receiving a request from the chairman and ranking member of one of the appropriate congressional committees with respect to whether a foreign person knowingly engages in an activity described in subsection (a)(2) the President shall—

''(1) make the determination specified in subsection (a)(1) with respect to that foreign person; and

''(2) submit to such chairman and ranking member that submitted the request a report with respect to such determination that includes a statement of whether the President has imposed or intends to impose the sanctions described in subsection (b) with respect to that foreign person.''.

(b) REMOVAL OF EXCEPTION RELATING TO IMPORTATION OF GOODS.—The Caesar Syria Civilian Protection Act of 2019, as amended by subsection (a), is further amended—

(1) by striking section 7434; and

(2) by redesignating sections 7435 through 7438 as sections 7434 through 7437, respectively.

(c) EXTENSION OF SUNSET.—Section 7437 of the Caesar Syria Civilian Protection Act of 2019, as redesignated by subsection (b)(2), is amended by striking ''the date that is 5 years after the date of the enactment of this Act'' and inserting ''December 31, 2032''.

(d) DETERMINATIONS WITH RESPECT TO SYRIA TRUST FOR DEVELOPMENT.—

(1) DEFINED TERM.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

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

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

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

(F) the Committee on Financial Services of the House of Representatives.

(2) DETERMINATIONS.—Not later than 120 days after the enactment of this Act, the President shall—

(A) determine whether the nonprofit organization chaired by Asma Al-Assad, the First Lady of Syria, known as the ''Syria Trust for Development'' meets the criteria for the imposition of sanctions—

(i) under section 7412(a) of the Caesar Syria Civilian Protection Act of 2019, as amended by subsection (a);

(ii) under Executive Order 13894 (84 Fed. Reg. 55851; relating to blocking property and suspending entry of certain persons contributing to the situation in Syria); or

(iii) by nature of being owned or controlled by a person designated under any executive order or regulation administered by the Office of Foreign Assets Control; and

(B) submit to the appropriate congressional committees each such determination, including a justification for the determination.

(3) FORM.—The determination made pursuant to paragraph (2)(B) shall be submitted in unclassified form, but the justification specified in such paragraph may be included in a classified annex. The unclassified determination shall be made available on a publicly available website of the Federal government.

(e) FINDINGS ON APPLICABILITY WITH RESPECT TO SYRIAN ARAB AIRLINES, CHAM WINGS AIRLINES, AND RELATED ENTITIES.—Congress finds the following:

(1) In 2013, the President identified Syrian Arab Airlines as a blocked instrumentality or controlled entity of the Government of Syria and concurrently sanctioned Syrian Arab Airlines pursuant to Executive Order 13224 for acting for or on behalf of the Islamic Revolutionary Guard Corps-Qods Force of Iran.

(2) In 2016, the President sanctioned Syria-based Cham Wings Airlines pursuant to Executive Order 13582 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the Government of Syria and Syrian Arab Airlines.

(3) Section 7412(a)(2)(A)(iii) of the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note) mandates the application of sanctions against any foreign person that ''knowingly provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with . . . a foreign person subject to sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to Syria or any other provision of law that imposes sanctions with respect to Syria,'', which applies to airport service providers outside of Syria.

(f) SEVERABILITY.—If any provision of this subtitle, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this subtitle, or the application of that provision to other persons or circumstances, shall not be affected.

SEC. 12__3. PROHIBITION OF RECOGNITION OF ASSAD REGIME.

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

(1) not to recognize or normalize relations with any Government of Syria that is led by Bashar al-Assad due to the Assad regime's ongoing crimes against the Syrian people, including failure to meet the criteria outlined in section 7431(a) of the Caesar Syria Civilian Protection Act of 2019;

(2) to actively oppose recognition or normalization of relations by other governments with any Government of Syria that is led by Bashar Al-Assad, including by fully implementing the mandatory primary and secondary sanctions in the Caesar Syria Civilian Protection Act of 2019 and Executive Order 13894; and

(3) to use the full range of authorities, including those provided under the Caesar Syria Civilian Protection Act of 2019 and Executive Order 13894, to deter reconstruction activities in areas under the control of Bashar al-Assad.

(b) PROHIBITION.—In accordance with subsection (a), no Federal official or employee may take any action, and no Federal funds may be made available, to recognize or otherwise imply, in any manner, United States recognition of Bashar al-Assad or any Government in Syria that is led by Bashar al-Assad.

SEC. 12__4. INTERAGENCY STRATEGY TO COUNTER NORMALIZATION WITH ASSAD REGIME.

(a) REPORT AND STRATEGY REQUIRED.—

(1) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, in consultation with the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, and the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report and strategy to describe and counter actions taken or planned by foreign governments to normalize, engage with, or upgrade political, diplomatic, or economic ties with the regime led by Bashar al-Assad in Syria (referred to in this section as the ''Assad regime'').

(2) ELEMENTS.—The elements of the report under paragraph (1) shall include—

(A) a description of violations of international law and human rights abuses committed by Bashar al-Assad, the Government of the Russian Federation, or the Government of Iran and progress towards justice and accountability for the Syrian people;

(B) a full list of diplomatic meetings at the Ambassador level or above, between the Syrian regime and any representative of the Governments of Turkey, the United Arab Emirates, Egypt, Jordan, Iraq, Oman, Bahrain, Kuwait, the Kingdom of Saudi Arabia, Tunisia, Algeria, Morocco, Libya, or Lebanon, respectively;

(C) a list including an identification of—

(i) any single covered transaction exceeding $500,000; and

(ii) any combination of covered transactions by the same source that, in aggregate, exceed $500,000 and occur within a single year;

(D) for each identified single transaction or aggregate transactions, as the case may be, included in the list described in subparagraph (C), a determination of whether such transaction subjects any of the parties to the transaction to sanctions under the Caesar Syria Civilian Protection Act of 2019, as amended by section 12__2;

(E) a description of the steps the United States is taking to actively deter recognition or normalization of relations by other governments with the Assad regime, including specific diplomatic engagements and use of economic sanctions authorized by statutes or implemented through Executive Orders, including—

(i) the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note);

(ii) the Syria Accountability and Lebanese Sovereignty Restoration Act (22 U.S.C. 2151 note);

(iii) the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.);

(iv) Executive Order 13894 (84 Fed. Reg. 55851; relating to blocking property and suspending entry of certain persons contributing to the situation in Syria);

(v) the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.);

(vi) the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9401 et seq.); and

(vii) the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.); and

(F) an assessment of how recognition or normalization of relations by other governments with the Assad regime impacts the national security of the United States, prospects for implementation of the United Nations Security Council Resolution 2254, prospects for justice and accountability for war crimes in Syria, and the benefits derived by the Government of the Russian Federation or the Government of Iran.

(b) SCOPE.—The initial report required by subsection (a) shall address the period beginning on January 1, 2021, and ending on the date of the enactment of this Act, and each subsequent report shall address the one-year

period following the conclusion of the scope of the prior report.

(c) FORM.—Each report under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex. The unclassified section of such a report shall be made publicly available on a website of the United States Federal Government.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Select Committee on Intelligence of the Senate;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives;

(H) the Committee on Financial Services of the House of Representatives;

(I) the Committee on Appropriations of the House of Representatives; and

(J) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED TRANSACTION.—The term ''covered transaction'' means a transaction, including an investment, grant, contract, or donation (including a loan or other extension of credit) that—

(A) is provided by a foreign person located in Turkey, the United Arab Emirates, Egypt, Jordan, Iraq, Oman, Bahrain, Kuwait, the Kingdom of Saudi Arabia, Tunisia, Algeria, Morocco, Libya, or Lebanon; and

(B) is received by a person or entity in any area of Syria held by the Assad regime.

SEC. 12__5. REPORTS ON MANIPULATION OF UNITED NATIONS BY ASSAD REGIME IN SYRIA.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the manipulation of the United Nations by the regime led by Bashar al-Assad in Syria (referred to in this section as the ''Assad regime''), including—

(1) a description of conditions, both explicit and implicit, set by the Assad regime with respect to United Nations operations in Syria including with respect to implementing partners, hiring practices, allocation of grants and contracts, and procurement of goods and services;

(2) a description of the extent to which the United Nations has rejected or otherwise opposed any of the conditions described in paragraph (1);

(3) an identification of officials or employees of the United Nations (including funds, programs and specialized agencies of the United Nations) with ties to the Assad regime, including family ties, or persons designated for sanctions by United Nations donor countries;

(4) a full account of access restrictions imposed by the Assad regime and the overall impact on the ability of the United Nations to deliver international assistance to target beneficiaries in areas outside regime control;

(5) a description of ways in which United Nations aid improperly benefits the Assad regime and its associates in defiance of basic humanitarian principles;

(6) a description of the due diligence mechanisms and vetting procedures in place to ensure entities contracted by the United Nations to ensure goods, supplies, or services provided to Syria do not have links to the Assad regime, known human rights abusers, or persons designated for sanctions by United Nations donor countries;

(7) an identification of entities affiliated with the Assad regime, including the Syria Trust for Development and the Syrian Arab Red Crescent, foreign government ministries, and private corporations owned or controlled directly or indirectly by the Assad regime, that have received United Nations funding, contracts, or grants or have otherwise entered into a formalized partnership with the United Nations;

(8) an assessment of how the Assad regime sets arbitrary or punitive exchange rates to extract funding from the United Nations, as well as the total amount extracted by such means;

(9) an assessment of the degree to which the various forms of manipulation described in this section has resulted in compromises of the humanitarian principles of humanity, neutrality, impartiality, and independence of the United Nations; and

(10) a strategy to reduce the ability of the Assad regime to manipulate or otherwise influence the United Nations and other aid operations in Syria and ensure United States and international aid is delivered in a neutral and impartial manner consistent with basic humanitarian principles.

SA 254. Mr. RISCH (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—SAFEGUARDING TUNISIAN DEMOCRACY

SEC. 12__1. SHORT TITLE.

This subtitle may be cited as the ''Safeguarding Tunisian Democracy Act of 2023''.

SEC. 12__2. FINDINGS.

Congress makes the following findings:

(1) In 2010 and 2011, waves of anti-government protests and violence reshaped governments across the Middle East and North Africa.

(2) While other countries in the Middle East and North Africa experienced violent crackdown, rapid changes in government, or descent into civil war, Tunisia's ''Jasmine Revolution'' saw the ouster of autocratic President Zine El Abidine Ben Ali and the emergence of a nascent, growing democracy.

(3) On October 14, 2019, Tunisians overwhelmingly elected Kais Saied, a constitutional law professor, as President based on his pledges to combat corruption and improve Tunisia's economic outlook.

(4) On July 25, 2021, President Saied unilaterally suspended parliament and dismissed the Prime Minister, citing exceptional circumstances and Article 80 of the 2014 constitution.

(5) On September 22, 2021, President Saied issued Presidential Decree 117, consolidating full executive and legislative powers within the presidency and authorizing further decrees regulating the judiciary, media, political parties, electoral law, freedoms and human rights.

(6) On February 6, 2022, President Saied dissolved the Supreme Judicial Council, eliminating an independent judiciary.

(7) On March 30, 2022, President Saied officially dissolved parliament, further consolidating power and eliminating checks and balances on the presidency.

(8) On June 30, 2022, President Saied unilaterally introduced a new draft constitution, subject to a referendum, consolidating broad powers under executive rule.

(9) On July 25, 2022, Saied claimed victory in a constitutional referendum widely criticized for its lack of credibility and participation.

(10) On September 13, 2022, President Saied announced Presidential Decree 2022-54 on Cybercrime, imposing prison terms for ''false information or rumors'' online and crippling free speech.

(11) On September 15, 2022, President Saied announced Presidential Decree 2022-55 which weakened the role of political parties and imposed burdensome requirements to run for parliament.

(12) On October 15, 2022, the International Monetary Fund reached a staff-level agreement to support Tunisia's economic policies with a 48-month arrangement under the Extended Fund Facility of $1,900,000,000 and the potential for more from international donors.

(13) On December 17, 2022, only 11 percent of Tunisians participated in parliamentary elections, reflecting dissatisfaction with the referendum, barriers to political parties, and low public trust for democratic institutions in Tunisia.

(14) On January 20, 2023, four political opponents of President Saied were sentenced through military courts for ''insulting a public official'' and disturbing public order.

(15) On January 29, 2023, only 11 percent of Tunisians participated in parliamentary runoff elections, reaffirming low public trust for democratic institutions in Tunisia.

(16) On February 1, 2023, President Saied extended the state of emergency until the end of 2023.

(17) On February 10, 2023, President Saied announced strengthened diplomatic ties with the Government of Syria, a United States-designated State Sponsor of Terrorism.

(18) On February 11, 2023, and in the following weeks, President Saied launched a political crackdown by arresting political activists, journalists, and business leaders for allegedly plotting against the state, including by opening a criminal investigation against a former Nidaa Tounes parliamentarian.

(19) On February 21, 2023, President Saied justified widespread arrests and harassment of African migrants and Black Tunisians by accusing ''hordes of irregular migrants'' of criminality and violence, claiming a ''criminal enterprise hatched at the beginning of this century to change the demographic composition of Tunisia'' threatened national security.

(20) On February 22, 2023, Tunisian authorities arrested Republican Party leader Issam Chebbi and National Salvation Front member Chaima Issa.

(21) On February 24, 2023, Tunisian authorities arrested National Salvation Front member Jawher Ben Mbarek.

(22) On April 17, 2023, President Kais Saied vowed ''relentless war'' against opposition figures, such as jailed Ennahdha party leader Rached Ghannouchi, and shuttered Ennahdha offices and the offices of an ideologically broad opposition coalition.

(23) As of April 20, 2023, an International Monetary Fund loan for Tunisia remains stalled as President Saied's characterized necessary reforms as ''foreign diktats'' and decried proposed cuts in subsidies as socially destabilizing.

SEC. 12__3. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to forge a strong and lasting partnership with the Government of Tunisia to support shared national security interests to include countering the enduring threat of transnational terrorism and promoting regional stability;

(2) to develop and implement a security strategy that builds partner capacity to address shared threats and cements the role of the United States as the partner of choice;

(3) to encourage standards and training for the Tunisian Armed Forces that enshrines military professionalism and respect for civil-military relations;

(4) to support the Tunisian people's aspirations for a democratic future and support democratic principles in Tunisia, to include a robust civil society, respect for freedoms of expression and association, press freedom, separation of powers, and the rule of law;

(5) to support the Tunisian people's livelihoods and aspirations for economic dignity;

(6) to work in tandem with our G7 and other partners to promote Tunisia's return to democratic principles in a manner that halts democratic backsliding, stabilizes the economic crisis, spurs economic development, and mitigates destabilizing migration flows; and

(7) to readjust bilateral United States foreign assistance, including security assistance, based on the progress of the Government of Tunisia toward meeting the democratic aspirations and economic needs of the Tunisian people.

SEC. 12__4. LIMITATION ON FUNDS; CREATION OF TUNISIA DEMOCRACY SUPPORT FUND; REPORT.

(a) IN GENERAL.—Effective upon the date of the enactment of this Act, the Secretary of State , in conjunction with the Administrator of the United States Agency for International Development—

(1) shall limit funding to Tunisia, as provided for in subsection (b); and

(2) is authorized to establish a ''Tunisia Democracy Support Fund'', as provided for in subsection (c), to encourage reforms that restore Tunisian democracy and rule of law.

(b) LIMITATION ON FUNDS.—Of the amounts authorized to be appropriated or otherwise made available in fiscal years 2024 and 2025 to carry out chapters 1 and 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), chapters 1 through 6, 8, and 9 of part II of such Act (22 U.S.C. 2301 et seq.), and section 23 of the Arms Export Control Act (22 U.S.C. 2763) for the Government of Tunisia, 25 percent the amount made available under each such authority for each such fiscal year shall be withheld from obligation, with the exception of funding for Tunisian civil society, until the Secretary of State determines and certifies to the appropriate congressional committees that the Government of Tunisia—

(1) has ceased its use of military courts to try civilians;

(2) is making clear and consistent progress in releasing political prisoners; and

(3) has terminated all states of emergency.

(c) TUNISIA DEMOCRACY SUPPORT FUND AUTHORIZED.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $100,000,000 for each of the fiscal years 2024 and 2025, which shall be used to establish the ''Tunisia Democracy Support Fund'' for the purpose of encouraging reforms that—

(A) restore Tunisia's democratic institutions;

(B) restore the rule of law; and

(C) stabilize the Tunisian economy.

(2) LIMITATION.—Amounts authorized to be appropriated under paragraph (1) shall not be available for obligation until the Secretary of State certifies in writing to the appropriate congressional committees that the Government of Tunisia has demonstrated measurable progress towards the democratic benchmarks outlined in subsection (d).

(d) DEMOCRATIC BENCHMARKS.—Pursuant to subsection (c)(2), the democratic benchmarks to be addressed in the Secretary of State's certification are whether the Government of Tunisia—

(1) appropriately empowers Parliament to serve the Tunisian people and serve as an independent, co-equal branch of government essential to a healthy democracy;

(2) restores judicial independence and establishes the Constitutional Court in a manner that fosters an independent judiciary and serves as a check on the presidency;

(3) is taking credible steps to respect freedoms of expression, association, and the press;

(4) creates an enabling operating environment in which Tunisian civil society organizations can operate without undue interference, including permitting international funding; and

(5) ceases efforts to intimidate Tunisian independent media through arbitrary arrests and criminal prosecutions of journalists on illegitimate charges.

(e) INITIAL REPORT, ANNUAL REPORT AND BRIEFING.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act and annually thereafter through 2028, the Secretary of State shall provide a report and accompanying briefing to the appropriate congressional committees that describes—

(A) the state of Tunisia's democracy and associated progress on the democratic benchmarks outlined in subsection (d); and

(B) how United States foreign assistance is funding programs to support progress towards achieving such benchmarks.

(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(f) WAIVER.—The Secretary of State may waive the limitation on funding under subsection (b) if the Secretary, not later than 15 days before the waiver is to take effect, certifies to the appropriate congressional committees that such waiver is in the national interest of the United States. The Secretary shall submit with the certification a detailed justification explaining the reasons for the waiver.

(g) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Appropriations of the Senate;

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

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

SEC. 12__5. SUNSET.

This subtitle shall terminate on the date that is 5 years after the date of the enactment of this Act.

SA 255. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. AUTHORITY TO ENTER INTO COOPERATIVE PROJECT AGREEMENTS TO COUNTER UNMANNED AERIAL SYSTEMS.

(a) IN GENERAL.—The President is authorized to enter into trilateral and multilateral cooperative project agreements with Israel and Abraham Accords countries, Negev Forum countries, and countries that have signed peace treaties with Israel, under the authority of section 27 of the Arms Export Control Act (22 U.S.C. 2767), to carry out research on and development, testing, evaluation, and joint production (including follow-on support) of defense articles and defense services to detect, track, and destroy armed unmanned aerial systems that threaten the United States, Israel, and partners in the Middle East.

(b) REQUIREMENTS.—The cooperative project agreement described in subsection (a) shall—

(1) provide that any activity carried out pursuant to such agreement shall be subject to—

(A) the applicable requirements described in subparagraphs (A), (B), and (C) of section 27(b)(2) of the Arms Export Control Act (22 U.S.C. 2767(b)(2)); and

(B) any other applicable requirement of the Arms Export Control Act (22 U.S.C. 2751 et seq.) with respect to the use, transfer, and security of such defense articles and defense services under that Act;

(2) establish a framework to negotiate the rights to intellectual property developed under such agreement, with consideration of whether the agreement risks compromise to United States systems, operational capabilities, or overall technological advantage; and

(3) require the government of any country that is a signatory to such agreement to commit to never disclose any intellectual property, research and development, or production of technology acquired through such agreement to the Government of the People's Republic of China, any company based in the People's Republic of China, or any company with which the Government of the People's Republic of China has invested.

(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—Notwithstanding section 27(g) of the Arms Export Control Act (22 U.S.C. 2767(g)), any defense article that results from a cooperative project agreement under this section shall be subject to subsections (b) and (c) of section 36 of that Act (22 U.S.C. 2776).

SA 256. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28___. AUTHORIZATION OF AMOUNTS FOR CONSTRUCTION OF BARRACKS FACILITIES AT FORT CAVAZOS.

There is authorized to be appropriated to the Secretary of the Army for fiscal year 2024 $400,000,000 for the construction of two new barracks facilities (with not fewer than 500 beds each) at Fort Cavazos (Project Numbers 87812 and 97218).

SA 257. Mr. COONS (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the

bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENHANCING AMERICAN COMPETITIVENESS ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''Enhancing American Competitiveness Act of 2023''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on the Budget of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives.

(2) CORPORATION.—The term ''Corporation'' means the United States International Development Finance Corporation.

(c) FINDINGS.—Congress finds the following:

(1) The mission of the Corporation is to mobilize investment to advance global development, foreign policy objectives of the United States, and taxpayer interests.

(2) Congress established the Corporation to leverage private sector capabilities and to serve as a robust alternative to state-directed investments by authoritarian governments and strategic competitors of the United States.

(3) Congress authorized the Corporation—

(A) to provide equity financing in order to provide the Corporation with greater flexibility to invest in early- and growth-stage companies, partner with other financial institutions, and enable investees to scale operations more effectively to create greater impact on developments;

(B) under section 1421(d) of the BUILD Act of 2018 (22 U.S.C. 9621(d))—

(i) to provide insurance and reinsurance of debt for the purposes of furthering United States foreign policy, development, and national security objectives; and

(ii) to insure debt investments;

(C) to collect insurance and reinsurance premiums and pay insurance and reinsurance claims; and

(D) to make loans or guaranties upon such terms and conditions as the Corporation may determine under section 1421(b) of the BUILD Act of 2018 (22 U.S.C. 9621(b)) for the purposes of furthering foreign policy, development, and national security objectives of the United States.

(4) Under section 1422(b)(3) of that Act (22 U.S.C. 9621(b)(3)), Congress limited the authority described in paragraph (3)(D) by requiring that for any loan or guaranty to a project, the parties to the project bear the risk of loss in an amount equal to at least 20 percent of the guaranteed support by the Corporation in the project.

(5) Congress authorized the Corporation to guaranty 100 percent of an obligation, including a loan, a bond issuance, or a tranche of any such loan or bond in which other parties to the project bear the risk of loss in an amount equal to at least 20 percent of the guaranteed support by the Corporation in the project.

(6) Obstacles to the implementation of the authorities described in paragraph (3) have constrained the ability of the Corporation to leverage its full capacity to enhance the economic and strategic competitiveness of the United States and to cooperate effectively with foreign partners and the private sector.

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the proper budgetary treatment of the insurance and reinsurance authorities of the Corporation, including insurance and reinsurance of debt, is not subject to budgetary treatment under the requirements of Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.); and

(2) guaranties provided by the Corporation in excess of 80 percent of an obligation are exempt from applicable provisions of the Office of Management and Budget Circular A-129.

(e) MODIFICATION OF ELIGIBILITY DEFINITIONS.—The Build Act of 2018 (22 U.S.C. 9601 et seq.) is amended—

(1) in section 1402—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) FRAGILE AND CONFLICT-AFFECTED STATE.—The term 'fragile and conflict-affected state' means a country that—

''(A) is on the List of Fragile and Conflict-affected Situations maintained by the Fragility, Conflict and Violence Group of the World Bank; or

''(B) the Corporation, after consultation with the Secretary of State and the Administrator of the United States Agency for International Development, designates as fragile or conflict-affected.''; and

(2) in section 1412(c), by striking paragraph (2) and inserting the following:

''(2) ELIGIBLE COUNTRIES.—The Corporation may provide support under title II in a country that is—

''(A) eligible to receive development lending from the World Bank; and

''(B) a fragile and conflict-affected state.''.

(f) BUDGETARY TREATMENT OF EQUITY INVESTMENTS BY THE CORPORATION.—Section 1421(c) of the BUILD Act of 2018 (22 U.S.C. 9521 (c)) is amended by adding at the end the following:

''(7) PRESENT VALUE OF EQUITY ACCOUNT.—There is established as a subaccount within the Corporate Capital Account a fund to be known as the 'Corporate Equity Account' to carry out this subsection.

''(8) BUDGETARY TREATMENT OF EQUITY INVESTMENTS.—

''(A) CALCULATION OF THE COSTS OF INVESTMENT.—

''(i) IN GENERAL.—The cost of support provided under paragraph (1) with respect to a project shall be the net present value, at the time when funds are disbursed to provide the support, excluding administrative costs and any incidental effects on governmental receipts or outlays, of the following estimated cash flows:

''(I) The purchase price of the investment.

''(II) Dividends, redemptions, and other shareholder distributions during the term of the support.

''(III) Proceeds received upon a sale, redemption, or other liquidation of the investment.

''(IV) Foreign currency fluctuations, for support denominated in foreign currencies.

''(V) Any other relevant cashflow.

''(ii) CHANGES IN TERMS INCLUDED.—The estimated cash flows described in subclauses (I) through (V) of clause (i) shall include the effects of changes in terms resulting from the exercise of options included in the agreement to provide the support.

''(iii) DISCOUNT RATE.—The discount rate shall be the average interest rate on marketable Treasury securities of similar maturity to the support provided under paragraph (1).

''(B) TRANSFER.—Subject to the availability of appropriations, an amount equal to the cost of support determined under subparagraph (A) shall be transferred from the Corporate Capital Account to the Corporate Equity Account.

''(C) DIFFERENTIAL AMOUNT.—

''(i) APPROPRIATION.—For any fiscal year, upon the transfer of an amount pursuant to subparagraph (B), an amount equal to the differential amount shall be appropriated, out of any money in the Treasury not otherwise appropriated, to the Corporate Equity Account.

''(ii) TREATMENT AS DIRECT SPENDING.—An amount appropriated pursuant to clause (i) shall be recorded as direct spending (as defined by section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)).

''(iii) BUDGETARY EFFECTS.—The following shall apply to budget enforcement under the Congressional Budget Act of 1974 (2 U.S.C. 601 et seq.), the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.), and the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.):

''(I) FUTURE APPROPRIATIONS.—Any amount appropriated pursuant to clause (i) shall not be recorded as budget authority or outlays for purposes of any estimate under the Congressional Budget Act of 1974 or the Balanced Budget and Emergency Deficit Control Act of 1985.

''(II) STATUTORY PAYGO SCORECARDS.—The budgetary effects of any amounts appropriated pursuant to clause (i) shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010 (2 U.S.C. 933(d)).

''(III) SENATE PAYGO SCORECARDS.—The budgetary effects of any amounts appropriated pursuant to clause (i) shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

''(IV) ELIMINATION OF CREDIT FOR CANCELLATION OR RESCISSION OF DIFFERENTIAL.—If there is enacted into law an Act that rescinds or reduces an amount appropriated pursuant to clause (i), the amount of any such rescission or reduction shall not be—

''(aa) estimated as a reduction in direct spending under the Congressional Budget Act of 1974 or the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(bb) entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010 or any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

''(iv) DIFFERENTIAL AMOUNT DEFINED.—In this subparagraph, the term 'differential amount' means the difference between the cost of support provided under paragraph (1), as determined under subparagraph (A), and the purchase price of the equity investment involved.

''(D) COORDINATION.—

''(i) IN GENERAL.—The Director of the Office of Management and Budget, in consultation with the Corporation, shall be responsible for coordinating the cost estimates required by this paragraph.

''(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to change the authority or responsibility of the Corporation to determine the terms and conditions of eligibility for, or the amount of support provided by, the Corporation.''.

(g) MAXIMUM CONTINGENT LIABILITY.—Section 1433 of the BUILD Act of 2018 (22 U.S.C. 9633) is amended by striking ''$60,000,000,000'' and inserting ''$100,000,000,000''.

(h) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the

Corporation shall submit to the appropriate congressional committees a plan to expand the financing of the Corporation to support national security and development priorities of the United States in critical regions, including—

(1) a description of the budgetary, staffing, and programmatic resources necessary to carry out the plan; and

(2) the effective date and the basis used, in consultation with the Director of the Office of Management and Budget, to calculate the net present value of funds appropriated for use under section 1421(c) of the Build Act of 2018 (22 U.S.C. 9621(c)).

SA 258. Mr. WHITEHOUSE (for himself, Mr. TILLIS, Mr. BLUMENTHAL, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. PROHIBITION OF DEMAND FOR BRIBE.

Section 201 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) the term 'foreign official' means—

''(A)(i) any official or employee of a foreign government or any department, agency, or instrumentality thereof; or

''(ii) any senior foreign political figure, as defined in section 1010.605 of title 31, Code of Federal Regulations, or any successor regulation;

''(B) any official or employee of a public international organization;

''(C) any person acting in an official capacity for or on behalf of—

''(i) a government, department, agency, or instrumentality described in subparagraph (A)(i); or

''(ii) a public international organization; or

''(D) any person acting in an unofficial capacity for or on behalf of—

''(i) a government, department, agency, or instrumentality described in subparagraph (A)(i); or

''(ii) a public international organization; and

''(5) the term 'public international organization' means—

''(A) an organization that is designated by Executive order pursuant to section 1 of the International Organizations Immunities Act (22 U.S.C. 288); or

''(B) any other international organization that is designated by the President by Executive order for the purposes of this section, effective as of the date of publication of such order in the Federal Register.''; and

(2) by adding at the end the following:

''(f) PROHIBITION OF DEMAND FOR A BRIBE.—

''(1) OFFENSE.—It shall be unlawful for any foreign official or person selected to be a foreign official to corruptly demand, seek, receive, accept, or agree to receive or accept, directly or indirectly, anything of value personally or for any other person or nongovernmental entity, by making use of the mails or any means or instrumentality of interstate commerce, from any person (as defined in section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–3), except that that definition shall be applied without regard to whether the person is an offender) while in the territory of the United States, from an issuer (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))), or from a domestic concern (as defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2)), in return for—

''(A) being influenced in the performance of any official act;

''(B) being induced to do or omit to do any act in violation of the official duty of such foreign official or person; or

''(C) conferring any improper advantage,

in connection with obtaining or retaining business for or with, or directing business to, any person.

''(2) PENALTIES.—Any person who violates paragraph (1) shall be fined not more than $250,000 or 3 times the monetary equivalent of the thing of value, imprisoned for not more than 15 years, or both.

''(3) JURISDICTION.—An offense under paragraph (1) shall be subject to extraterritorial Federal jurisdiction.

''(4) REPORT.—Not later than 1 year after the date of enactment of the Foreign Extortion Prevention Act, and annually thereafter, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives, and post on the publicly available website of the Department of Justice, a report—

''(A) focusing, in part, on demands by foreign officials for bribes from entities domiciled or incorporated in the United States, and the efforts of foreign governments to prosecute such cases;

''(B) addressing United States diplomatic efforts to protect entities domiciled or incorporated in the United States from foreign bribery, and the effectiveness of those efforts in protecting such entities;

''(C) summarizing major actions taken under this section in the previous year, including enforcement actions taken and penalties imposed;

''(D) evaluating the effectiveness of the Department of Justice in enforcing this section; and

''(E) detailing what resources or legislative action the Department of Justice needs to ensure adequate enforcement of this section.

''(5) RULE OF CONSTRUCTION.—This subsection shall not be construed as encompassing conduct that would violate section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1) or section 104 or 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–3) whether pursuant to a theory of direct liability, conspiracy, complicity, or otherwise.''.

SA 259. Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. KING, Mr. CASSIDY, Mr. PADILLA, Ms. COLLINS, Mr. VAN HOLLEN, Mr. SCOTT of Florida, Mr. BOOKER, Ms. STABENOW, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1240A. BALTIC SECURITY INITIATIVE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish and carry out an initiative, to be known as the ''Baltic Security Initiative'' (in this section referred to as the ''Initiative'') for the purpose of deepening security cooperation with the Baltic countries.

(b) RELATIONSHIP TO EXISTING AUTHORITIES.—The Initiative required by subsection (a) shall be carried out pursuant to the authorities provided in title 10, United States Code.

(c) OBJECTIVES.—The objectives of the Initiative shall be—

(1) to achieve United States national security objectives by—

(A) deterring aggression by the Russian Federation; and

(B) implementing the North Atlantic Treaty Organization's new Strategic Concept, which seeks to strengthen the alliance's deterrence and defense posture by denying potential adversaries any possible opportunities for aggression;

(2) consistent with the Baltic defense assessment and report submitted to Congress pursuant to section 1246 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1661) and the annual United States-Baltic Dialogue among Estonia, Latvia, and Lithuania, and the Department of Defense and the Department of State, to enhance regional planning and cooperation among the Baltic countries, particularly with respect to long-term regional capability projects, including—

(A) long-range precision fire systems and capabilities;

(B) integrated air and missile defense;

(C) maritime domain awareness;

(D) land forces development, including stockpiling large caliber ammunition;

(E) command, control, communications, computers, intelligence, surveillance, and reconnaissance;

(F) special operations forces development;

(G) coordination with and security enhancements for Poland, which is a neighboring North Atlantic Treaty Organization ally; and

(H) other military capabilities, as determined by the Secretary of Defense; and

(3) to improve the Baltic countries' cyber defenses and resilience to hybrid threats.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a strategy for the Department of Defense to achieve the objectives described in subsection (b).

(2) CONSIDERATIONS.—The strategy required by this subsection shall include a consideration of—

(A) security assistance programs for the Baltic countries authorized as of the date on which the strategy is submitted;

(B) the ongoing security threats to the North Atlantic Treaty Organization's eastern flank posed by Russian aggression, including as a result of the Russian Federation's 2022 invasion of Ukraine with support from Belarus; and

(C) the ongoing security threats to the Baltic countries posed by the presence, coercive economic policies, and other malign activities of the People's Republic of China.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Defense $350,000,000 for each of the fiscal years 2024, 2025, and 2026 to carry out the Initiative.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should seek to require matching funds from each of the Baltic countries that participate in the Initiative in amounts commensurate

with amounts provided by the Department of Defense for the Initiative.

(f) BALTIC COUNTRIES DEFINED.—In this section, the term ''Baltic countries'' means—

(1) Estonia;

(2) Latvia; and

(3) Lithuania.

SA 260. Ms. HIRONO (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXEMPTION FROM IMMIGRANT VISA LIMIT FOR CHILDREN OF CERTAIN FILIPINO WORLD WAR II VETERANS.

Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who—

''(i) are eligible for a visa under paragraph (1) or (3) of section 203(a); and

''(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized pursuant to—

''(I) section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note); or

''(II) title III of the Act of October 14, 1940 (54 Stat. 1137, chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182, chapter 199).''.

SA 261. Mr. WELCH (for himself, Mr. TILLIS, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 345. REPORT BY DEPARTMENT OF DEFENSE ON ALTERNATIVES TO BURN PITS.

Not later than 60 days after the date on which the President submits the budget of the President under section 1105(a) of title 31, United States Code, for fiscal year 2024, the Under Secretary of Defense for Acquisition and Sustainment shall submit to Congress a report on incinerators and waste-to-energy waste disposal alternatives to burn pits.

SA 262. Mr. WELCH (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. BURN PIT REGISTRY UPDATES.

(a) INDIVIDUALS ELIGIBLE TO UPDATE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall take actions necessary to ensure that the burn pit registry may be updated with the cause of death of a deceased registered individual by—

(A) an individual designated by such deceased registered individual; or

(B) if no such individual is designated, an immediate family member of such deceased registered individual.

(2) DESIGNATION.—The Secretary shall provide, with respect to the burn pit registry, a process by which a registered individual may make a designation for purposes of paragraph (1)(A).

(b) DEFINITIONS.—In this section:

(1) BURN PIT REGISTRY.—The term ''burn pit registry'' means the registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'', with respect to a deceased individual, means—

(A) the spouse, parent, brother, sister, or adult child of the individual;

(B) an adult person to whom the individual stands in loco parentis; or

(C) any other adult person—

(i) living in the household of the individual at the time of the death of the individual; and

(ii) related to the individual by blood or marriage.

(3) REGISTERED INDIVIDUAL.—The term ''registered individual'' means an individual registered with the burn pit registry.

SA 263. Mr. WELCH (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 633. OUTREACH TO MEMBERS OF THE ARMED FORCES REGARDING POSSIBLE TOXIC EXPOSURE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall establish—

(1) a new risk assessment for toxic exposure for members of the Armed Forces assigned to work near burn pits; and

(2) an outreach program to inform such members—

(A) regarding such risk of toxic exposure; and

(B) regarding benefits and support programs furnished by the Secretary of Defense (including eligibility requirements and timelines) regarding toxic exposure.

(b) PROMOTION.—The Secretary of Defense shall promote the outreach program required under subsection (a) to members of the Armed Forces assigned to work near burn pits by direct mail, email, text messaging, and social media.

(c) PUBLICATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall publish on a website of the Department of Defense a list of resources furnished by the Secretary for—

(1) members of the Armed Forces and veterans who experienced toxic exposure in the course of serving as a member of the Armed Forces;

(2) dependents and caregivers of such members and veterans; and

(3) survivors of such members and veterans who receive death benefits under laws administered by the Secretary.

(d) TOXIC EXPOSURE DEFINED.—In this section, the term ''toxic exposure'' has the meaning given that term in section 101 of title 38, United States Code.

SA 264. Mr. RISCH (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVIII—REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINE ACT

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Rebuilding Economic Prosperity and Opportunity for Ukraine Act'' or the ''REPO for Ukraine Act''.

Subtitle A—Confiscation and Repurposing of Russian Sovereign Assets

SEC. 1811. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) On February 24, 2022, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a premeditated, second illegal invasion of Ukraine.

(2) The international community has condemned the illegal invasions of Ukraine by the Russian Federation, as well as the commission of war crimes by the Russian Federation, including through the deliberate targeting of civilians and civilian infrastructure and the commission of sexual violence.

(3) The leaders of the G7 have called the Russian Federation's ''unprovoked and completely unjustified attack on the democratic state of Ukraine'' a ''serious violation of international law and a grave breach of the United Nations Charter and all commitments Russia entered in the Helsinki Final Act and the Charter of Paris and its commitments in the Budapest Memorandum''.

(4) On March 2, 2022, the United Nations General Assembly adopted Resolution ES–11/1, entitled ''Aggression against Ukraine'', by a vote of 141 to 5. That resolution ''deplore[d] in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the [United Nations] Charter'' and demanded that the Russian Federation ''immediately cease its use of force against Ukraine'' and ''immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders''.

(5) On March 16, 2022, the International Court of Justice issued provisional measures ordering the Russian Federation to ''immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine''.

(6) On November 14, 2022, the United Nations General Assembly adopted a resolution—

(A) recognizing that the Russian Federation must bear the legal consequences of all

of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts;

(B) recognizing the need for the establishment of an international mechanism for reparation for damage, loss, or injury caused by the Russian Federation in Ukraine; and

(C) recommending creation of an international register of such damage, loss, or injury.

(7) Under international law, a country that is responsible for an internationally wrongful act is under an obligation to compensate for the damage it has caused if such damage cannot be made good by restitution. The Russian Federation bears such responsibility to compensate Ukraine, and because of this grave breach of international law, all states are legally entitled to take countermeasures that are proportionate and aimed at inducing the Russian Federation to comply with its international obligations, including countermeasures that suspend ordinary international obligations to the Russian Federation, to help enforce the obligation of the Russian Federation to compensate Ukraine.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, having committed an act of aggression, as recognized by the United Nations General Assembly on March 2, 2022, the Russian Federation is to be considered as an aggressor state. The extreme illegal actions taken by the Russian Federation, including an act of aggression, present a unique situation, requiring and justifying the establishment of a legal authority to compensate victims of aggression by the Russian Federation in Ukraine. In this case, that authority is the authority of the United States Government and other countries to confiscate Russian sovereign assets in their respective jurisdictions to help enforce the obligation of the Russian Federation to compensate Ukraine.

SEC. 1812. SENSE OF CONGRESS REGARDING IMPORTANCE OF THE RUSSIAN FEDERATION PROVIDING COMPENSATION TO UKRAINE.

It is the sense of Congress that—

(1) the Russian Federation bears responsibility for the financial burden of the reconstruction of Ukraine and for countless other costs associated with the illegal invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) the full cost of the Russian Federation's unlawful war against Ukraine and the amount of money the Russian Federation must pay Ukraine should be assessed by an international body or mechanism charged with determining compensation and providing assistance to Ukraine;

(3) the Russian Federation is now on notice of its opportunity to comply with its international obligations, including compensation, or, by agreement with the government of independent Ukraine, authorize an international body or mechanism to address those outstanding obligations with authority to make binding decisions on parties that comply in good faith;

(4) the Russian Federation can, by negotiated agreement, participate in any international process to assess the full cost of the Russian Federation's unlawful war against Ukraine and make funds available to compensate for damage, loss, and injury arising from its internationally wrongful acts in Ukraine, and if it fails to do so, the United States and other countries should explore other avenues for ensuring compensation to Ukraine, including confiscation and repurposing of assets of the Russian Federation;

(5) the President should lead robust engagement on all bilateral and multilateral aspects of the response by the United States to efforts by the Russian Federation to undermine the sovereignty and territorial integrity of Ukraine, including on any policy coordination and alignment regarding the disposition of Russian sovereign assets in the context of compensation;

(6) the confiscation and repurposing of Russian sovereign assets by the United States is in the vital national security interests of the United States and consistent with United States and international law; and

(7) the United States should work with international allies and partners on the confiscation and repurposing of Russian sovereign assets as part of a coordinated, multilateral effort, including with G7 countries and other countries in which Russian sovereign assets are located.

SEC. 1813. PROHIBITION ON RELEASE OF BLOCKED RUSSIAN SOVEREIGN ASSETS.

(a) IN GENERAL.—No Russian sovereign asset that is blocked or immobilized by the Department of the Treasury before the date specified in section 1814(g) may be released or mobilized until the President certifies to the appropriate congressional committees that—

(1) hostilities between the Russian Federation and Ukraine have ceased; and

(2)(A) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation; or

(B) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine.

(b) NOTIFICATION.—Not later than 30 days before the release or mobilization of a Russian sovereign asset that previously had been blocked or immobilized by the Department of the Treasury, the President shall submit to the appropriate congressional committees—

(1) a notification of the decision to release or mobilize the asset; and

(2) a justification in writing for such release or mobilization.

(c) JOINT RESOLUTION OF DISAPPROVAL.—

(1) IN GENERAL.—No Russian sovereign asset that previously had been blocked or immobilized by the Department of the Treasury may be released or mobilized if, within 30 days of receipt of the notification and justification required under subsection (b), a joint resolution is enacted prohibiting the proposed release or mobilization.

(2) EXPEDITED PROCEDURES.—Any joint resolution described in paragraph (1) introduced in either House of Congress shall be considered in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765), except that any such resolution shall be amendable. If such a joint resolution should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to 20 hours in the Senate and in the House of Representatives shall be determined in accordance with the Rules of the House.

(d) COOPERATION ON PROHIBITION OF RELEASE OF CERTAIN RUSSIAN SOVEREIGN ASSETS.—The President may take such action as may be necessary to seek to obtain an agreement or arrangement between the United States, Ukraine, and other countries that have blocked or immobilized Russian sovereign assets to prohibit such assets from being released or mobilized until an agreement has been reached that discharges the Russian Federation from further obligations to compensate Ukraine.

SEC. 1814. AUTHORITY TO ENSURE COMPENSATION TO UKRAINE USING CONFISCATED RUSSIAN SOVEREIGN ASSETS.

(a) REPORTING ON RUSSIAN ASSETS.—

(1) NOTICE REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the President shall, by means of such instructions or regulations as the President may prescribe, require any United States financial institution at which Russian sovereign assets are located, and that knows or should know of such assets, to provide notice of such assets, including relevant information required under section 501.603(b)(ii) of title 31, Code of Federal Regulations (or successor regulations), to the Secretary of the Treasury not later than 10 days after detection of such assets.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 3 years, the President shall submit to the appropriate congressional committees a report detailing the status of Russian sovereign assets subject to the jurisdiction of the United States.

(B) FORM.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(b) CONFISCATION.—

(1) IN GENERAL.—The President may confiscate any Russian sovereign assets subject to the jurisdiction of the United States.

(2) LIQUIDATION AND DEPOSIT.—The President shall—

(A) deposit any funds confiscated under paragraph (1) into the Ukraine Support Fund established under subsection (c);

(B) liquidate or sell any other property confiscated under paragraph (1) and deposit the funds resulting from such liquidation or sale into the Ukraine Support Fund established under subsection (c); and

(C) make all such funds available for the purposes described in subsection (d).

(3) METHOD OF CONFISCATION.—The President shall confiscate Russian sovereign assets under paragraph (1) through instructions or licenses or in such other manner as the President determines appropriate.

(4) VESTING.—All right, title, and interest in Russian sovereign assets confiscated under paragraph (1) shall vest, if necessary, in the Government of the United States while being held in the Ukraine Support Fund established under subsection (c).

(c) ESTABLISHMENT OF THE UKRAINE SUPPORT FUND.—

(1) IN GENERAL.—The President shall establish a non-interest-bearing account, to be known as the ''Ukraine Support Fund'', to consist of the funds deposited into the account under subsection (b).

(2) USE OF FUNDS.—The funds in the account established under paragraph (1) shall be available to be used only as specified in subsection (d).

(d) USE OF CONFISCATED PROPERTY.—

(1) IN GENERAL.—Subject to paragraph (2), funds in the Ukraine Support Fund shall be available to the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, for the purpose of compensating Ukraine for damages resulting from the unlawful invasion by the Russian Federation that began on February 24, 2022, including through, to the extent possible, the provision of such funds to an international body or mechanism charged with determining compensation and providing assistance to Ukraine, for purposes that include the following:

(A) Reconstruction and rebuilding efforts in Ukraine.

(B) To provide humanitarian assistance to the people of Ukraine.

(C) Such other purposes as the Secretary determines directly and effectively support the recovery of Ukraine and the welfare of the people of Ukraine.

(2) NOTIFICATION.—

(A) IN GENERAL.—The Secretary of State shall notify the appropriate congressional committees not fewer than 15 days before providing any funds from the Ukraine Support Fund to the Government of Ukraine or to any other person or international organization for the purposes described in paragraph (1).

(B) ELEMENTS.—A notification under subparagraph (A) with respect to the provision of funds to the Government of Ukraine shall specify—

(i) the amount of funds to be provided;

(ii) the purpose for which such funds are provided; and

(iii) the recipient.

(e) JUDICIAL REVIEW.—

(1) IN GENERAL.—The confiscation of Russian sovereign assets under subsection (b)(1) shall not be subject to judicial review.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit any private individual or entity from asserting due process claims in United States courts.

(f) EXCEPTION FOR UNITED STATES OBLIGATIONS UNDER VIENNA CONVENTIONS.—The authorities provided by this section may not be exercised in a manner inconsistent with the obligations of the United States under—

(1) the Convention on Diplomatic Relations, done at Vienna April 18, 1961, and entered into force April 24, 1964 (23 UST 3227);

(2) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force on March 19, 1967 (21 UST 77);

(3) the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947 (TIAS 1676); or

(4) any other international agreement governing the use of force and establishing rights under international humanitarian law.

(g) SUNSET.—The authority to confiscate, liquidate, and transfer Russian sovereign assets under this section shall terminate on the earlier of—

(1) the date that is 5 years after the date of the enactment of this Act; or

(2) the date that is 120 days after the date on which the President determines and certifies to the appropriate congressional committees that—

(A) hostilities between the Russian Federation and Ukraine have ceased; and

(B)(i) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation; or

(ii) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine.

SEC. 1815. INTERNATIONAL AGREEMENT TO USE RUSSIAN SOVEREIGN ASSETS TO PROVIDE FOR THE RECONSTRUCTION OF UKRAINE.

(a) IN GENERAL.—The President shall take such action as the President determines necessary to seek to establish a common international compensation mechanism, in coordination with foreign partners including Ukraine, that shall include the establishment of an international fund to be known as the ''Common Ukraine Fund'', that uses assets in the Ukraine Support Fund established under section 1814(c) and contributions from foreign partners that have also confiscated Russian sovereign assets to allow for compensation for Ukraine, including by—

(1) establishing a register of damage to serve as a record of evidence and for assessment of the full costs of damages to Ukraine resulting from the invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) establishing a mechanism for compensating Ukraine for damages resulting from that invasion;

(3) ensuring distribution of those assets or the proceeds of those assets based on determinations under that mechanism; and

(4) taking such other actions as may be necessary to carry out this section.

(b) AUTHORIZATION FOR DEPOSIT IN THE COMMON UKRAINE FUND.—Upon the President reaching an agreement or arrangement to establish a common international compensation mechanism pursuant to subsection (a), the Secretary of State shall transfer funds from the Ukraine Support Fund established under section 1814(c) to the Common Ukraine Fund established under subsection (a).

(c) NOTIFICATIONS.—

(1) AGREEMENT OR ARRANGEMENT.—The President shall notify the appropriate congressional committees not later than 30 days before entering into any new bilateral or multilateral agreement or arrangement under subsection (a).

(2) TRANSFER.—The President shall notify the appropriate congressional committees not later than 30 days before any transfer to the Common Ukraine Fund established under subsection (a).

(d) LIMITATION ON TRANSFER OF FUNDS.—No funds may be transferred to the Common Ukraine Fund established under subsection (a) unless the President certifies to the appropriate congressional committees that—

(1) the institution housing the Common Ukraine Fund has a plan to ensure transparency and accountability for all funds transferred to and from the Common Ukraine Fund; and

(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

(e) JOINT RESOLUTION OF DISAPPROVAL.—No funds may be transferred to the Common Ukraine Fund established under subsection (a) if, within 30 days of receipt of the notification required under subsection (c)(2), a joint resolution is enacted prohibiting the transfer.

(f) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) An accounting of funds in the Common Ukraine Fund established under subsection (a).

(2) Any information regarding the disposition of the Common Ukraine Fund that has been transmitted to the President by the institution housing the Common Ukraine Fund during the period covered by the report.

(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to allow for compensation for Ukraine during the period covered by the report.

(4) An outline of steps taken to carry out this section during the period covered by the report.

SEC. 1816. REPORT ON USE OF CONFISCATED RUSSIAN SOVEREIGN ASSETS FOR RECONSTRUCTION.

Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that contains—

(1) the amount and source of Russian sovereign assets confiscated pursuant to subsection (b)(1) of section 1814;

(2) the amount and source of funds deposited into the Ukraine Support Fund under subsection (b)(2) of that section; and

(3) a detailed description and accounting of how such funds were used to meet the purposes described in subsection (d) of that section.

SEC. 1817. ASSESSMENT BY SECRETARY OF STATE AND ADMINISTRATOR OF UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ON RECONSTRUCTION AND REBUILDING NEEDS OF UKRAINE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an assessment of the most pressing needs of Ukraine for reconstruction, rebuilding, security assistance, and humanitarian aid.

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

(1) An estimate of the rebuilding and reconstruction needs of Ukraine, as of the date of the assessment, resulting from the unlawful invasion of Ukraine by the Russian Federation, including—

(A) a description of the sources and methods for the estimate; and

(B) an identification of the locations or regions in Ukraine with the most pressing needs.

(2) An estimate of the humanitarian needs, as of the date of the assessment, of the people of Ukraine, including Ukrainians residing inside the internationally recognized borders of Ukraine or outside those borders, resulting from the unlawful invasion of Ukraine by the Russian Federation.

(3) An assessment of the extent to which the needs described in paragraphs (1) and (2) have been met or funded, by any source, as of the date of the assessment.

(4) A plan to engage in robust multilateral and bilateral diplomacy to ensure that allies and partners of the United States, particularly in the European Union as Ukraine seeks accession, increase their commitment to Ukraine's reconstruction.

(5) An identification of which such needs should be prioritized, including any assessment or request by the Government of Ukraine with respect to the prioritization of such needs.

SEC. 1818. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements under this subtitle shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. 1819. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Z) of section 5312(a)(2) of title 31, United States Code.

(3) G7.—The term ''G7'' means the countries that are member of the informal Group

of 7, including Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

(4) RUSSIAN SOVEREIGN ASSET.—The term ''Russian sovereign asset'' means any of the following:

(A) Funds and other property of—

(i) the Central Bank of the Russian Federation;

(ii) the Russian Direct Investment Fund; or

(iii) the Ministry of Finance of the Russian Federation.

(B) Any sovereign funds of the Russian Federation held in a financial institution that is wholly owned or controlled by the Government of the Russian Federation.

(C) Any other funds or other property wholly owned or controlled by the Government of the Russian Federation, including by any subdivision, agency, or instrumentality of that government.

(5) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) UNITED STATES FINANCIAL INSTITUTION.—The term ''United States financial institution'' means a financial institution organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an institution.

Subtitle B—Multilateral Sanctions Coordination

SEC. 1821. STATEMENT OF POLICY REGARDING COORDINATION OF MULTILATERAL SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—In response to the Russian Federation's unprovoked and illegal invasion of Ukraine, it is the policy of the United States that—

(1) the United States, along with the European Union, the G7, Australia, and other willing allies and partners of the United States, should lead a coordinated international sanctions regime to freeze sovereign assets of the Russian Federation;

(2) the head of the Office of Sanctions Coordination of the Department of State should engage in interagency and multilateral coordination with agencies of the European Union, the G7, Australia, and other allies and partners of the United States to ensure the ongoing implementation and enforcement of sanctions with respect to the Russian Federation in response to its invasion of Ukraine;

(3) the Secretary of State, in consultation with the Secretary of the Treasury, should, to the extent practicable and consistent with relevant United States law, lead and coordinate with the European Union, the G7, Australia, and other allies and partners of the United States with respect to enforcement of sanctions imposed with respect to the Russian Federation;

(4) the United States should provide relevant technical assistance, implementation guidance, and support relating to enforcement and implementation of sanctions imposed with respect to the Russian Federation;

(5) where appropriate, the head of the Office of Sanctions Coordination, in coordination with the Bureau of Economic and Business Affairs and the Bureau of European and Eurasian Affairs of the Department of State and the Department of the Treasury, should seek private sector input regarding sanctions policy with respect to the Russian Federation and the implementation of and compliance with such sanctions imposed with respect to the Russian Federation; and

(6) the Secretary of State, in coordination with the Secretary of the Treasury, should continue robust diplomatic engagement with allies and partners of the United States, including the European Union, the G7, and Australia, to encourage such allies and partners to impose such sanctions.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Office of Sanctions Coordination of the Department of State $15,000,000 for each of fiscal years 2024, 2025, and 2026 to carry out this section.

(2) SUPPLEMENT NOT SUPPLANT.—The amounts authorized to be appropriated by paragraph (1) shall supplement and not supplant other amounts authorized to be appropriated for the Office of Sanctions Coordination.

SEC. 1822. ASSESSMENT OF IMPACT OF UKRAINE-RELATED SANCTIONS ON THE ECONOMY OF THE RUSSIAN FEDERATION.

(a) REPORT AND BRIEFINGS.—At the times specified in subsection (b), the President shall submit a report and provide a briefing to the appropriate congressional committees on the impact on the economy of the Russian Federation of sanctions imposed by the United States and other countries with respect to the Russian Federation in response to the unlawful invasion of Ukraine by the Russian Federation.

(b) TIMING.—The President shall—

(1) submit a report and provide a briefing described in subsection (a) to the appropriate congressional committees not later than 90 days after the date of the enactment of this Act; and

(2) submit to the appropriate congressional committees a report described in subsection (a) every 180 days thereafter until the date that is 5 years after such date of enactment.

(c) ELEMENTS.—Each report required by this section shall include—

(1) an assessment of—

(A) the impacts of the sanctions described in subsection (a), disaggregated by major economic sector, including the energy, aerospace and defense, shipping, banking, and financial sectors;

(B) the macroeconomic impact of those sanctions on Russian, European, and global economy market trends, including shifts in global markets as a result of those sanctions; and

(C) efforts by other countries or actors and offshore financial providers to facilitate sanctions evasion by the Russian Federation or take advantage of gaps in international markets resulting from the international sanctions regime in place with respect to the Russian Federation; and

(2) recommendations for further sanctions enforcement measures based on trends described in paragraph (1)(B).

SEC. 1823. INFORMATION ON VOTING PRACTICES IN THE UNITED NATIONS WITH RESPECT TO THE INVASION OF UKRAINE BY THE RUSSIAN FEDERATION.

Section 406(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a(b)), is amended—

(1) in paragraph (4), by striking ''Assembly on'' and all that follows through ''opposed by the United States'' and inserting the following: ''Assembly on—''

''(A) resolutions specifically related to Israel that are opposed by the United States; and

''(B) resolutions specifically related to the invasion of Ukraine by the Russian Federation.'';

(2) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which member countries supported United States policy objectives in the Security Council and the General Assembly with respect to the invasion of Ukraine by the Russian Federation; and''.

SA 265. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—SECURING ALLIES FOOD IN EMERGENCIES

SEC. 12__1. SHORT TITLES.

This subtitle may be cited as the ''Securing Allies Food in Emergencies Act'' or the ''SAFE Act''.

SEC. 12__2. STATEMENT OF POLICY.

It is the policy of the United States to respond to the looming global food crisis precipitated by the Russian Federation's brutal, illegal invasion of Ukraine beginning in February 2022, which threatens to destabilize key partners and allies and push millions of people into hunger and poverty, particularly in areas of Africa and the Middle East that are already experiencing emergency levels of food insecurity, by taking immediate action to improve the timeliness and expand the reach of United States international food assistance.

SEC. 12__3. STRATEGY TO AVERT A GLOBAL FOOD CRISIS.

(a) STRATEGY REQUIREMENT.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development, acting in the capacity of the President's Special Coordinator for International Disaster Assistance pursuant to section 493 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292b), shall develop and submit a strategy to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives for averting a catastrophic global food security crisis, particularly in areas of Africa and the Middle East that are already experiencing emergency levels of food insecurity, which has been driven by sharp increases in global prices for staple agricultural commodities, agricultural inputs (including fertilizer), and associated energy costs.

(b) CONSIDERATIONS.—In developing the strategy required under subsection (a), the Administrator shall consider and incorporate an analysis of—

(1) the impact of the Russian Federation's brutal, illegal war in Ukraine on the cost and availability of staple agricultural commodities and inputs, including fertilizer—

(A) globally;

(B) in countries that rely upon commercial imports of such commodities and inputs from Ukraine or Russia; and

(C) in countries that are supported through the United Nations World Food Programme, which heavily relies upon purchases of wheat and pulses from Ukraine and has recently reported a price increase of more than $23,000,000 per month for its wheat purchases;

(2) the correlation between rising food costs and social unrest in areas of strategic

importance to the United States, including countries and regions that experienced food riots during the 2007 to 2008 global food price crisis;

(3) the underlying drivers of food insecurity in areas experiencing emergency levels of hunger, including current barriers to food security development programs and humanitarian assistance;

(4) existing United States foreign assistance authorities, programs, and resources that could help avert a catastrophic global food crisis;

(5) recommendations to enhance the efficiency, improve the timeliness, and expand the reach of United States international food assistance programs and resources referred to in paragraph (4);

(6) opportunities to bolster coordination, catalyze and leverage actions by other donors and through multilateral development banks;

(7) opportunities to better synchronize assistance through well-coordinated development and humanitarian assistance programs within the United States Agency for International Development and alongside other donors;

(8) opportunities to improve supply chain and shipping logistics efficiencies in close collaboration with the private sector;

(9) opportunities for increased cooperation with the Department of State to strengthen diplomatic efforts to resolve global conflicts and overcome barriers to access for life-saving assistance;

(10) opportunities to support continued agricultural production in Ukraine, and the extent to which food produced in Ukraine can be used to meet humanitarian needs locally, regionally, or in countries historically reliant upon imports from Ukraine or Russia; and

(11) opportunities to support and leverage agricultural production in countries and regions currently supported by United States international agricultural development programs, including programs authorized under the Global Food Security Act of 2016 (22 U.S.C. 9301 et seq.), in a manner that—

(A) fills critical gaps in the global supply of emergency food aid commodities;

(B) enables purchases from small holder farmers by the United Nations World Food Programme;

(C) enhances resilience to food price shocks;

(D) promotes self-reliance; and

(E) opens opportunities for United States agricultural trade and investment.

SEC. 12__4. EMERGENCY AUTHORITIES TO EXPAND THE TIMELINESS AND REACH OF UNITED STATES INTERNATIONAL FOOD ASSISTANCE.

(a) IN GENERAL.—Subject to the provisions of this section and notwithstanding any other provision of law, the Administrator of the United States Agency for International Development is authorized to procure life-saving food aid commodities, including commodities available locally and regionally, for the provision of emergency food assistance to the most vulnerable populations in countries and areas experiencing acute food insecurity that has been exacerbated by rising food prices, particularly in countries and areas historically dependent upon imports of wheat and other staple commodities from Ukraine and Russia.

(b) PRIORITIZATION.—

(1) IN GENERAL.—In responding to crises in which emergency food aid commodities are unavailable locally or regionally, or in which the provision of locally or regionally procured agricultural commodities would be unsafe, impractical, or inappropriate, the Administrator should prioritize procurements of United States agricultural commodities, including when exercising authorities under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292).

(2) LOCAL OR REGIONAL PROCUREMENTS.—In making local or regional procurements of food aid commodities pursuant to subsection (a), the Administrator, to the extent practicable and appropriate, should prioritize procurements from areas supported through the international agricultural development programs authorized under the Global Food Security Act of 2016 (22 U.S.C. 9301 et seq.) and from Ukraine, for the purpose of promoting economic stability, resilience to price shocks, and early recovery from such shocks in such areas.

(c) DO NO HARM.—In making local or regional procurements of food aid commodities pursuant to subsection (a), the Administrator shall first conduct market assessments to ensure that such procurements—

(1) will not displace United States agricultural trade and investment; and

(2) will not cause or exacerbate shortages, or otherwise harm local markets, for such commodities within the countries of origin.

(d) EMERGENCY EXCEPTIONS.—

(1) IN GENERAL.—Commodities procured pursuant to subsection (b) shall be excluded from calculations of gross tonnage for purposes of determining compliance with section 55305(b) of title 46, United States Code.

(2) CONFORMING AMENDMENT.—Section 55305(b) of title 46, United States Code, is amended by striking ''shall'' and inserting ''should''.

(e) EXCLUSIONS.—The authority under subsection (a) shall not apply to procurements from—

(1) the Russian Federation;

(2) the People's Republic of China; or

(3) any country subject to sanctions under—

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

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

(C) section 1754(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)).

SA 266. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. UNITED STATES MULTILATERAL AID REVIEW.

(a) SHORT TITLE.—This section may be cited as the ''Multilateral Aid Review Act of 2023''.

(b) PURPOSE.—The purpose of this section is to establish a United States Multilateral Aid Review (referred to in this section as the ''Review'') to publicly assess the value of United States Government investments in multilateral entities.

(c) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives;

(4) the Committee on Financial Services of the House of Representatives; and

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

(d) OBJECTIVES.—The objectives of the Review are—

(1) to provide a tool to guide the United States Government's decision making and prioritization with regard to funding multilateral entities;

(2) to provide a methodological basis for allocating budgetary resources to entities that advance relevant United States foreign policy objectives;

(3) to incentivize improvements in the performance of multilateral entities to achieve better outcomes, including in developing, fragile, and crisis-afflicted regions; and

(4) to protect United States taxpayer investments in foreign assistance by promoting transparency with regard to the funding of multilateral entities.

(e) SCOPE.—The Review shall assess, at a minimum, the following multilateral entities to which the United States Government contributes voluntary or assessed funding, whether cash or in-kind:

(1) The World Bank Group, including the International Bank for Reconstruction and Development, the International Development Association, and the International Finance Corporation.

(2) The regional development banks, including the Asian Development Bank, the African Development Bank, the Inter-American Development Bank, the European Bank for Reconstruction and Development, and the North American Development Bank.

(3) Climate Investment Funds.

(4) The Food and Agriculture Organization.

(5) Gavi, the Vaccine Alliance.

(6) The Global Environment Facility.

(7) The Global Fund to Fight AIDS, Tuberculosis and Malaria.

(8) The Green Climate Fund.

(9) The Inter-American Institute for Cooperation for Agriculture.

(10) The International Civil Aviation Organization.

(11) The International Committee of the Red Cross.

(12) The International Fund for Agricultural Development.

(13) The International Labour Organization.

(14) The International Organization for Migration.

(15) The International Telecommunication Union.

(16) The Joint UN Program on HIV/AIDS.

(17) The Multilateral Fund for the Implementation of the Montreal Protocol.

(18) The Office of the United Nations High Commissioner for Human Rights.

(19) The Office of the United Nations High Commissioner for Refugees.

(20) The Organisation for Economic Co-operation and Development.

(21) The Organization of American States.

(22) The Pacific Forum Fisheries Agency.

(23) The Pan American Health Organization.

(24) The United Nations Children's Fund.

(25) The United Nations Department of Economic and Social Affairs.

(26) The United Nations Development Programme.

(27) The United Nations Entity for Gender Equality and the Empowerment of Women.

(28) The United Nations Environment Programme.

(29) The United Nations Framework Convention on Climate Change.

(30) The United Nations Office for Project Services.

(31) The United Nations Office for the Coordination of Humanitarian Affairs.

(32) The United Nations Office on Drugs and Crime.

(33) The United Nations Population Fund.

(34) The United Nations Relief and Works Agency for Palestine Refugees in the Near East.

(35) The United Nations Voluntary Fund for Victims of Torture.

(36) The World Food Program.

(37) The World Health Organization.

(38) The World Meteorological Organization.

(f) REPORT ON REVIEW.—

(1) SUBMISSION.—

(A) IN GENERAL.—Not later than 21 months after the date of the enactment of this Act, the Task Force established pursuant to subsection (g), in regular consultation with the Peer Review Group established under subsection (h), shall submit a report to the appropriate congressional committees that describes the findings of the Review.

(B) PUBLICATION.—The Secretary of State shall publish the report described in subparagraph (A) on the internet website of the Department of State not later than 15 days after the date on which the report is submitted to the appropriate congressional committees.

(2) METHODOLOGY.—

(A) USE OF CRITERIA.—The Task Force shall establish an analytical framework and assessment scorecard for the Review using the criteria set forth in paragraph (3).

(B) CONSULTATION WITH CONGRESS.—

(i) SUBMISSION OF METHODOLOGY.—Not later than 90 days after the appointments to the Peer Review Group are made pursuant to subsection (h)(2), the Task Force shall submit the methodology for the Review to the appropriate congressional committees.

(ii) CONSIDERATION OF CONGRESSIONAL VIEWS.—The Task Force may not proceed with the Review until 30 days after the methodology to the appropriate congressional committees, taking into consideration the views of the Chairmen and Ranking Members of each of the appropriate congressional committees.

(C) PUBLICATION OF CRITERIA AND METHODOLOGY.—The Secretary of State shall publish the final criteria and methodology for the Review on the internet website of the Department of State not later than 60 days after submitting the proposed methodology to the appropriate congressional committees pursuant to subparagraph (B)(i).

(3) ASSESSMENT CRITERIA.—The assessment scorecard shall include the following criteria:

(A) RELATIONSHIP OF STATED GOALS TO ACTUAL RESULTS.—The extent to which the stated mission, goals, and objectives of the entity have been achieved during the review period, including—

(i) an identification of the stated mission, goals, and objectives of each entity;

(ii) an evaluation of the extent to which the entity met its stated implementation timelines and achieved declared results; and

(iii) an evaluation of whether the entity optimizes resources to achieve the stated mission, goals, and objectives of the entity.

(B) RESPONSIBLE MANAGEMENT.—The extent to which management of the entity follows best management practices, including—

(i) an evaluation of the ratio of management and administrative expenses to program expenses, including an evaluation of entity resources spent on nonprogrammatic expenses;

(ii) an evaluation of program expense growth, including a comparison of the annual growth of program expenses to the annual growth of management and administrative expenses; and

(iii) an evaluation of whether the entity has established appropriate levels of senior management compensation.

(C) ACCOUNTABILITY AND TRANSPARENCY.—The extent to which the policies and procedures of the entity follow best practices of accountability and transparency, taking into consideration credible reporting regarding unauthorized conversion or diversion of entity resources, and including an evaluation of whether the entity has—

(i) established and enforced—

(I) appropriate auditing procedures;

(II) appropriate rules to reduce the risk of conflicts of interest among the senior leadership of the entity; and

(III) appropriate whistleblower policies;

(ii) established and maintained—

(I) appropriate records retention policies and guidelines;

(II) best practices with respect to transparency and public disclosure; and

(III) best practices with respect to disclosure of the compensation of senior leadership officials.

(D) ALIGNMENT WITH UNITED STATES FOREIGN POLICY OBJECTIVES.—The extent to which the policies and practices of the entity align with relevant United States foreign policy objectives, including an evaluation of—

(i) the entity's stated mission, goals, and objectives in comparison to relevant United States foreign policy objectives;

(ii) any significant divergence between the actions of the entity and relevant United States foreign policy objectives; and

(iii) whether continued participation by the United States in the entity contributes a net benefit towards achieving relevant United States foreign policy objectives, including the reasons for such conclusion.

(E) MULTILATERAL APPROACH COMPARED TO BILATERAL APPROACH.—The extent to which pursuing relevant United States foreign policy objectives through a multilateral approach is effective and cost-efficient compared to, or complementary to, a bilateral approach, including an evaluation of—

(i) whether relevant United States foreign policy objectives are effectively pursued through the entity, compared to existing or potential bilateral approaches, including the criteria used in the evaluation; and

(ii) whether relevant United States foreign policy objectives are pursued on a cost-effective basis through the entity, including the amount of funding leveraged from non-United States Government sources, compared to existing or potential bilateral approaches.

(F) REDUNDANCIES AND OVERLAP.—The extent to which the mission, goals, and objectives of the entity overlap with, or complement, the mission, goals, objectives, and programs of other multilateral institutions to which the United States Government contributes voluntary or assessed funding, whether cash or in-kind, including—

(i) a comparison of the extent to which relevant United States foreign policy objectives are effectively pursued on a cost-effective basis through each of the overlapping entities; and

(ii) whether continued participation in each entity contributes a benefit towards achieving United States foreign policy objectives.

(g) UNITED STATES MULTILATERAL REVIEW TASK FORCE.—

(1) ESTABLISHMENT.—The President shall establish an interagency Multilateral Review Task Force (referred to in this section as the ''Task Force''), which shall—

(A) review and assess United States participation in multilateral entities identified in subsection (e); and

(B) develop and submit the report required under subsection (f) to the appropriate congressional committees.

(2) LEADERSHIP.—The Task Force shall be chaired by the Secretary of State, who may delegate his or her responsibilities under this section to an appropriate senior Department of State official who has been confirmed by the Senate.

(3) MEMBERSHIP.—The President may appoint to the interagency Task Force senior Senate-confirmed officials from the Department of State, the Department of the Treasury, the United States Agency for International Development, the Centers for Disease Control and Prevention, the Department of Agriculture, the Department of Energy, and any other relevant executive branch department or agency.

(4) CONSULTATION.—In preparing the report required under subsection (f), including the initial review of methodology, the Task Force shall consult regularly with the Peer Review Group established under subsection (h).

(h) UNITED STATES MULTILATERAL AID REVIEW PEER REVIEW GROUP.—

(1) ESTABLISHMENT.—There is established the United States Multilateral Aid Review Peer Review Group (referred to in this section as the ''Peer Review Group'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Peer Review Group shall be composed of 8 nongovernmental volunteer members, of whom—

(i) 2 shall be appointed by the majority leader of the Senate;

(ii) 2 shall be appointed by the minority leader of the Senate;

(iii) 2 shall be appointed by the Speaker of the House of Representatives; and

(iv) 2 shall be appointed by the minority leader of the House of Representatives.

(B) APPOINTMENT CRITERIA.—The members of the Peer Review Group shall have appropriate expertise and knowledge of the multilateral entities subject to the Review established under this section. In making appointments to the Peer Review Group, the appointing authorities should take into account potential conflicts of interest.

(C) DATE.—The appointments to the Peer Review Group shall be made not later than 30 days after the date on which the Task Force is established pursuant to subsection (g)(1), and the terms of the members so appointed shall begin on such date.

(D) CHAIRMAN AND VICE CHAIRMAN.—The Peer Review Group shall select a Chairman and Vice Chairman from among the members of the Peer Review Group.

(3) EXPERT ANALYSIS.—The Peer Review Group shall meet regularly with the Task Force, including regarding the initial review of methodology, to offer their expertise of the funding and performance of multilateral entities.

(4) REVIEW OF REPORT.—

(A) IN GENERAL.—Not later than 180 days before submitting the report required under subsection (f)(1), the Task Force shall submit a draft of the report to—

(i) the Peer Review Group; and

(ii) the appropriate congressional committees.

(B) REVIEW.—The Peer Review Group shall—

(i) review the draft report submitted under subparagraph (A); and

(ii) not later than 90 days before the submission of the report required under subsection (f)(1), provide to the Task Force and to the appropriate congressional committees—

(I) an analysis of the conclusions of the report;

(II) an analysis of the established methodologies used to reach such conclusions;

(III) an analysis of the evidence used to reach such conclusions; and

(IV) any additional comments to improve the evaluations and analysis of the report.

(5) PERIOD OF APPOINTMENT; VACANCIES.—

(A) IN GENERAL.—Each member of the Peer Review Group shall be appointed for a 2-year term.

(B) VACANCIES.—Any vacancy in the Peer Review Group—

(i) shall not affect the powers of the Peer Review Group; and

(ii) shall be filled in the same manner as the original appointment.

(6) MEETINGS.—

(A) IN GENERAL.—The Peer Review Group shall meet at the call of the Chairman.

(B) INITIAL MEETING.—The Peer Review Group shall hold its first meeting not later than 30 days after its last member is appointed.

(C) QUORUM.—A majority of the members of the Peer Review Group shall constitute a quorum, but a lesser number of members may hold meetings.

(i) TERMINATION OF AUTHORITIES AND REQUIREMENTS.—The authorities and requirements provided under this section shall terminate on the date that is 2 years after the date of the enactment of this Act.

SA 267. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—UNRWA Accountability and Transparency

SEC. 12__1. SHORT TITLE.

This subtitle may be cited as the ''UNRWA Accountability and Transparency Act''.

SEC. 12__2. STATEMENT OF POLICY.

(a) PALESTINIAN REFUGEE DEFINED.—It shall be the policy of the United States, in matters concerning the United Nations Relief and Works Agency for Palestine Refugees in the Near East (referred to in this subtitle as ''UNRWA''), which operates in Syria, Lebanon, Jordan, the Gaza Strip, and the West Bank, to define a Palestinian refugee as a person who—

(1) resided, between June 1946 and May 1948, in the region controlled by Britain between 1922 and 1948 that was known as Mandatory Palestine;

(2) was personally displaced as a result of the 1948 Arab-Israeli conflict; and

(3) has not accepted an offer of legal residency status, citizenship, or other permanent adjustment in status in another country or territory.

(b) LIMITATIONS ON REFUGEE AND DERIVATIVE REFUGEE STATUS.—In applying the definition under subsection (a) with respect to refugees receiving assistance from UNRWA, it shall be the policy of the United States, consistent with the definition of refugee in section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) and the requirements for eligibility for refugee status under section 207 of such Act (8 U.S.C. 1157), that—

(1) derivative refugee status may only be extended to the spouse or a minor child of a Palestinian refugee; and

(2) an alien who is firmly resettled in any country is not eligible to retain refugee status.

SEC. 12__3. UNITED STATES' CONTRIBUTIONS TO UNRWA.

Section 301(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221) is amended to read as follows:

''(c) WITHHOLDING.—

''(1) DEFINITIONS.—In this subsection:

''(A) ANTI-SEMITIC.—The term 'anti-Semitic'—

''(i) has the meaning adopted on May 26, 2016, by the International Holocaust Remembrance Alliance as the non-legally binding working definition of antisemitism; and

''(ii) includes the contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere identified on such date by the International Holocaust Remembrance Alliance.

''(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(i) the Committee on Foreign Relations of the Senate;

''(ii) the Committee on Appropriations of the Senate;

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

''(iv) the Committee on Appropriations of the House of Representatives.

''(C) BOYCOTT OF, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—The term 'boycott of, divestment from, and sanctions against Israel' has the meaning given to such term in section 909(f)(1) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4452(f)(1)).

''(D) FOREIGN TERRORIST ORGANIZATION.—The term 'foreign terrorist organization' means an organization designated as a foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

''(E) UNRWA.—The term 'UNRWA' means the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

''(2) CERTIFICATION.—Notwithstanding any other provision of law, the United States may not provide contributions to UNRWA, to any successor or related entity, or to the regular budget of the United Nations for the support of UNRWA or a successor entity (through staff positions provided by the United Nations Secretariat or otherwise) unless the Secretary of State submits a written certification to the appropriate congressional committees that—

''(A) no official, employee, consultant, contractor, subcontractor, representative, affiliate of UNRWA, an UNRWA partner organization, or an UNRWA contracting entity pursuant to completion of a thorough vetting and background check process—

''(i) is a member of, is affiliated with, or has any ties to a foreign terrorist organization, including Hamas and Hezbollah;

''(ii) has advocated, planned, sponsored, or engaged in any terrorist activity;

''(iii) has propagated or disseminated anti-American, anti-Israel, or anti-Semitic rhetoric, incitement, or propaganda, including—

''(I) calling for or encouraging the destruction of Israel;

''(II) failing to recognize Israel's right to exist;

''(III) showing maps without Israel;

''(IV) describing Israelis as 'occupiers' or 'settlers';

''(V) advocating, endorsing, or expressing support for violence, hatred, jihad, martyrdom, or terrorism, glorifying, honoring, or otherwise memorializing any person or group that has advocated, sponsored, or committed acts of terrorism, or providing material support to terrorists or their families;

''(VI) expressing support for boycott of, divestment from, and sanctions against Israel (commonly referred to as 'BDS');

''(VII) claiming or advocating for a 'right of return' of refugees into Israel;

''(VIII) ignoring, denying, or not recognizing the historic connection of the Jewish people to the land of Israel; and

''(IX) calling for violence against Americans; or

''(iv) has used any UNRWA resources, including publications, websites, or social media platforms, to propagate or disseminate anti-American, anti-Israel, or anti-Semitic rhetoric, incitement, or propaganda, including with respect to any of the matters described in subclauses (I) through (IX) of clause (iii);

''(B) no UNRWA school, hospital, clinic, facility, or other infrastructure or resource is being used by a foreign terrorist organization or any member thereof—

''(i) for terrorist activities, such as operations, planning, training, recruitment, fundraising, indoctrination, communications, sanctuary, storage of weapons or other materials; or

''(ii) as an access point to any underground tunnel network, or any other terrorist-related purposes;

''(C) UNRWA is subject to comprehensive financial audits by an internationally recognized third party independent auditing firm that—

''(i) is agreed upon by the Government of Israel and the Palestinian Authority; and

''(ii) has implemented an effective system of vetting and oversight to prevent the use, receipt, or diversion of any UNRWA resources by any foreign terrorist organization or members thereof;

''(D) no UNRWA controlled or funded facility, such as a school, an educational institution, or a summer camp, uses textbooks or other educational materials that propagate or disseminate anti-American, anti-Israel, or anti-Semitic rhetoric, incitement, or propaganda, including with respect to any of the matters described in subclauses (I) through (IX) of subparagraph (A)(iii);

''(E) no recipient of UNRWA funds or loans is—

''(i) a member of, is affiliated with, or has any ties to a foreign terrorist organization; or

''(ii) otherwise engaged in terrorist activities; and

''(F) UNRWA holds no accounts or other affiliations with financial institutions that the United States considers or believes to be complicit in money laundering and terror financing.

''(3) PERIOD OF EFFECTIVENESS.—

''(A) IN GENERAL.—A certification described in paragraph (2) shall be effective until the earlier of—

''(i) the date on which the Secretary receives information rendering the certification described in paragraph (2) factually inaccurate; or

''(ii) the date that is 180 days after the date on which it is submitted to the appropriate congressional committees.

''(B) NOTIFICATION OF RENUNCIATION.—If a certification becomes ineffective pursuant to subparagraph (A), the Secretary shall promptly notify the appropriate congressional committees of the reasons for renouncing or failing to renew such certification.

''(4) LIMITATION.—During any year in which a certification described in paragraph (1) is in effect, the United States may not contribute to UNRWA, or to any successor entity, an amount that—

''(A) is greater than the highest contribution to UNRWA made by a member country of the League of Arab States for such year; and

''(B) is greater (as a proportion of the total UNRWA budget) than the proportion of the total budget for the United Nations High Commissioner for Refugees paid by the United States.''.

SEC. 12__4. REPORT.

(a) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Appropriations of the Senate;

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

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

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees describing the actions being taken to implement a comprehensive plan for—

(1) encouraging other countries to adopt the policy regarding Palestinian refugees that is described in section 12__2;

(2) urging other countries to withhold their contributions to UNRWA, to any successor or related entity, or to the regular budget of the United Nations for the support of UNRWA or a successor entity (through staff positions provided by the United Nations Secretariat or otherwise) until UNRWA has met the conditions listed in subparagraphs (A) through (F) of section 301(c)(2) of the Foreign Assistance Act of 1961, as added by section 12__3;

(3) working with other countries to phase out UNRWA and assist Palestinians receiving UNRWA services by—

(A) integrating such Palestinians into their local communities in the countries in which they are residing; or

(B) resettling such Palestinians in countries other than Israel or territories controlled by Israel in the West Bank in accordance with international humanitarian principles; and

(4) ensuring that the actions described in paragraph (3)—

(A) are being implemented in complete coordination with, and with the support of, Israel; and

(B) do not endanger the security of Israel in any way.

SA 268. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF CERTAIN FOREIGN GIFTS TO AND CONTRACTS WITH INSTITUTIONS OF HIGHER EDUCATION.

(a) AMENDMENTS TO DEFENSE PRODUCTION ACT OF 1950.—

(1) DEFINITION OF COVERED TRANSACTION.—Subsection (a)(4) of section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) any transaction described in subparagraph (B)(vi) proposed or pending after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.'';

(B) in subparagraph (B), by adding at the end the following:

''(vi) Any gift to an institution of higher education from a covered foreign person, or the entry into a contract by such an institution with a covered foreign person, if—

''(I)(aa) the value of the gift or contract equals or exceeds $1,000,000; or

''(bb) the institution receives, directly or indirectly, more than one gift from or enters into more than one contract, directly or indirectly, with the same covered foreign person for the same purpose the aggregate value of which, during the period of 2 consecutive calendar years, equals or exceeds $1,000,000; and

''(II) the gift or contract—

''(aa) relates to research, development, or production of critical technologies and provides the covered foreign person potential access to any material nonpublic technical information (as defined in subparagraph (D)(ii)) in the possession of the institution; or

''(bb) is a restricted or conditional gift or contract (as defined in section 117(h) of the Higher Education Act of 1965 (20 U.S.C. 1011f(h))) that establishes control.''; and

(C) by adding at the end the following:

''(G) FOREIGN GIFTS TO AND CONTRACTS WITH INSTITUTIONS OF HIGHER EDUCATION.—For purposes of subparagraph (B)(vi):

''(i) CONTRACT.—The term 'contract' means any agreement for the acquisition by purchase, lease, or barter of property or services by a foreign person, for the direct benefit or use of either of the parties.

''(ii) COVERED FOREIGN PERSON.—The term 'covered foreign person' means—

''(I) an individual who is a national of the People's Republic of China;

''(II) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China;

''(III) a governmental entity of the People's Republic of China; or

''(IV) the Chinese Communist Party or any of its affiliates.

''(iii) GIFT.—The term 'gift' means any gift of money or property.

''(iv) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' means any institution, public or private, or, if a multicampus institution, any single campus of such institution, in any State—

''(I) that is legally authorized within such State to provide a program of education beyond secondary school;

''(II) that provides a program for which the institution awards a bachelor's degree (or provides not less than a 2-year program which is acceptable for full credit toward such a degree) or a more advanced degree;

''(III) that is accredited by a nationally recognized accrediting agency or association; and

''(IV) to which the Federal Government extends Federal financial assistance (directly or indirectly through another entity or person), or that receives support from the extension of Federal financial assistance to any of the institution's subunits.''.

(2) MANDATORY DECLARATIONS.—Subsection (b)(1)(C)(v)(IV)(aa) of such section is amended by adding at the end the following: ''Such regulations shall require a declaration under this subclause with respect to a covered transaction described in subsection (a)(4)(B)(vi)(II)(aa).''.

(3) FACTORS TO BE CONSIDERED.—Subsection (f) of such section is amended—

(A) in paragraph (10), by striking ''; and'' and inserting a semicolon;

(B) by redesignating paragraph (11) as paragraph (12); and

(C) by inserting after paragraph (10) the following:

''(11) as appropriate, and particularly with respect to covered transactions described in subsection (a)(4)(B)(vi), the importance of academic freedom at institutions of higher education in the United States; and''.

(4) MEMBERSHIP OF CFIUS.—Subsection (k) of such section is amended—

(A) in paragraph (2)—

(i) by redesignating subparagraphs (H), (I), and (J) as subparagraphs (I), (J), and (K), respectively; and

(ii) by inserting after subparagraph (G) the following:

''(H) In the case of a covered transaction involving an institution of higher education (as defined in subsection (a)(4)(G)), the Secretary of Education.''; and

(B) by adding at the end the following:

''(8) INCLUSION OF OTHER AGENCIES ON COMMITTEE.—In considering including on the Committee under paragraph (2)(K) the heads of other executive departments, agencies, or offices, the President shall give due consideration to the heads of relevant research and science agencies, departments, and offices, including the Secretary of Health and Human Services, the Director of the National Institutes of Health, and the Director of the National Science Foundation.''.

(5) CONTENTS OF ANNUAL REPORT RELATING TO CRITICAL TECHNOLOGIES.—Subsection (m)(3) of such section is amended—

(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(D) an evaluation of whether there are foreign malign influence or espionage activities directed or directly assisted by foreign governments against institutions of higher education (as defined in subsection (a)(4)(G)) aimed at obtaining research and development methods or secrets related to critical technologies; and

''(E) an evaluation of, and recommendation for any changes to, reviews conducted under this section that relate to institutions of higher education, based on an analysis of disclosure reports submitted to the chairperson under section 117(a) of the Higher Education Act of 1965 (20 U.S.C. 1011f(a)).''.

(b) INCLUSION OF CFIUS IN REPORTING ON FOREIGN GIFTS UNDER HIGHER EDUCATION ACT OF 1965.—Section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f) is amended—

(1) in subsection (a), by inserting after ''the Secretary'' the following: ''and the Secretary of the Treasury (in the capacity of the Secretary as the chairperson of the Committee on Foreign Investment in the United States under section 721(k)(3) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)(3)))''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''with the Secretary'' and inserting ''with the Secretary and the Secretary of the Treasury''; and

(ii) by striking ''to the Secretary'' and inserting ''to each such Secretary''; and

(B) in paragraph (2), by striking ''with the Secretary'' and inserting ''with the Secretary and the Secretary of the Treasury''.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act, subject to the requirements of subsections (d) and (e); and

(2) apply with respect to any covered transaction the review or investigation of which is initiated under section 721 of the Defense Production Act of 1950 on or after the date that is 30 days after the publication in the Federal Register of the notice required under subsection (e)(2).

(d) REGULATIONS.—

(1) IN GENERAL.—The Committee on Foreign Investment in the United States (in this section referred to as the ''Committee''), which shall include the Secretary of Education for purposes of this subsection, shall prescribe regulations as necessary and appropriate to implement the amendments made by subsection (a).

(2) ELEMENTS.—The regulations prescribed under paragraph (1) shall include—

(A) regulations accounting for the burden on institutions of higher education likely to result from compliance with the amendments made by subsection (a), including structuring penalties and filing fees to reduce such burdens, shortening timelines for reviews and investigations, allowing for simplified and streamlined declaration and notice requirements, and implementing any procedures necessary to protect academic freedom; and

(B) guidance with respect to—

(i) which gifts and contracts described in described in clause (vi)(II)(aa) of subsection (a)(4)(B) of section 721 of the Defense Production Act of 1950, as added by subsection (a)(1), would be subject to filing mandatory declarations under subsection (b)(1)(C)(v)(IV) of that section; and

(ii) the meaning of ''control'', as defined in subsection (a) of that section, as that term applies to covered transactions described in clause (vi) of paragraph (4)(B) of that section, as added by subsection (a)(1).

(3) ISSUANCE OF FINAL RULE.—The Committee shall issue a final rule to carry out the amendments made by subsection (a) after assessing the findings of the pilot program required by subsection (e).

(e) PILOT PROGRAM.—

(1) IN GENERAL.—Beginning on the date that is 30 days after the publication in the Federal Register of the matter required by paragraph (2) and ending on the date that is 570 days thereafter, the Committee shall conduct a pilot program to assess methods for implementing the review of covered transactions described in clause (vi) of section 721(a)(4)(B) of the Defense Production Act of 1950, as added by subsection (a)(1).

(2) PROPOSED DETERMINATION.—Not later than 270 days after the date of the enactment of this Act, the Committee shall, in consultation with the Secretary of Education, publish in the Federal Register—

(A) a proposed determination of the scope of and procedures for the pilot program required by paragraph (1);

(B) an assessment of the burden on institutions of higher education likely to result from compliance with the pilot program;

(C) recommendations for addressing any such burdens, including shortening timelines for reviews and investigations, structuring penalties and filing fees, and simplifying and streamlining declaration and notice requirements to reduce such burdens; and

(D) any procedures necessary to ensure that the pilot program does not infringe upon academic freedom.

(3) REPORT ON FINDINGS.—Upon conclusion of the pilot program required by paragraph (1), the Committee shall submit to Congress a report on the findings of that pilot program that includes—

(A) a summary of the reviews conducted by the Committee under the pilot program and the outcome of such reviews;

(B) an assessment of any additional resources required by the Committee to carry out this section or the amendments made by subsection (a);

(C) findings regarding the additional burden on institutions of higher education likely to result from compliance with the amendments made by subsection (a) and any additional recommended steps to reduce those burdens; and

(D) any recommendations for Congress to consider regarding the scope or procedures described in this section or the amendments made by subsection (a).

SA 269. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2023

SEC. 6001. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2023''.

SEC. 6002. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 6003. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2024 through 2034''.

SEC. 6004. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including education-related stipends, college housing assistance, and other education-related assistance for low-income college students,'' after ''self-sufficiency and other services,''.

SEC. 6005. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 6006. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$10,000''.

SEC. 6007. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the

cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 6008. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 6009. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 6010. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 6011. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 6012. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 6013. AMENDMENTS FOR BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

Section 802(e) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4222(e)) is amended by—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of State law requiring competitive procurement, the Director may make subawards to subrecipients, except for for-profit entities, using amounts provided under this title to carry out affordable housing activities upon a determination by the Director that such subrecipients have adequate capacity to carry out activities in accordance with this Act.''.

SEC. 6014. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2024 through 2034.''.

SEC. 6015. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 6016. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS AND SPECIAL ACTIVITIES BY INDIAN TRIBES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITION.—In this subsection, the term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).

''(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An Indian tribe receiving a grant under paragraph (1) of section 106(a)(1) shall be authorized to directly carry out activities described in paragraph (15) of such section 106(a)(1).''.

SEC. 6017. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting before the period at the end the following: '', Indian tribes, and tribally designated housing entities'';

(2) in subparagraph (B), by inserting '', Indian tribes, and tribally designated housing entities'' after ''organizations)'';

(3) by redesignating subparagraph (F) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

''(F) DEFINITIONS.—In this paragraph, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

SEC. 6018. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) AUTHORITY.—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian Tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies, and to expand homeownership opportunities to Indian families, Indian housing authorities and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, Indian housing authority, or Indian Tribe on trust land and fee simple land.''; and

(2) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(iii) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(iv) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the term of the loan shall not exceed 40 years''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2034.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2024 through 2034''.

SEC. 6019. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting '', and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii'' after ''markets'';

(2) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)(B)—

(i) by redesignating clause (iv) as clause (v); and

(ii) by adding after clause (iii) the following:

''(iv) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B), the term of the loan shall not exceed 40 years''; and

(3) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2034.''.

SEC. 6020. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing communities funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents;

(8) sports programs and sports activities that serve primarily youths from housing communities funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those communities; and

(9) other programs for youth in school settings that address drug prevention and positive alternatives for youth, including education and activities related to science, technology, engineering, and math.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall publish on the website of the Department a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, as specified in the program requirements published in a notice by the Secretary, which may include—

(A) the use of on-site monitoring, independent public audit requirements, certification by Tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2);

(B) entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section; and

(C) adopting enforcement authority that is substantially similar to the authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2024 through 2034 to carry out this section.

SEC. 6021. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(E) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 6022. CONTINUUM OF CARE.

(a) DEFINITIONS.—In this section—

(1) the terms ''collaborative applicant'' and ''eligible entity'' have the meanings given those terms in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360); and

(2) the terms ''Indian tribe'' and ''tribally designated housing entity'' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(b) NONAPPLICATION OF CIVIL RIGHTS LAWS.—With respect to the funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' in the Department of Housing and Urban Development Appropriations Act, 2021 (Public Law 116–260) and under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications by or awards for projects to be carried out—

(1) on or off reservation or trust lands for awards made to Indian tribes or tribally designated housing entities; or

(2) on reservation or trust lands for awards made to eligible entities.

(c) CERTIFICATION.—With respect to funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a)—

(1) applications for projects to be carried out on reservations or trust land shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112), notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361);

(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land shall certify that they are following an approved housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112) and

(3) a collaborative applicant for a Continuum of Care whose geographic area includes only reservation and trust land is not required to meet the requirement in section 402(f)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360a(f)(2)).

SEC. 6023. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 270. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. EXTENSION OF TROOPS FOR TEACHERS PROGRAM TO THE JOB CORPS.

Section 1154 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).''; and

(B) in paragraph (3)—

(i) in subparagraph (B), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(D) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).'';

(2) in subsection (d)(4)(A)(ii), by inserting ''or Job Corps centers'' after ''secondary schools''; and

(3) in subsection (e)(2)(E), by inserting ''or Job Corps center'' after ''secondary school''.

SA 271. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. EXTENSION OF TROOPS FOR TEACHERS AND JROTC PROGRAMS TO THE JOB CORPS.

(a) TROOPS FOR TEACHERS PLACEMENTS.—Section 1154 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).''; and

(B) in paragraph (3)—

(i) in subparagraph (B), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(D) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).'';

(2) in subsection (d)(4)(A)(ii), by inserting ''or Job Corps centers'' after ''secondary schools''; and

(3) in subsection (e)(2)(E), by inserting ''or Job Corps center'' after ''secondary school''.

(b) JROTC PLACEMENTS.—Section 2031 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by inserting '', including Job Corps centers as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197),'' after ''secondary educational institutions''; and

(2) in subsection (b)(3), by inserting '', or is a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197)'' after ''military department concerned''.

SA 272. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. EXTENSION OF JROTC PROGRAM TO THE JOB CORPS.

Section 2031 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by inserting '', including Job Corps centers as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197),'' after ''secondary educational institutions''; and

(2) in subsection (b)(3), by inserting '', or is a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197)'' after ''military department concerned''.

SA 273. Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1237 and insert the following:

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

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

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

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

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

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

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

(A) increase its defense budget;

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

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

SA 274. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—Western Hemisphere Partnership Act of 2023

SEC. ___. SHORT TITLE.

This subtitle may be cited as the ''Western Hemisphere Partnership Act of 2023''.

SEC. ___. UNITED STATES POLICY IN THE WESTERN HEMISPHERE.

It is the policy of the United States to promote economic competitiveness, democratic governance, and security in the Western Hemisphere by—

(1) encouraging stronger economic relations, respect for property rights, the rule of law, and enforceable investment rules and labor and environmental standards;

(2) advancing the principles and practices expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, and the Inter-American Democratic Charter; and

(3) enhancing the capacity and technical capabilities of democratic partner nation government institutions, including civilian law enforcement, the judiciary, attorneys general, and security forces.

SEC. ___. PROMOTING SECURITY AND THE RULE OF LAW IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should strengthen security cooperation with democratic partner nations in the Western Hemisphere to promote a secure hemisphere and to address the negative impacts of transnational criminal organizations and malign external state actors.

(b) COLLABORATIVE EFFORTS.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should support the improvement of security conditions and the rule of law in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) enhance the institutional capacity and technical capabilities of defense and security institutions in democratic partner nations to conduct national or regional security missions, including through regular bilateral and multilateral engagements, foreign military sales and financing, international military education and training programs, expanding the National Guard State Partnership Programs, and other means;

(2) provide technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to relevant security forces to disrupt, degrade, and dismantle organizations involved in the illicit trafficking of narcotics and precursor chemicals, transnational criminal activities, illicit mining, and illegal, unreported, and unregulated fishing, and other illicit activities;

(3) enhance the institutional capacity, legitimacy, and technical capabilities of relevant civilian law enforcement, attorneys general, and judicial institutions to—

(A) strengthen the rule of law and transparent governance;

(B) combat corruption and kleptocracy in the region; and

(C) improve regional cooperation to disrupt, degrade, and dismantle transnational organized criminal networks and terrorist organizations, including through training, anticorruption initiatives, anti-money laundering programs, and strengthening cyber capabilities and resources;

(4) enhance port management and maritime security partnerships and airport management and aviation security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services;

(5) strengthen cooperation to improve border security across the Western Hemisphere, dismantle human smuggling and trafficking networks, and increase cooperation to demonstrably strengthen migration management systems;

(6) counter the malign influence of state and non-state actors and disinformation campaigns;

(7) disrupt illicit domestic and transnational financial networks;

(8) foster mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) supporting regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated needs and possible resources;

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences;

(C) making available, preparing, and transferring on-hand nonlethal supplies, and providing training on the use of such supplies, for humanitarian or health purposes to respond to unforeseen emergencies; and

(D) conducting medical support operations and medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation;

(9) foster regional mechanisms for early warning and response to pandemics in the Western Hemisphere, including through—

(A) improved cooperation with and research by the United States Centers for Disease Control and Prevention through regional pandemic response centers;

(B) personnel exchanges for technology transfer and skills development; and

(C) surveying and mapping of health networks to build local health capacity;

(10) promote the meaningful participation of women across all political processes, including conflict prevention and conflict resolution and post-conflict relief and recovery efforts; and

(11) hold accountable actors that violate political and civil rights.

(c) LIMITATIONS ON USE OF TECHNOLOGIES.—Operational technologies transferred pursuant to subsection (b) to partner governments for intelligence, defense, or law enforcement purposes shall be used solely for the purposes for which the technology was intended. The United States shall take all necessary steps to ensure that the use of such operational technologies is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a 5-year strategy to promote security and the rule of law in the Western Hemisphere in accordance to this section.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include the following elements:

(A) A detailed assessment of the resources required to carry out such collaborative efforts.

(B) Annual benchmarks to track progress and obstacles in undertaking such collaborative efforts.

(C) A public diplomacy component to engage the people of the Western Hemisphere with the purpose of demonstrating that the security of their countries is enhanced to a greater extent through alignment with the United States and democratic values rather than with authoritarian countries such as the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran.

(3) BRIEFING.—Not later than 1 year after submission of the strategy required under paragraph (1), and annually thereafter, the Secretary of State shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a briefing on the implementation of the strategy.

SEC. ___. PROMOTING DIGITALIZATION AND CYBERSECURITY IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support digitalization and expand cybersecurity cooperation in the Western Hemisphere to promote regional economic prosperity and security.

(b) PROMOTION OF DIGITALIZATION AND CYBERSECURITY.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should promote digitalization and cybersecurity in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) promote digital connectivity and facilitate e-commerce by expanding access to information and communications technology (ICT) supply chains that adhere to high-quality security and reliability standards, including—

(A) to open market access on a national treatment, nondiscriminatory basis; and

(B) to strengthen the cybersecurity and cyber resilience of partner countries;

(2) advance the provision of digital government services (e-government) that, to the greatest extent possible, promote transparency, lower business costs, and expand citizens' access to public services and public information; and

(3) develop robust cybersecurity partnerships to—

(A) promote the inclusion of components and architectures in information and communications technology (ICT) supply chains from participants in initiatives that adhere to high-quality security and reliability standards;

(B) share best practices to mitigate cyber threats to critical infrastructure from ICT architectures by technology providers that supply equipment and services covered under section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601);

(C) effectively respond to cybersecurity threats, including state-sponsored threats; and

(D) to strengthen resilience against cyberattacks and cybercrime.

SEC. ___. PROMOTING ECONOMIC AND COMMERCIAL PARTNERSHIPS IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should enhance economic and commercial ties with democratic partners to promote prosperity in the Western Hemisphere by modernizing and strengthening trade capacity-building and trade facilitation initiatives, encouraging market-based economic reforms that enable inclusive economic growth, strengthening labor and environmental standards, addressing economic disparities of women, and encouraging transparency and adherence to the rule of law in investment dealings.

(b) IN GENERAL.—The Secretary of State, in coordination with the United States Trade Representative, the Chief Executive Officer of the Development Finance Corporation, and the heads of other relevant Federal agencies, should support the improvement of economic conditions in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) facilitate a more open, transparent, and competitive environment for United States

businesses and promote robust and comprehensive trade capacity-building and trade facilitation by—

(A) reducing trade and nontariff barriers between the countries in the region, establishing a mechanism for pursuing Mutual Recognition Agreements and Formalized Regulatory Cooperation Agreements in priority sectors of the economy;

(B) establishing a forum for discussing and evaluating technical and other assistance needs to help establish streamlined ''single window'' processes to facilitate movement of goods and common customs arrangements and procedures to lower costs of goods in transit and speed to destination;

(C) building relationships and exchanges between relevant regulatory bodies in the United States and democratic partners in the Western Hemisphere to promote best practices and transparency in rulemaking, implementation, and enforcement, and provide training and assistance to help improve supply chain management in the Western Hemisphere;

(D) establishing regional fora for identifying, raising, and addressing supply chain management issues, including infrastructure needs and strengthening of investment rules and regulatory frameworks;

(E) establishing a dedicated program of trade missions and reverse trade missions to increase commercial contacts and ties between the United States and Western Hemisphere partner countries; and

(F) strengthening labor and environmental standards in the region;

(2) establish frameworks or mechanisms to review and address the long-term financial sustainability and national security implications of foreign investments in strategic sectors or services;

(3) establish competitive and transparent infrastructure project selection and procurement processes that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms; and

(4) advance robust and comprehensive energy production and integration, including through a more open, transparent, and competitive environment for United States companies competing in the Western Hemisphere, including by—

(A) facilitating further development of integrated regional energy markets;

(B) improving management of grids, including technical capability to ensure the functionality, safe and responsible management, and quality of service of electricity providers, carriers, and management and distribution systems;

(C) facilitating private sector-led development of reliable and affordable power generation capacity;

(D) establishing a process for surveying grid capacity and management focused on identifying electricity service efficiencies and establishing cooperative mechanisms for providing technical assistance for—

(i) grid management, power pricing, and tariff issues;

(ii) establishing and maintaining appropriate regulatory best practices; and

(iii) proposals to establish regional power grids for the purpose of promoting the sale of excess supply to consumers across borders;

(E) assessing the viability and effectiveness of decentralizing power production and transmission and building micro-grid power networks to improve, when feasible, access to electricity, particularly in rural and underserved communities where centralized power grid connections may not be feasible in the short to medium term; and

(F) exploring opportunities to partner with the private sector and multilateral institutions, such as the World Bank and the Inter-American Development Bank, to promote universal access to reliable and affordable electricity in the Western Hemisphere.

SEC. ___. PROMOTING TRANSPARENCY AND DEMOCRATIC GOVERNANCE IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support efforts to strengthen the capacity and legitimacy of democratic institutions and inclusive processes in the Western Hemisphere to promote a more transparent, democratic, and prosperous region.

(b) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and heads of other relevant Federal agencies, should support transparent, accountable, and democratic governance in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) strengthen the capacity of national electoral institutions to ensure free, fair, and transparent electoral processes, including through pre-election assessment missions, technical assistance, and independent local and international election monitoring and observation missions;

(2) enhance the capabilities of democratically elected national legislatures, parliamentary bodies, and autonomous regulatory institutions to conduct oversight;

(3) strengthen the capacity of subnational government institutions to govern in a transparent, accountable, and democratic manner, including through training and technical assistance;

(4) combat corruption at local and national levels, including through trainings, cooperation agreements, initiatives aimed at dismantling corrupt networks, and political support for bilateral or multilateral anticorruption mechanisms that strengthen attorneys general and prosecutors' offices;

(5) strengthen the capacity of civil society to conduct oversight of government institutions, build the capacity of independent professional journalism, facilitate substantive dialogue with government and the private sector to generate issue-based policies, and mobilize local resources to carry out such activities;

(6) promote the meaningful and significant participation of women in democratic processes, including in national and subnational government and civil society; and

(7) support the creation of procedures for the Organization of American States (OAS) to create an annual forum for democratically elected national legislatures from OAS member States to discuss issues of hemispheric importance, as expressed in section 4 of the Organization of American States Legislative Engagement Act of 2020 (Public Law 116–343).

SEC. ___. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRICA AND LATIN AMERICA AND THE CARIBBEAN.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa and Latin America and the Caribbean.

(2) FOCUS OF STRATEGY.—The strategy required by paragraph (1) shall focus on increasing exports of United States goods and services to Africa and Latin America and the Caribbean by 200 percent in real dollar value by the date that is 10 years after the date of the enactment of this Act.

(3) CONSULTATIONS.—In developing the strategy required by paragraph (1), the President shall consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(D) each agency that participates in the Trade Policy Staff Committee established;

(E) the President's Export Council;

(F) each of the development agencies;

(G) any other Federal agencies with responsibility for export promotion or financing and development; and

(H) the private sector, including businesses, nongovernmental organizations, and African and Latin American and Caribbean diaspora groups.

(4) SUBMISSION TO CONGRESS.—

(A) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(B) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by paragraph (1).

(b) SPECIAL AFRICA AND LATIN AMERICA AND THE CARIBBEAN EXPORT STRATEGY COORDINATORS.—The President shall designate an individual to serve as Special Africa Export Strategy Coordinator and an individual to serve as Special Latin America and the Caribbean Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by subsection (a); and

(2) to coordinate developing and implementing the strategy with—

(A) the Trade Promotion Coordinating Committee;

(B) the Assistant United States Trade Representative for African Affairs or the Assistant United States Trade Representative for the Western Hemisphere, as appropriate;

(C) the Assistant Secretary of State for African Affairs or the Assistant Secretary of State for Western Hemisphere Affairs, as appropriate;

(D) the Export-Import Bank of the United States;

(E) the United States International Development Finance Corporation; and

(F) the development agencies.

(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It is the sense of Congress that, not later than one year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct joint trade missions to Africa and to Latin America and the Caribbean.

(d) TRAINING.—The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than one year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

(e) DEFINITIONS.—In this section:

(1) DEVELOPMENT AGENCIES.—The term ''development agencies'' means the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(2) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(3) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations.

(4) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(5) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SEC. ___. SENSE OF CONGRESS ON PRIORITIZING NOMINATION AND CONFIRMATION OF QUALIFIED AMBASSADORS.

It is the sense of Congress that it is critically important that both the President and the Senate play their respective roles to nominate and confirm qualified ambassadors as quickly as possible, especially for countries in the Western Hemisphere.

SEC. ___. WESTERN HEMISPHERE DEFINED.

In this subtitle, the term ''Western Hemisphere'' does not include Cuba, Nicaragua, or Venezuela.

SEC. ___. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts by the Maduro regime of Venezuela to detain United States citizens and lawful permanent residents.

(b) ELEMENTS.—The report required by subsection (a) shall include, regarding the arrest, capture, detainment, and imprisonment of United States citizens and lawful permanent residents—

(1) the names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities;

(2) a description of any role played by transnational criminal organizations, and an identification of such organizations; and

(3) where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex, which shall include a list of the total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

SA 275. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. IMPOSITION OF SANCTIONS WITH RESPECT TO MILITARY AND INTELLIGENCE FACILITIES OF THE PEOPLE'S REPUBLIC OF CHINA IN CUBA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person that the President determines engages in or has engaged in a significant transaction or transactions, or any dealings with, or has provided material support to or for a military or intelligence facility of the People's Republic of China in Cuba.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) LICENSING PROHIBITION.—Notwithstanding any other provision of law, no license may be issued to the foreign person for any transaction described in section 515.559 of title 31, Code of Federal Regulations, or part 740 or 746 of title 15, Code of Federal Regulations, as that section and those parts were in effect on June 14, 2023.

(2) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(3) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an alien, denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President shall exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(2) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) EXCEPTIONS.—

(1) IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (b)(3) shall not apply to an alien if admitting 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.

(e) TERMINATION OF SANCTIONS.—Notwithstanding any other provision of law, this section shall terminate on the date that is 30 days after the date on which the President determines and certifies to the appropriate congressional committees (and Congress has not enacted legislation disapproving the determination within that 30-day period) that Cuba has closed and dismantled all military or intelligence facilities of the People's Republic of China in Cuba.

(f) DEFINITIONS.—In this section:

(1) ALIEN.—The term ''alien'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' includes—

(A) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) PERSON.—The term ''person'' means an individual or entity.

(5) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. 1299M. REPORT ON ASSISTANCE BY THE PEOPLE'S REPUBLIC OF CHINA FOR THE CUBAN GOVERNMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report describing—

(1) the military and intelligence activities of the Government of the People's Republic of China in Cuba, including any military or intelligence facilities used by that government in Cuba;

(2) the purposes for which the Government of the People's Republic of China conducts those activities and uses those facilities in Cuba;

(3) the extent to which the Government of the People's Republic of China provides payment or government credits to the Cuban Government for the continued use of those facilities in Cuba; and

(4) any progress toward the verifiable termination of access by the Government of the People's Republic of China to those facilities and withdrawal of personnel, including advisers, technicians, and military personnel, from those facilities.

(b) DEFINITIONS.—In this section:

(1) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF CUBA.—The term ''agency or instrumentality of the Government of Cuba'' means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in that section to ''a foreign state'' deemed to be a reference to ''Cuba''.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' includes—

(A) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) CUBAN GOVERNMENT.—The term ''Cuban Government'' includes the government of any political subdivision of Cuba and any agency or instrumentality of the Government of Cuba.

SA 276. Mr. MORAN (for himself and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

''(16) Except as provided by subsection (g), a hearing aid, but only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries, and only for the following dependents:

''(A) A dependent of a member of the uniformed services on active duty.

''(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who—

''(i) is entitled to retired or retainer pay, or equivalent pay; and

''(ii) is enrolled in family coverage under TRICARE Prime.''.

SA 277. Mr. MORAN (for himself, Mr. CARDIN, Mr. SCOTT of Florida, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 727. GRANT PROGRAM FOR INCREASED COOPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore scientific collaboration between academic institutions and nonprofit research entities in the United States and institutions in Israel with expertise in researching, diagnosing, and treating posttraumatic stress disorder.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders.

(2) AGREEMENT.—The Secretary of Defense shall carry out the grant program under this section in accordance with the Agreement on the United States-Israel binational science foundation with exchange of letters, signed at New York September 27, 1972, and entered into force on September 27, 1972.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be an academic institution or a nonprofit entity located in the United States.

(d) AWARD.—The Secretary shall award grants under this section to eligible entities that—

(1) carry out a research project that—

(A) addresses a requirement in the area of post-traumatic stress disorders that the Secretary determines appropriate to research using such grant; and

(B) is conducted by the eligible entity and an entity in Israel under a joint research agreement; and

(2) meet such other criteria that the Secretary may establish.

(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(f) GIFT AUTHORITY.—

(1) IN GENERAL.—The Secretary may accept, hold, and administer any gift of money made on the condition that the gift be used for the purpose of the grant program under this section.

(2) DEPOSIT.—Gifts of money accepted under paragraph (1) shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(g) REPORTS.—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—

(1) a description of how the eligible entity used the grant; and

(2) an evaluation of the level of success of the research project.

(h) TERMINATION.—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SA 278. Mr. DURBIN (for himself, Mrs. SHAHEEN, Mr. BOOZMAN, Mr. COONS, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRICA AND LATIN AMERICA AND THE CARIBBEAN.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa and Latin America and the Caribbean.

(2) FOCUS OF STRATEGY.—The strategy required by paragraph (1) shall focus on increasing exports of United States goods and services to Africa and Latin America and the Caribbean by 200 percent in real dollar value by the date that is 10 years after the date of the enactment of this Act.

(3) CONSULTATIONS.—In developing the strategy required by paragraph (1), the President shall consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(D) each agency that participates in the Trade Policy Staff Committee established;

(E) the President's Export Council;

(F) each of the development agencies;

(G) any other Federal agencies with responsibility for export promotion or financing and development; and

(H) the private sector, including businesses, nongovernmental organizations, and African and Latin American and Caribbean diaspora groups.

(4) SUBMISSION TO CONGRESS.—

(A) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(B) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by paragraph (1).

(b) SPECIAL AFRICA AND LATIN AMERICA AND THE CARIBBEAN EXPORT STRATEGY COORDINATORS.—The President shall designate an individual to serve as Special Africa Export Strategy Coordinator and an individual to serve as Special Latin America and the Caribbean Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by subsection (a); and

(2) to coordinate developing and implementing the strategy with—

(A) the Trade Promotion Coordinating Committee;

(B) the Assistant United States Trade Representative for African Affairs or the Assistant United States Trade Representative for the Western Hemisphere, as appropriate;

(C) the Assistant Secretary of State for African Affairs or the Assistant Secretary of State for Western Hemisphere Affairs, as appropriate;

(D) the Export-Import Bank of the United States;

(E) the United States International Development Finance Corporation; and

(F) the development agencies.

(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It is the sense of Congress that, not later than one year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct joint trade missions to Africa and to Latin America and the Caribbean.

(d) TRAINING.—The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than one year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

(e) DEFINITIONS.—In this section:

(1) DEVELOPMENT AGENCIES.—The term ''development agencies'' means the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(2) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(3) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations.

(4) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(5) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SA 279. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Know Your App Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Know Your App Act''.

SEC. 1092. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Minors engaging with internet-linked applications face heightened susceptibility to privacy risks and potential exploitation through those applications. It is crucial for parents and guardians to possess comprehensive knowledge about the applications being accessed so that they can make informed decisions to protect their children.

(2) Many users are unaware of the country of origin of the applications they download and use, as well as the data handling practices of the developers behind those applications. This lack of transparency can lead to potential risks for users, including exposure to foreign government surveillance, data breaches, and privacy violations. Users have a right to know baseline information on the country of origin so that they can personally make decisions to mitigate the threat to their personal and biometric information.

(3) The potential for foreign governments to access user data through internet-linked applications presents national security risks. These risks may include the collection of sensitive information, espionage, and potential influence over critical infrastructure.

(4) Increasing transparency and providing users with the necessary information to make informed decisions about the applications they download can help protect consumer privacy and security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that covered companies and developers already posses the information necessary to provide adequate transparency to consumers.

SEC. 1093. PUBLIC LISTING OF COUNTRY OF ORIGIN OF APPLICATIONS.

(a) DEFINITIONS.—In this section:

(1) APPLICATION.—The term ''application'' means a software application or electronic service that may be run or directed by a user on a computer, a mobile device, or any other general purpose computing device.

(2) APPLICATION STORE.—The term ''application store'' means a publicly available website, software application, electronic service, or platform provided by a device manufacturer that—

(A) distributes applications from third-party developers to users of a computer, a mobile device, or any other general purpose computing device; and

(B) has more than 20,000,000 users in the United States.

(3) APPLICATION STORE PAGE.—The term ''application store page'' means the individual, dedicated listing page within an application store that serves as the primary source of information on a specific application and provides detailed information about the application, including the name of the application, the developer, a description, user ratings and reviews, screenshots or previews, pricing, and system requirements.

(4) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information.

(5) BENEFICIAL OWNER.—The term ''beneficial owner'' —

(A) means, with respect to a developer of an application, an individual who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

(i) exercises substantial control over the developer; or

(ii) owns or controls not less than 25 percent of the ownership interests of the developer; and

(B) does not include—

(i) a minor child, as defined in the State in which the entity is formed, if the information of the parent or guardian of the minor child is reported in accordance with this section;

(ii) an individual acting as a nominee, intermediary, custodian, or agent on behalf of another individual;

(iii) an individual acting solely as an employee of a corporation, limited liability company, or other similar entity and whose control over or economic benefits from such entity is derived solely from the employment status of the individual;

(iv) an individual whose only interest in a corporation, limited liability company, or other similar entity is through a right of inheritance; or

(v) a creditor of a corporation, limited liability company, or other similar entity, unless the creditor meets the requirements of subparagraph (A).

(6) COUNTRY OF CONCERN.—The term ''country of concern'' means a country that is on the list described in section 1094.

(7) COUNTRY OF ORIGIN.—The term ''country of origin''—

(A) with respect to the developer of an application, means the country in which the developer is headquartered or principally operates; and

(B) with respect to the beneficial owner of the developer of an application—

(i) except as provided in clause (ii), means the country from which the beneficial owner principally exercises control over the developer; and

(ii) if the beneficial owner exercises any control over the developer from a country of concern, means that country.

(8) COVERED COMPANY.—The term ''covered company'' means any person, entity, or organization that owns, controls, or operates an application store that serves customers in the United States.

(9) DEVELOPER.—The term ''developer'' means a person that creates, owns, or controls an application and is responsible for the design, development, maintenance, and distribution of the application to end users through an application store.

(10) PRIMARY COUNTRY OF ORIGIN.—The term ''primary country of origin'', with respect to an application—

(A) except as provided in subparagraph (B), means the country of origin of the developer of the application; and

(B) if the country of origin of the beneficial owner of the developer of the application is a country of concern, means that country.

(11) PROMINENT DISPLAY.—The term ''prominent display'', with respect to an application store page, means a banner that is immediately and clearly visible when the application store page is accessed.

(b) REQUIREMENTS.—

(1) PUBLIC LISTING.—The Assistant Secretary shall require a covered company to publicly list, in a prominent display on the application store page, the primary country of origin of each application distributed through an application store owned, controlled, or operated by the covered company.

(2) PROTECTIONS REGARDING CERTAIN FOREIGN COUNTRIES.—

(A) FILTER FOR CERTAIN APPLICATIONS.—The Assistant Secretary shall require a covered company to provide users of the covered company's application store with the option to filter out applications whose primary country of origin is a country of concern.

(B) DISCLAIMER FOR CERTAIN APPLICATIONS.—The Assistant Secretary shall require that if the primary country of origin of an application is a country of concern, a covered company that distributes the application through an application store shall provide a disclaimer, in a prominent display on the application store page, that data from the application could be accessed by a foreign government.

(3) UPDATE OF INFORMATION.—

(A) IN GENERAL.—The Assistant Secretary shall require a developer to notify a covered company whose application store distributes the developer's application of any change in—

(i) the country of origin of the developer;

(ii) the beneficial owner of the developer; or

(iii) the country of origin of the beneficial owner of the developer.

(B) DEVELOPER CERTIFICATION.—

(i) IN GENERAL.—The Assistant Secretary shall require a developer to certify to each covered company that owns, controls, or operates an application store through which the developer's application is distributed, not less frequently than annually, that the information displayed on the application

store page with respect to the application, including primary country of origin and beneficial ownership, is up-to-date.

(ii) VIOLATIONS.—If a developer violates clause (i)—

(I) the covered company shall issue the developer a series of not fewer than 3 warnings over a period of not more than 90 days; and

(II) if the developer does not correct the violation by the date that is 90 days after the date on which the first warning is issued under subclause (I), the covered company shall remove the application of the developer from the application store.

(4) REPORTING MECHANISM.—The Assistant Secretary shall require a covered company to establish a mechanism that—

(A) allows a user of the covered company's application store, an employee of a developer whose application is distributed through the covered company's application store, or an associated third party to report a potential violation of this subsection by a developer, including incorrect information displayed on the application store page; and

(B) allows a report under subparagraph (A) to be made anonymously.

(5) WRITTEN POLICY FOR APPEALS OF REMOVALS.—The Assistant Secretary shall require a covered company to establish, for any application store owned, controlled, or operated by the covered company, a clear written policy for how a developer can appeal the removal of an application from the application store and have the application be reinstated.

SEC. 1094. LIST OF FOREIGN COUNTRIES WITH NATIONAL LAWS RESULTING IN GOVERNMENT CONTROL OVER APPLICATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary of the Treasury and the Secretary of Commerce shall jointly develop and submit to Congress a list of each foreign country that has in effect a national law that may subject a developer or application to control by the government of the country over content moderation, algorithm design, or user data transfers.

(b) PUBLICATION.—With respect to the list developed under subsection (a)—

(1) the Secretary of the Treasury shall make the list publicly available on the website of the Department of the Treasury; and

(2) the Secretary of Commerce shall make the list publicly available on the website of the Department of Commerce.

SEC. 1095. LIMITATION OF ENFORCEMENT AND REGULATION.

The Assistant Secretary of Commerce for Communications and Information may not exercise any enforcement authority or regulatory authority over a covered company or developer that is not provided under this subtitle, including through rulemaking.

SEC. 1096. ENFORCEMENT.

The Attorney General may bring a civil action in an appropriate district court of the United States against any covered company that violates this subtitle.

SA 280. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM ON USE OF ALTERNATIVE CREDIT SCORING INFORMATION OR CREDIT SCORING MODELS.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence carrying out a pilot program that will assess the feasibility and advisability of—

(A) using alternative credit scoring information or credit scoring models using alternative credit scoring methodology for an individual described in paragraph (2)—

(i) to improve the determination of creditworthiness of such an individual; and

(ii) to increase the number of such individuals who are able to obtain a loan guaranteed or insured under chapter 37 of title 38, United States Code; and

(B) in consultation with such entities as the Secretary considers appropriate, establishing criteria for acceptable commercially available credit scoring models to be used by lenders for the purpose of guaranteeing or insuring a loan under chapter 37 of title 38, United State Code.

(2) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is a veteran or a member of the Armed Forces who—

(A) is eligible for a loan under chapter 37 of title 38, United States Code; and

(B) has an insufficient credit history for a lender or the Secretary to determine the creditworthiness of the individual.

(3) ALTERNATIVE CREDIT SCORING INFORMATION.—Alternative credit scoring information described in paragraph (1)(A) may include proof of rent, utility, and insurance payment histories, and such other information as the Secretary considers appropriate.

(b) VOLUNTARY PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall ensure that any participation in the pilot program is voluntary on an opt-in basis for a lender, a borrower, and an individual described in subsection (a)(2).

(2) NOTICE OF PARTICIPATION.—Subject to paragraph (3), any lender who participates in the pilot program shall—

(A) notify each individual described in subsection (a)(2) who, during the pilot program, applies for a loan under chapter 37 of title 38, United States Code, from such lender, of the lender's participation in the pilot program; and

(B) offer such individual the opportunity to participate in the pilot program.

(3) LIMITATION.—

(A) IN GENERAL.—The Secretary may establish a limitation on the number of individuals and lenders that may participate in the pilot program.

(B) REPORT.—If the Secretary limits participation in the pilot program under subparagraph (A), the Secretary shall, not later than 15 days after establishing such limitation, submit to Congress a report setting forth the reasons for establishing such limitation.

(c) APPROVAL OF CREDIT SCORING MODELS.—

(1) IN GENERAL.—A lender participating in the pilot program may not use a credit scoring model under subsection (a)(1)(A) until the Secretary has reviewed and approved such credit scoring model for purposes of the pilot program.

(2) PUBLICATION OF CRITERIA.—The Secretary shall publish in the Federal Register any criteria established under subsection (a)(1)(B) for acceptable commercially available credit scoring models that use alternative credit scoring information described in subsection (a)(1)(A) to be used for purposes of the pilot program.

(3) CONSIDERATIONS; APPROVAL OF CERTAIN MODELS.—In selecting credit scoring models to approve under this section, the Secretary shall —

(A) consider the criteria for credit score assessments under section 1254.7 of title 12, Code of Federal Regulations; and

(B) approve any commercially available credit scoring model that has been approved pursuant to section 302(b)(7) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(7)) or section 305(d) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454)(d)).

(d) OUTREACH.—To the extent practicable, the Secretary shall conduct outreach to lenders and individuals described in subsection (a)(2) to inform such persons of the pilot program.

(e) REPORT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the pilot program.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) The findings of the Secretary with respect to the feasibility and advisability of using alternative credit scoring information or credit scoring models using alternative credit scoring methodology for individuals described in subsection (a)(2).

(B) A description of the efforts of the Secretary to assess the feasibility and advisability of using alternative credit scoring information or credit scoring models as described in subparagraph (A).

(C) To the extent practicable, the following:

(i) The rate of participation in the pilot program.

(ii) An assessment of whether participants in the pilot program benefitted from such participation.

(D) An assessment of the effect of the pilot program on the subsidy rate for loans guaranteed or insured by the Secretary under chapter 37 of title 38, United States Code.

(E) Such other information as the Secretary considers appropriate.

(f) TERMINATION.—

(1) IN GENERAL.—The Secretary shall complete the pilot program required by subsection (a)(1) not later than September 30, 2027.

(2) EFFECT ON LOANS AND APPLICATIONS.—The termination of the pilot program under paragraph (1) shall not affect a loan guaranteed, or for which loan applications have been received by a participating lender, on or before the date of the completion of the pilot program.

(g) INSUFFICIENT CREDIT HISTORY DEFINED.—In this section, the term ''insufficient credit history'', with respect to an individual described in subsection (a)(2), means that the individual does not have a credit record with one of the national credit reporting agencies or such credit record contains insufficient credit information to assess creditworthiness.

SA 281. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12____. REPEAL OF SUNSET OF IRAN SANCTIONS ACT OF 1996.

(a) FINDINGS.—Congress makes the following findings:

(1) The Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) requires the imposition of sanctions with respect to Iran's illicit weapons programs, conventional weapons and ballistic missile development, and support for terrorism, including Iran's Revolutionary Guards Corps.

(2) The Government of Iran has acquired destabilizing conventional weapons systems from the Russian Federation and other malign actors, and is funneling weapons and financial support to its terrorist proxies throughout the Middle East, threatening allies and partners of the United States, such as Israel.

(b) STATEMENT OF POLICY.—It is the policy of the United States to fully implement and enforce the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(c) REPEAL OF SUNSET.—Section 13 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) in the section heading, by striking ''**; SUNSET**'';

(2) by striking ''(a) EFFECTIVE DATE.—''; and

(3) by striking subsection (b).

AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Madam President, I have 11 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, July 12, 2023, at 9:30 a.m., to conduct a hearing on a nomination.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet in executive session during the session of the Senate on Wednesday, July 12, 2023, at 2 p.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet in executive session during the session of the Senate on Wednesday, July 12, 2023, at 10 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Wednesday, July 12, 2023, at 5:30 p.m.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 12, 2023, 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 12, 2023, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, July 12, 2023, at 3 p.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 12, 2023, 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 12, 2023, at 2:30 p.m., to conduct an open nomination hearing.

SUBCOMMITTEE ON ECONOMIC POLICY

The Subcommittee on Economic Policy of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, July 12, 2023, at 2:30 p.m., to conduct a hybrid hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, July 12, 2023, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Madam President, I ask unanimous consent that privileges of the floor be granted to Luz Carmen Dominguez DeJesus during the balance of today's session.

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

Ms. LUMMIS. Madam President, I ask unanimous consent that the following interns in my office be granted floor privileges until July 13, 2023: Michael Newman, Jennifer Campos, and Ianna Harrison.

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

Mr. MURPHY. Madam President, I ask unanimous consent that privileges for the floor be granted to the following members of my staff through the end of July: Eleanor Schmutz, Clara Adams, Caroline Shinney, Nicholas Benvenuto, Stephanie Crocker, Bennett Gilhuly, Alex Page, Ritwik Bose, Elena Brennan, Nader Granmayeh, Hugh Cecil, Liv Birnstad, and Evan Maher.

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

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 291, S. Res. 292, and S. Res. 293.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. WHITEHOUSE. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JULY 13, 2023

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Thursday, July 13; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Kotagal 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.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Thursday, July 13, 2023, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 12, 2023:

THE JUDICIARY

TIFFANY M. CARTWRIGHT, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON.

MYONG J. JOUN, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.