

(2) INFLATION ADJUSTMENT.—For each fiscal year described in paragraph (1), the amount authorized to be appropriated for such fiscal year shall be increased by the percentage by which—

(A) the Consumer Price Index for the previous fiscal year, exceeds

(B) the Consumer Price Index for the fiscal year preceding the fiscal year described in subparagraph (A).

(3) DEFINITION.—In this subsection, the term “Consumer Price Index” means the Consumer Price Index for All Urban Consumers (all items, United States city average), published by the Bureau of Labor Statistics of the Department of Labor.

#### SEC. 4. ORGANIZATION OF UTAH DISTRICT COURTS.

Section 125(2) of title 28, United States Code, is amended by striking “and St. George” and inserting “St. George, Moab, and Monticello”.

#### SEC. 5. ORGANIZATION OF TEXAS DISTRICT COURTS.

Section 124(b)(2) of title 28, United States Code, is amended, in the matter preceding paragraph (3), by inserting “and College Station” before the period at the end.

#### SEC. 6. ORGANIZATION OF CALIFORNIA DISTRICT COURTS.

Section 84(d) of title 28, United States Code, is amended by inserting “and El Centro” after “at San Diego”.

#### SEC. 7. GAO REPORTS.

(a) JUDICIAL CASELOADS.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives and make publicly available reports—

(1) evaluating—

(A) the accuracy and objectiveness of case-related workload measures and methodologies used by the Administrative Office of the United States Courts for district courts of the United States and courts of appeals of the United States;

(B) the impact of non-case-related activities of judges of the district courts of the United States and courts of appeals of the United States on judicial caseloads; and

(C) the effectiveness and efficiency of the policies of the Administrative Office of the United States Courts regarding senior judges; and

(2) providing any recommendations of the Comptroller General with respect to the matters described in paragraph (1).

(b) DETENTION SPACE.—The Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on an assessment of—

(1) a determination of the needs of Federal agencies for detention space;

(2) efforts by Federal agencies to acquire detention space; and

(3) any challenges in determining and acquiring detention space.

#### SEC. 8. PUBLIC ACCESSIBILITY OF THE ARTICLE III JUDGESHIP RECOMMENDATIONS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES REPORT.

(a) IN GENERAL.—The Administrative Office of the United States Courts, in consultation with the Judicial Conference of the United States, shall make publicly available on their website, free of charge, the biennial report entitled “Article III Judgeship Recommendations of the Judicial Conference of the United States”.

(b) CONTENTS.—The report described in subsection (a) should be released not less frequently than biennially and contain the summaries and all related appendixes sup-

porting the judgeship recommendations of the Judicial Conference of the United States, including—

(1) the process used by the Judicial Conference in developing the recommendations;

(2) any caseload and methodology changes;

(3) judgeship surveys with recommendations; and

(4) specific information about each court for which the Judicial Conference recommends additional judgeships.

(c) SUBMISSION TO CONGRESS.—The Administrative Office of the United States Courts shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives copies of the report described in subsection (a).

**SA 3265.** Mr. CRUZ (for himself and Mr. KELLY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. \_\_\_\_ . SEMICONDUCTOR PROGRAM.

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following:

“(h) AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this subsection as ‘NEPA’) or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

“(A) the activity described in the application for that project has commenced not later than December 31, 2024;

“(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

“(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

“(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.”; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

“(c) LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.—

“(1) DEFINITION.—In this subsection, the term ‘lead agency’ has the meaning given the term in section 111 of NEPA (42 U.S.C. 4336e).

“(2) OPTION TO SERVE AS LEAD AGENCY.—With respect to a covered activity that is a

major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

“(d) CATEGORICAL EXCLUSIONS.—

“(1) ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

“(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled ‘EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required’ (Directive No. 17.02-2; effective date October 14, 1992).

“(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

“(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

“(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

“(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

“(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

“(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

“(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is the subject of the project is on or adjacent to a site—

“(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

“(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

“(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

“(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

“(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

“(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

“(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

“(1) DEFINITION.—In this subsection, the term ‘prior studies and decisions’ means baseline data, planning documents, studies, analyses, decisions, and documentation that

a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

“(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

“(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

“(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

“(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

“(f) DEFINITIONS.—In this section:

“(1) COVERED ACTIVITY.—The term ‘covered activity’ means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

“(2) NEPA.—The term ‘NEPA’ means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Madam President, I have five 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 11, 2024, at 10 a.m., to conduct a hearing on nominations.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 11, 2024, at 10 a.m., to conduct a hearing on a nomination.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 11, 2024, at 10 a.m., to conduct a hearing on nominations.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 11, 2024, at 2:30 p.m., to conduct a closed business meeting and briefing.

##### SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, September 11, 2024, at 2:30 p.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Madam President, I ask unanimous consent that my interns be granted floor privileges for their shadow days as follows: Mabel Knapick for September 18, 2024; Amelia Nason for September 25, 2024; Sophia Spry for November 14, 2024; Sophie Davenport for November 19, 2024; Donovan Young for November 21, 2024; Max Townsend for December 4, 2024; Karis Rohrer for December 10, 2024; Gissel Narvaez-Santiago for December 12, 2024, and Jordan Montovino for December 17, 2024.

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

#### UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM REAUTHORIZATION ACT OF 2024

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 3764 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (S. 3764) to extend and authorize annual appropriations for the United States Commission on International Religious Freedom through fiscal year 2026.

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

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

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

The bill (S. 3764) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3764

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Commission on International Religious Freedom Reauthorization Act of 2024”.

##### SEC. 2. UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by striking “2023 and 2024” and inserting “2025 and 2026”.

(b) EXTENSION OF AUTHORIZATION.—Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) is amended by striking “September 30, 2024” and inserting “September 30, 2026”.

#### ROYALTY RESILIENCY ACT

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7377, which was received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 7377) to amend the Federal Oil and Gas Royalty Management Act of 1982 to improve the management of royalties from oil and gas leases, and for other purposes.

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

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

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

The bill (H.R. 7377) was ordered to a third reading, was read the third time, and passed.

#### RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 810, Patriot Week, and S. Res. 811, Apalachee High School.

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, SEPTEMBER 12, 2024

Mr. WHITEHOUSE. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, September 12; 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 Provinzino nomination postcloture; further, that notwithstanding rule XXII, all time be considered expired at 11:30 a.m., and upon disposition of the Provinzino nomination, the Senate resume consideration of the Ritz nomination; further, that the Senate vote on the motion to invoke cloture on the Ritz nomination at 1:45 p.m.; finally, that if any nominations