

(D) the Archivist; and

(E) the head of any Government office the records of which have been the subject of Review Board activity.

(2) CONTENTS.—Each report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records.

(C) The estimated time and volume of missing Armed Forces and civilian personnel records involved in the completion of the duties of the Review Board under this subtitle.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this subtitle.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized under this subtitle, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (b)(3) since the end of the period covered by the most recent report under paragraph (1).

(3) COPIES AND BRIEFS.—Coincident with the reporting requirements in paragraph (2), or more frequently as warranted by new information, the Review Board shall provide copies to, and fully brief, at a minimum, the President, the Archivist, leadership of Congress, the Chair and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, and the Chairs, Ranking Members, Vice Chairs, as the case may be, of such other committees as leadership of Congress determines appropriate on—

(A) recommendations for periodic review, downgrading, and declassification, as well as the exact time or specified occurrence following which specific missing Armed Forces and civilian material may be appropriately disclosed;

(B) the rationale behind each postponement determination and the recommended means to achieve disclosure of each postponed item;

(C) any other findings that the Review Board chooses to offer; and

(D) an addendum containing copies of reports of postponed records to the Archivist required under subsection (b)(3) made since the date of the preceding report under this subsection.

(4) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete the work of the Review Board under this subtitle, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1099C. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel that is held under seal of the court.

(2) GRAND JURY INFORMATION.—

(A) IN GENERAL.—The Review Board may request the Attorney General to petition any

court of the United States to release any information relevant to loss, fate, or status of missing Armed Forces and civilian personnel that is held under the injunction of secrecy of a grand jury.

(B) TREATMENT.—A request for disclosure of missing Armed Forces and civilian personnel materials under this subtitle shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should—

(a) contact the Governments of the Russian Federation, the People's Republic of China, and the Democratic People's Republic of Korea to seek the disclosure of all records in their respective custody, possession, or control relevant to the loss, fate, or status of missing Armed Forces and civilian personnel; and

(B) contact any other foreign government that may hold information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel, and seek disclosure of such information; and

(3) all agencies should cooperate in full with the Review Board to seek the disclosure of all information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel consistent with the public interest.

SEC. 1099D. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this subtitle requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 6103 of the Internal Revenue Code of 1986), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this subtitle shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this subtitle shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this subtitle.

(d) EXISTING AUTHORITY.—Nothing in this subtitle revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this subtitle establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, 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 either House to change the rules (so far as they relate 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.

SEC. 1099E. REQUESTS FOR EXTENSIONS.

(a) IN GENERAL.—The head of a Government office required to comply with a deadline under this subtitle that is based on the date of establishment of a quorum of the members of the Review Board under section 1099 may request an extension from the Review Board for good cause.

(b) EXTENDED DEADLINE.—If the Review Board agrees to the request, the deadline applicable to the Government office for the purpose of such requirement shall be such later date as the Review Board may determine appropriate.

SEC. 1099F. TERMINATION OF EFFECT OF ACT.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this subtitle that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated under section 1099(p).

(b) OTHER PROVISIONS.—The remaining provisions of this subtitle shall continue in effect until such time as the Archivist certifies to the President and Congress that all missing Armed Forces and civilian personnel records have been made available to the public in accordance with this subtitle.

SEC. 1099G. NO ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated to carry out this subtitle.

SEC. 1099H. SEVERABILITY.

If any provision of this subtitle, or the application thereof to any person or circumstance, is held invalid, the remainder of this subtitle and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 6793. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4668, to protect the name, image, and likeness rights of, and provide protections for, student athletes and to promote fair competition among intercollegiate athletics, and for other purposes; which was ordered to lie on the table; as follows:

In section 119, strike subsection (c) and insert the following:

(c) RELIEF.—In a civil action brought under subsection (a) in which the plaintiff prevails, the court shall award the plaintiff—

(1) threefold the damages sustained by the plaintiff;

(2) the costs to the plaintiff of bringing the civil action, including a reasonable attorney's fee; and

(3) any other relief, including equitable relief or declaratory relief, that the court determines appropriate.

SA 6794. Mr. MURPHY (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4668, to protect the name, image, and likeness rights of, and provide protections for, student athletes and to promote fair competition among intercollegiate athletics, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 107(b) and insert the following:

(b) MANDATORY INDEPENDENT INVESTIGATION OF SEXUAL ASSAULT, ABUSE, AND MISCONDUCT.—

(1) IN GENERAL.—Each institution, conference, and intercollegiate athletic association shall—

(A) establish, maintain, and enforce written policies requiring that any report or allegation of sexual assault, sexual misconduct, sexual harassment, or physical abuse involving a student athlete be referred within 24 hours of receipt to—

(i) an independent investigator who is not employed by, and has no financial relationship with, the institution, conference, or intercollegiate athletic association against which the report is made; and

(ii) the appropriate local law enforcement agency, unless the student athlete who is the subject of the alleged harm affirmatively declines such referral in writing after being informed of the referral requirement;

(B) not permit any coach, athletic director, or employee of the athletic department of an institution to participate in, influence, or be notified of the specific factual findings of any investigation described in subparagraph (A) prior to completion of the investigation;

(C) provide to any student athlete who reports sexual assault, sexual misconduct, sexual harassment, or physical abuse, at no cost—

(i) an independent, confidential victim advocate not employed by the athletic department or Title IX office of the relevant institution;

(ii) access to a sexual assault forensic examination, including any forensic evidence collection kit; and

(iii) written notification of rights under applicable Federal and State law, including the right to file a civil action; and

(D) retain records of all reports, referrals, investigations, and outcomes under this paragraph for not less than 10 years and make such records available to the Office of the Student Athlete Ombudsman established under section 108 upon request.

(2) RETALIATION PROHIBITED.—No institution, conference, intercollegiate athletic association, or agent thereof may take any adverse action against a student athlete who makes a report under paragraph (1).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the obligation of any institution to comply with title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) or any applicable State law governing reporting of sexual assault or physical abuse.

SA 6795. Mr. MURPHY (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4668, to protect the name, image, and likeness rights of, and provide protections for, student athletes and to promote fair competition among intercollegiate athletics, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 112 the following:

SEC. 113. TRANSFER PROTECTIONS FOR COACHES.

An institution, a conference, an intercollegiate athletic association, or any representa-

tive of such entity shall permit a coach to transfer from one four-year institution to another four-year institution—

(1) once without losing or delaying eligibility to coach intercollegiate sports;

(2) except as provided in paragraph (3), a second time with a loss of eligibility to coach intercollegiate sports during the first academic year following the transfer; and

(3) additionally, without losing or delaying eligibility to coach intercollegiate sports, upon—

(A) discontinuation of a sport that the individual coaches; or

(B) sexual assault or harassment of the coach by an individual associated with the institution at which the individual coaches.

AUTHORITY FOR COMMITTEES TO MEET

Ms. LUMMIS. Mr. President, I have three requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, September 17, 2026, at 9:30 a.m., to conduct a closed briefing.

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 Thursday, September 17, 2026, at 10 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, September 17, 2026, at 10:30 a.m., to conduct a hearing on nominations.

ORDERS FOR FRIDAY, SEPTEMBER 18, 2026, THROUGH TUESDAY, SEPTEMBER 22, 2026

Ms. LUMMIS. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned to then convene for a pro forma session only, with no business being conducted, at 9 a.m. on Friday, September 18; further, that when the Senate adjourns on Friday, September 18, it stand adjourned until 3

p.m. on Tuesday, September 22; 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, morning business be closed, and the Senate proceed to executive session and resume consideration of Executive Calendar No. 828; finally, that the cloture motions filed during today's session of the Senate ripen at 5:30 p.m., Tuesday.

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

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Ms. LUMMIS. Madam 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 3:42 p.m., adjourned until Friday, September 18, 2026, at 9 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 17, 2026:

THE JUDICIARY

KASDIN MILLER MITCHELL, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on September 17, 2026 withdrawing from further Senate consideration the following nominations:

JEFFREY ANDERSON, OF GEORGIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, WITH THE RANK OF AMBASSADOR, WHICH WAS SENT TO THE SENATE ON JANUARY 13, 2026.

HEIDI SEMANN, OF MISSOURI, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION, VICE SANDRA D. BRUCE, WHICH WAS SENT TO THE SENATE ON MAY 11, 2026.

JOHN GRUNEWALD II, OF OKLAHOMA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING OCTOBER 13, 2030, VICE JEFFERY S. HALL, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JUNE 23, 2026.

RICHARD SCHROYER, OF OKLAHOMA, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY, VICE SARAH R. SALDANA, WHICH WAS SENT TO THE SENATE ON JULY 20, 2026.

ROBERT STEBBINS, OF NEW YORK, TO BE DEPUTY CHIEF EXECUTIVE OFFICER OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION, VICE NISHA DESAI BISWAL, RESIGNED, WHICH WAS SENT TO THE SENATE ON AUGUST 7, 2026.