United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168 WASHINGTON, WEDNESDAY, JULY 13, 2022 *No. 115—Part II*

House of Representatives

□ 2320

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 7900, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023—Continued

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. SMITH OF WASHINGTON—CONTINUED

Mr. ROGERS of Alabama. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Madam Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, I thank Chairman SMITH for yielding and for his steadfast leadership in equipping our Nation to face unprecedented challenges at home and abroad. I also thank Ranking Member ROGERS for his role in bringing a bipartisan NDAA to the floor.

I rise in support of my amendment requiring a joint briefing from the Army and Air Force on the lack of a childcare center to serve Camp Bull Simons at Eglin Air Force Base.

After hearing the stories of families stationed there, it is clear we need to add transparency to a process that has left our servicemembers and their families behind.

These brave men and women make immense sacrifices to protect and serve our Nation. The least we can do is make sure that they do not have to stress about affordable and accessible childcare while deployed or on assignment.

Currently, the closest government-run CDC, a benefit our servicemembers are entitled to, would add an average of 4 hours per day to a parent's commute. The options that the services are proposing to remedy the situation for those families are wholly inadequate.

As chair of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Subcommittee, I understand the value of child development centers and quality-of-life issues for our servicemembers.

I offered this bipartisan amendment with my colleagues, Representatives CASTOR, HUDSON, and GAETZ, to help find a solution that meets the standard of care that we must deliver for our military families.

Madam Speaker, I thank the chairman for including this amendment in the en bloc.

Mr. ROGERS of Alabama. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Madam Speaker, I urge adoption of the en bloc amendments, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Madam Speaker, I also urge adoption, and I yield back the balance of my time.

Ms. MOORE of Wisconsin. Madam Speaker, I rise today in support of my amendments to the FY 2023 National Defense Authorization Act that will help save lives and promote the health and well-being of those who are serving or have served our country.

The CDC estimates that nearly 264,000 women are diagnosed with breast cancer each year and as many as 1 in 8 women will live with this disease at some point in their life. The American Cancer Society predicts that 43,250 women will lose their lives to breast cancer in 2022.

My colleagues must also understand that the plight of breast cancer is not an equitable one. Black women are more likely to die of breast cancer. In my home state of Wisconsin, black women with breast cancer have a mortality rate of 56 percent, far outpacing the death rate for white women according to the Wisconsin Department of Health Services.

While treatment for this disease has evolved drastically, access to a conclusive, accurate, early, and expedient diagnosis remains challenging.

Mammograms are a basic screening tool to help try and detect breast cancer as soon as possible. However, for women with dense breasts, mammograms alone may not be sufficient to help identify breast cancer as dense breasts can make mammograms harder to accurately read. As a result, women with dense breasts may be called back for additional follow-up tests more frequently than others and dense breasts can also put women at higher risk of being diagnosed with cancer within 12 months of a normal mammogram result.

According to the National Cancer Institute (NCI), nearly 50 percent of women over 40 who get mammograms have dense breasts and live with an increased chance of developing breast cancer, a risk that is separate from the effect of dense breasts on the ability to read a mammogram.

For individuals with dense breasts for whom additional testing may be needed to confirm breast cancer, even with insurance they may face additional costs for these potentially life-saving diagnostic screenings.

My amendment directs the GAO to examine current health policies at the Departments of Defense and Veterans Affairs to ensure that those with dense breasts can access additional cancer screenings without facing burdensome financial barriers. Cumulatively, the Departments of Defense and Veterans Affairs provide healthcare to over 18 million American service members and veterans. My amendment would require GAO to examine whether existing VA and DOD programs provide beneficiaries with low-cost screenings and diagnostic tools needed to confirm breast cancer, especially when standard mammograms are inconclusive or ineffective. Additionally, GAO will be required to examine and provide recommendations on how each agency can improve their policies to address the unique challenges of identifying breast cancer in those with dense breasts.

We must do all we can to ensure that our veterans and active-duty personnel receive the highest quality care available. We can accomplish this by evaluating current policies and developing new ones that prioritize the health of those who serve or have served our country. While there is no cure for this disease, we can certainly do more to improve access to screening and treatment.

Additionally, I have offered an amendment that would require the Secretary of Defense to ensure that TRICARE includes programs and

policies to promote universal education on healthy relationships and intimate partner violence.

According to the Centers for Disease Control and Prevention (CDC), around 1 in 4 women have experienced sexual violence, physical violence, or stalking by an intimate partner during their lifetime. Sadly, it can occur in every community, including our military community, to both men and women regardless of age, economic status, race, religion, ethnicity, sexual orientation, or other characteristics.

The amendment would require TRICARE to provide guidance to healthcare providers, health workers, and managed care entities to help educate and to establish routine assessment and screenings for signs of intimate partner violence.

I thank the Chairman for his support of my amendments.

Mr. LYNCH. Madam Speaker, I rise in support of en bloc amendment number two to H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023, which includes three Lynch amendments that ill strengthen our capacity to find our missing service members, increase contracting transparency, and protect veterans from financial fraud.

Amendment No. 235 is a bipartisan amendment that will support the mission of the Defense POW/MIA Accounting Agency (DPAA). I would like to thank my Republican colleague Representative DON BACON of Nebraska for joining me in cosponsoring this important amendment that simply clarifies DOD authority with regard to the resources it may use to fulfill its mission. Currently, the DPAA may accept gifts such as personal property, services, and funds to expand its capabilities and bring more of our missing service members home, but not solicit them. Under this amendment DPAA may seek out these additional resources as well. We make a promise to every brave American that we send into combat not to forget them, and we must do everything to ensure that the agency tasked with finding them has access to all the means possible to be able to do so.

Amendment No. 236 reauthorizes the Commission on Wartime Contracting to conduct oversight of U.S. contracting and reconstruction efforts in Afghanistan and other areas of contingency operations. This Commission has a proven track record of helping reduce waste and fraud in overseas operations contracting. A similar past commission, during its prior iteration from 2008 to 2011, found between $31 billion and $60 billion in U.S. taxpayer funds that were lost due to contract waste, fraud, and abuse in Iraq and Afghanistan. At a time in which all Americans are worried about the state of our economy, their family finances, and what the future may hold, it is vital that we examine how our rebuilding and contract funds were used, and how we can spend more effectively and transparently in the future.

Finally, Madam Speaker, amendment No. 237 would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to establish an Interagency Task Force on Financial Fraud to identify, prevent, and combat financial fraud targeting service members, veterans, and military families. Service members, veterans, and their families are nearly 40 percent more likely to lose money to scams and fraud than the civilian population, and four out of five service members and veterans report they have been targeted by scams directly related to their military service or benefits. In total, service members and veterans reported financial losses of $267 million resulting from scams or fraud in 2021. Earlier today, I chaired a hearing in the National Security Subcommittee that examined this very issue. This task force is a necessary first step to understand what makes our military, veterans and their families so vulnerable, what can be done to better protect them, and how we can help make whole those who have been victimized.

I would like to once again extend my thanks to Armed Services Committee Chairman ADAM SMITH, Ranking Member MIKE ROGERS, and their staffs for including my amendments in this en bloc amendment and would urge all my colleagues to support it.

The SPEAKER pro tempore. Pursuant to House Resolution Number 1124, the previous question is ordered on the amendments en bloc, as modified, offered by the gentleman from Washington (Mr. SMITH).

The question is on the amendments en bloc, as modified.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOHMERT. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. SMITH OF WASHINGTON

Mr. SMITH of Washington. Madam Speaker, pursuant to House Resolution 1224, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, and 382, printed in part A of House Report 117–405, offered by Mr. SMITH of Washington:

AMENDMENT NO. 279 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

At the end of subtitle C of title V, insert the following:

SEC. 5___. RECORD OF MILITARY SERVICE FOR MEMBERS OF THE ARMED FORCES.

(a) STANDARD RECORD OF SERVICE REQUIRED.—Chapter 59 of title 10, United States Code, is amended by inserting after section 1168 the following new sections:

"§ 1168a. Discharge or release: record of military service

''(a) RECORD OF SERVICE REQUIRED.—(1) The Secretary of Defense shall establish and implement a standard record of military service for all members of the armed forces (including the reserve components), regarding all duty under this title, title 32, and title 14.

''(2) The record established under this section shall be known as the 'Certificate of Military Service'.

''(b) NATURE AND SCOPE.—A Certificate of Military Service shall—

''(1) provide a standardized summary of the service, in any Federal duty status or on State active duty, in the armed forces of a member of the armed forces;

''(2) be the same document for all members of the armed forces; and

''(3) serve as the discharge certificate or certificate of release from active duty for purposes of section 1168 of this title.

''(c) COORDINATION.—In carrying out this section, the Secretary of Defense shall coordinate with other Federal officers, including the Secretary of Veterans Affairs, to ensure that a Certificate of Military Service serves as acceptable proof of military service for receipt of benefits under the laws administered by such Federal officers.''.

(b) ISSUANCE TO MEMBERS OF RESERVE COMPONENTS.—Chapter 59 of such title, as amended by subsection (a), is further amended by inserting after section 1168a the following new section:

"§ 1168b. Record of military service: issuance to members of reserve components

''An up-to-date record of military service under section 1168a of this title shall be issued to a member of a reserve component as follows:

''(1) Upon permanent change to duty status (including retirement, resignation, expiration of a term of service, promotion or commissioning as an officer, or permanent transfer to active duty).

''(2) Upon discharge or release from temporary active duty orders (minimum of 90 days on orders or 30 days for a contingency operation).

''(3) Upon promotion to each grade beginning with—

''(A) O–3 for commissioned officers;

''(B) W–3 for warrant officers; and

''(C) E–4 for enlisted members.

''(4) In the case of a member of the National Guard, upon any transfer to the National Guard of another State or territory (commonly referred to as an 'Interstate Transfer').''.

(c) CONFORMING AMENDMENTS RELATED TO CURRENT DISCHARGE CERTIFICATE AUTHORITIES.—

(1) IN GENERAL.—Subsection (a) of section 1168 of title 10, United States Code, is amended—

(A) by striking ''his discharge certificate or certificate of release from active duty, respectively, and his final pay'' and inserting ''the member's record of military service under section 1168a of this title, and the member's final pay''; and

(B) by striking ''him or his'' and inserting ''the member or the member's''.

(2) HEADING AMENDMENT.—The heading of such section 1168 is amended to read as follows:

"§ 1168. Discharge or release from active duty: limitations; issuance of record of military service".

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 59 of such title is amended by striking the item relating to section 1168 and inserting the following new items:

''1168. Discharge or release from active duty: limitations; issuance of record of military service.

''1168a. Discharge or release: record of military service.

''1168b. Record of military service: issuance to members of reserve components.''.

AMENDMENT NO. 280 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

At the end of subtitle G of title V, insert the following:

SEC. 5___. GUIDELINES FOR ACTIVE DUTY MILITARY ON POTENTIAL RISKS AND PREVENTION OF TOXIC EXPOSURES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, shall jointly coordinate and establish guidelines to be used during training of members of the Armed Forces serving on active duty to provide the members awareness of the potential risks of toxic exposures and ways to prevent being exposed during combat.

AMENDMENT NO. 281 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

At the end of subtitle C of title VII, add the following:

SEC. 746. STUDY AND REPORT ON RATE OF CANCER-RELATED MORBIDITY AND MORTALITY.

(a) IN GENERAL.—The Secretary of Defense shall conduct, or enter into a contract with an appropriate federally funded research and development center to conduct, a study to assess whether individuals (including individuals on active duty or in a reserve component or the National Guard) assigned to the Pease Air Force Base and Pease Air National Guard Base for a significant period of time during the period of 1970 through 2020 experience a higher-than-expected rate of cancer-related morbidity and mortality as a result of time on base or exposures associated with time on base compared to the rate of cancer-related morbidity and mortality of the general population of the United States, accounting for differences in sex, age, and race.

(b) COMPLETION; REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Defense shall provide for—

(1) the completion of the study under subsection (a); and

(2) the submission of a report on the results of the study to the Committees on Armed Services of the Senate and House of Representatives.

(c) DEFINITION.—In this section, the term ''significant period of time'' shall be defined by the Secretary of Defense or by the entity conducting the study under subsection (a), as the Secretary determines appropriate.

AMENDMENT NO. 282 OFFERED BY MR. PETERS OF CALIFORNIA

At the appropriate place subtitle H of title XXVIII, insert the following new section:

SEC. 28___ INCLUSION OF CLIMATE RESILIENCE SERVICES IN THE COMBATANT COMMANDER INITIATIVE FUND.

Section 166a(b) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(11) Climate resilience of military installations and essential civilian infrastructure.

''(12) Military support to civilian and military authorities to combat illegal wildlife trafficking, illegal timber trafficking, and illegal, unreported, or unregulated fishing.''.

AMENDMENT NO. 283 OFFERED BY MR. PETERS OF CALIFORNIA

At the end of subtitle G of title V, insert the following:

SEC. 5___. GAO REPORT ON USE OF TRANSITION PROGRAMS BY MEMBERS OF SPECIAL OPERATIONS FORCES.

(a) STUDY.—The Comptroller General of the United States shall review the use of DOD transition programs by members assigned to special operations forces.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the preliminary findings of such review.

(c) REPORT.—The Comptroller General shall submit to the committees identified in paragraph (b) a report containing the final results of such review on a date agreed to at the time of the briefing. The GAO review shall include an examination of the following:

(1) The extent to which members assigned to special operations forces participate in DOD transition programs.

(2) What unique challenges such members face in make the transition to civilian life and the extent to which existing DOD transition programs address those challenges.

(3) The extent to which the Secretary directs such members to transition resources provided by non-governmental entities.

(d) DEFINITIONS.—In this section:

(1) The term ''DOD transition programs'' means programs (including TAP and Skillbridge) under laws administered by the Secretary of Defense that help members of the Armed Forces make the transition to civilian life.

(2) The term ''Skillbridge'' means an employment skills training program under section 1143(e) of title 10, United States Code

(3) The term ''special operations forces'' means the forces described in section 167(j) of title 10, United States Code.

(4) The term ''TAP'' means the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

AMENDMENT NO. 284 OFFERED BY MR. PFLUGER OF TEXAS

At the end of title LI, insert the following new section:

SEC. 51___. STUDY ON INCIDENCE AND MORTALITY OF CANCER AMONG FORMER AIRCREW OF THE NAVY, AIR FORCE, AND MARINE CORPS.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies shall conduct a study of the incidence and mortality of cancers among covered individuals.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) Identification of chemicals, compounds, agents, and other phenomena that cause elevated cancer incidence and mortality risks among covered individuals, including a nexus study design to determine whether there is a scientifically established causal link between such a chemical, compound, agent, or other phenomena and such cancer incidence or mortality risk.

(2) An assessment of not fewer than 10 types of cancer that are of the greatest concern with respect to exposure by covered individuals to the chemicals, compounds, agents, and other phenomena identified under paragraph (1), which may include colon and rectum cancers, pancreatic cancer, melanoma skin cancer, prostate cancer, testis cancer, urinary bladder cancer, kidney cancer, brain cancer, thyroid cancer, lung cancer, and non-Hodgkin lymphoma.

(3) A review of all available sources of relevant data, including health care databases of the Department of Veterans Affairs and the Department of Defense and the national death index, and the study conducted under section 750 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3716).

(c) SUBMISSION.—

(1) STUDY.—Upon completion of the study under subsection (a), the National Academies shall submit to the Secretary of Veterans Affairs, the Secretary of Defense, the Secretary of the Navy, the Secretary of the Air Force, and the Committees on Veterans' Affairs of the House of Representatives and the Senate the study.

(2) REPORT.—Not later than December 31, 2025, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the study under subsection (a), including—

(A) the specific actions the Secretary is taking to ensure that the study informs the evaluation of disability claims made to the Secretary, including with respect to providing guidance to claims examiners and revising the schedule of ratings for disabilities under chapter 11 of title 38, United States Code; and

(B) any recommendations of the Secretary.

(3) FORM.—The report under paragraph (2) shall be submitted in unclassified form.

(d) COVERED INDIVIDUAL DEFINED.—In this section, the term ''covered individual'' means an individual who served in the regular or reserve components of the Navy, Air Force, or Marine Corps, as an air crew member of a fixed-wing aircraft or personnel supporting generation of the aircraft, including pilots, navigators, weapons systems operators, aircraft system operators, personnel associated with aircraft maintenance, supply, logistics, fuels, or transportation, and any other crew member who regularly flew in an aircraft or was required to complete the mission of the aircraft.

AMENDMENT NO. 285 OFFERED BY MR. PFLUGER OF TEXAS

At the appropriate place in subtitle E of title XII, insert the following:

SEC. ___. BALTIC REASSURANCE ACT.

(a) FINDINGS.—Congress finds the following:

(1) The Russian Federation seeks to diminish the North Atlantic Treaty Organization (NATO) and recreate its sphere of influence in Europe using coercion, intimidation, and outright aggression.

(2) Deterring the Russian Federation from such aggression is vital for transatlantic security.

(3) The illegal occupation of Crimea by the Russian Federation and its continued engagement of destabilizing and subversive activities against independent and free states is of increasing concern.

(4) The Russian Federation also continues to disregard treaties, international laws and rights to freedom of navigation, territorial integrity, and sovereign international borders.

(5) The Russian Federation's continued occupation of Georgian and Ukrainian territories and the sustained military buildup in the Russian Federation's Western Military District and Kaliningrad has threatened continental peace and stability.

(6) The Baltic countries of Estonia, Latvia, and Lithuania are particularly vulnerable to an increasingly aggressive and subversive Russian Federation.

(7) In a declaration to celebrate 100 years of independence of Estonia, Latvia, and Lithuania issued on April 3, 2018, the Trump Administration reaffirmed United States commitments to these Baltic countries to ''improve military readiness and capabilities through sustained security assistance'' and ''explore new ideas and opportunities, including air defense, bilaterally and in NATO, to enhance deterrence across the region''.

(8) These highly valued NATO allies of the United States have repeatedly demonstrated their commitment to advancing mutual interests as well as those of the NATO alliance.

(9) The Baltic countries also continue to participate in United States-led exercises to further promote coordination, cooperation, and interoperability among allies and partner countries, and continue to demonstrate their reliability and commitment to provide for their own defense.

(10) Lithuania, Latvia, and Estonia each hosts a respected NATO Center of Excellence that provides expertise to educate and promote NATO allies and partners in areas of vital interest to the alliance.

(11) United States support and commitment to allies across Europe has been a lynchpin for peace and security on the continent for over 70 years.

(b) SENSE OF CONGRESS.—It is the sense of Congress as follows:

(1) The United States is committed to the security of the Baltic countries and should strengthen cooperation and support capacity-building initiatives aimed at improving the defense and security of such countries.

(2) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with Lithuania, Latvia, Estonia, NATO allies, and other regional partners, to deter against aggression from the Russian Federation in the Baltic region, specifically in areas that would strengthen interoperability, joint capabilities, and military readiness necessary for Baltic countries to strengthen their national resilience.

(3) The United States should explore the feasibility of providing long range, mobile air defense systems in the Baltic region, including through leveraging cost-sharing mechanisms and multilateral deployment with NATO allies to reduce financial burdens on host countries.

(c) DEFENSE ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with appropriate counterparts of Lithuania, Latvia, Estonia, North Atlantic Treaty Organization (NATO) allies, and other regional partners, conduct a comprehensive, multilateral assessment of the military requirements of such countries to deter and resist aggression by the Russian Federation that—

(A) provides an assessment of past and current initiatives to improve the efficiency, effectiveness, readiness, and interoperability of Lithuania, Latvia, and Estonia's national defense capabilities; and

(B) assesses the manner in which to meet those objectives, including future resource requirements and recommendations, by undertaking activities in the following areas:

(i) Activities to increase the rotational and forward presence, improve the capabilities, and enhance the posture and response readiness of the United States or forces of NATO in the Baltic region.

(ii) Activities to improve air defense systems, including modern air-surveillance capabilities.

(iii) Activities to improve counter-unmanned aerial system capabilities.

(iv) Activities to improve command and control capabilities through increasing communications, technology, and intelligence capacity and coordination, including secure and hardened communications.

(v) Activities to improve intelligence, surveillance, and reconnaissance capabilities.

(vi) Activities to enhance maritime domain awareness.

(vii) Activities to improve military and defense infrastructure, logistics, and access, particularly transport of military supplies and equipment.

(viii) Investments to ammunition stocks and storage.

(ix) Activities and training to enhance cyber security and electronic warfare capabilities.

(x) Bilateral and multilateral training and exercises.

(xi) New and existing cost-sharing mechanisms with United States and NATO allies to reduce financial burden.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes each of the following:

(A) A report on the findings of the assessment conducted pursuant to subsection (a).

(B) A list of any recommendations resulting from such assessment.

(C) An assessment of the resource requirements to achieve the objectives described in subsection (a)(1) with respect to the national defense capability of Baltic countries, including potential investments by host countries.

(D) A plan for the United States to use appropriate security cooperation authorities or other authorities to—

(i) facilitate relevant recommendations included in the list described in paragraph (2);

(ii) expand joint training between the Armed Forces and the military of Lithuania, Latvia, or Estonia, including with the participation of other NATO allies; and

(iii) support United States foreign military sales and other equipment transfers to Baltic countries especially for the activities described in subparagraphs (A) through (I) of subsection (a)(2).

(d) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—For purposes of this section, the term ''congressional defense committees'' includes—

(1) the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 286 OFFERED BY MR. PFLUGER OF TEXAS

Page 819, line 13, strike ''(25)'' and insert ''(26)''.

Page 819, after line 19, insert the following:

''(25) A detailed description of—

''(A) how Russian private military companies are being utilized to advance the political, economic, and military interests of the Russian Federation;

''(B) the direct or indirect threats Russian private military companies present to United States security interests;

''(C) how sanctions that are currently in place to impede or deter Russian private military companies from continuing their malign activities have impacted the Russian private military companies' behavior; and

''(D) all foreign persons engaged significantly with Russian private military companies.''.

AMENDMENT NO. 287 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of subtitle C of title XIII, add the following:

SEC. 13__. GAO STUDY ON DEPARTMENT OF DEFENSE SUPPORT FOR OTHER DEPARTMENTS AND AGENCIES OF THE UNITED STATES GOVERNMENT THAT ADVANCE DEPARTMENT OF DEFENSE SECURITY COOPERATION OBJECTIVES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the use and implementation of the authority of section 385 of title 10, United States Code, relating to Department of Defense support for other departments and agencies of the United States Government that advance Department of Defense security cooperation objectives.

(b) MATTERS TO BE INCLUDED.—The study required by subsection (a) shall include the following:

(1) A review of the use and implementation of the authority of section 385 of title 10, United States Code, and congressional intent of such authority.

(2) An identification of the number of times such authority has been used.

(3) An identification of the challenges associated with the use of such authority.

(4) A description of reasons for lack of the use of such authority, if any.

(5) An identification of potential legislative actions for Congress to address with respect to such authority.

(6) An identification of potential executive actions for the Department of Defense to address with respect to such authority.

(c) REPORT.—

(1) IN GENERAL.—The Comptroller General shall submit to the appropriate congressional committees a report that contains the results of the study required by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) congressional defense committees; and

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 288 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of title LVIII, add the following:

SEC. 58__. GAO STUDY ON FOREIGN SERVICE INSTITUTE'S SCHOOL OF LANGUAGE STUDIES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on whether the Foreign Service Institute's School of Language Studies curriculum and instruction effectively prepares United States Government employees to advance United States diplomatic and national security priorities abroad.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) an analysis of the teaching methods used at the Foreign Service Institute's School of Language Studies;

(2) a comparative analysis on the benefits of language proficiency compared to practical job oriented language learning;

(3) an analysis of whether the testing regiment at the School of Language Studies is an effective measure of ability to communicate and carry out an employee's duties abroad; and

(4) an analysis of qualifications for training specialists and language and culture instructors at the School of Language Studies.

AMENDMENT NO. 289 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of subtitle B of title VII, insert the following new section:

SEC. 7___. ACCESS TO CERTAIN DEPENDENT MEDICAL RECORDS BY REMARRIED FORMER SPOUSES.

(a) ACCESS.—The Secretary of Defense may authorize a remarried former spouse who is a custodial parent of a dependent child to retain electronic access to the privileged medical records of such dependent child, notwithstanding that the former spouse is no longer a dependent under section 1072(2) of title 10, United States Code.

(b) DEFINITIONS.—In this section:

(1) The term ''dependent'' has the meaning given that term in section 1072 of title 10, United States Code.

(2) The term ''dependent child'' means a dependent child of a remarried former spouse and a member or former member of a uniformed service.

(3) The term ''remarried former spouse'' means a remarried former spouse of a member or former member of a uniformed service.

AMENDMENT NO. 290 OFFERED BY MS. PLASKETT OF THE VIRGIN ISLANDS

At the end of subtitle F of title X, insert the following:

SEC. 10___. REPORT ON DEPARTMENT OF DEFENSE MILITARY CAPABILITIES IN THE CARIBBEAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Secretary of Homeland Security, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on United States military capabilities in the Caribbean basin, particularly in and around Puerto Rico and the United States Virgin Islands.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the value, feasibility, and cost of increasing United States military capabilities in the Caribbean basin, particularly in and around Puerto Rico and the United States Virgin Islands, to—

(A) combat transnational criminal organizations and illicit narcotics and weapons trafficking in the Caribbean basin, particularly in and around Puerto Rico and the United States Virgin Islands;

(B) improve surveillance capabilities and maximize the effectiveness of counter-trafficking operations in the Caribbean region;

(C) ensure, to the greatest extent possible, that United States Northern Command and United States Southern Command have the necessary assets to support and increase measures to detect, interdict, disrupt, or curtail illicit narcotics and weapons trafficking activities within their respective areas of operations in the Caribbean basin;

(D) respond to malign influences of foreign governments, particularly including nonmarket economies, in the Caribbean basin that harm United States national security and regional security interests in the Caribbean basin and in the Western Hemisphere;

(E) increase supply chain resiliency and near-shoring in global trade; and

(F) strengthen the ability of the security sector to respond to, and become more resilient in the face of, major disasters, including to ensure critical infrastructure and ports can come back online rapidly following disasters.

(2) An assessment of United States military force posture in the Caribbean basin, particularly in and around Puerto Rico and the United States Virgin Islands, and relevant locations in the Caribbean basin.

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form without any designation relating to dissemination control, but may include a classified annex.

AMENDMENT NO. 291 OFFERED BY MS. PORTER OF CALIFORNIA

At the end of subtitle B of title XXVIII insert the following:

SEC. 28___. SCREENING AND REGISTRY OF INDIVIDUALS WITH HEALTH CONDITIONS RESULTING FROM UNSAFE HOUSING UNITS.

(a) IN GENERAL.—Subchapter V of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2895. Screening and registry of individuals with health conditions resulting from unsafe housing units

''(a) SCREENING.—

''(1) IN GENERAL.—The Secretary of Defense, in consultation with appropriate scientific agencies as determined by the Secretary, shall ensure that all military medical treatment facilities screen eligible individuals for covered conditions.

''(2) ESTABLISHMENT OF PROCEDURES.—The Secretary may establish procedures through which screening under paragraph (1) may allow an eligible individual to be included in the registry under subsection (b).

''(b) REGISTRY.—

''(1) IN GENERAL.—The Secretary of Defense shall establish and maintain a registry of eligible individuals who have a covered condition.

''(2) INCLUSION OF INFORMATION.—The Secretary shall include any information in the registry under paragraph (1) that the Secretary determines necessary to ascertain and monitor the health of eligible individuals and the connection between the health of such individuals and an unsafe housing unit.

''(3) PUBLIC INFORMATION CAMPAIGN.—The Secretary shall develop a public information campaign to inform eligible individuals about the registry under paragraph (1), including how to register and the benefits of registering.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered condition' means a medical condition that is determined by the Secretary of Defense to have resulted from residing in an unsafe housing unit.

''(2) The term 'eligible individual' means a member of the armed forces or a family member of a member of the armed forces who has resided in an unsafe housing unit.

''(3) The term 'unsafe housing unit' means a dwelling unit that—

''(A) does not meet the housing quality standards established under section 8(o)(8)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(8)(B)); or

''(B) is not free from dangerous air pollution levels from mold.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2894a the following new item:

''2895. Screening and registry of individuals with health conditions resulting from unsafe housing units.''.

AMENDMENT NO. 292 OFFERED BY MS. PORTER OF CALIFORNIA

At the end of subtitle B of title XXVIII insert the following:

SEC. 28___. MANDATORY DISCLOSURE OF PRESENCE OF MOLD AND HEALTH EFFECTS OF MYCOTOXINS BEFORE A LEASE IS SIGNED FOR PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter V of chapter 169 of title 10, United States Code, is amended by inserting after section 2890 the following new section:

''§ 2890a. Disclosure of presence of mold and health effects of mycotoxins

''The Secretary of Defense shall require that each landlord, before signing a lease with a prospective tenant for a housing unit, disclose to such prospective tenant—

''(1) whether there is any mold present in the housing unit at levels that could cause harmful impacts on human health; and

''(2) information regarding the health effects of mycotoxins.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by inserting after the item relating to section 2890 the following new item:

''2890a. Disclosure of presence of mold and health effects of mycotoxins.''.

AMENDMENT NO. 293 OFFERED BY MS. PORTER OF CALIFORNIA

At the end of subtitle B of title XXVIII insert the following:

SEC. ___. MODIFICATION OF PROHIBITION ON OWNERSHIP OR TRADING OF STOCKS IN CERTAIN COMPANIES BY CERTAIN OFFICIALS OF THE DEPARTMENT OF DEFENSE.

Section 988(a) of title 10, United States Code, is amended by striking ''if that company is one of the 10 entities awarded the most amount of contract funds by the Department of Defense in a fiscal year during the five preceding fiscal years'' and inserting ''if, during the preceding calendar year, the company received more than $1,000,000,000 in revenue from the Department of Defense, including through 1 or more contracts with the Department''.

AMENDMENT NO. 294 OFFERED BY MRS. RADEWAGEN OF AMERICAN SAMOA

Page 833, after line 5, insert the following:

(3) By redesignating paragraph (14) as paragraph (15).

(4) By inserting after paragraph (13) the following:

''(14) An analysis of the activities of the People's Republic of China in the Pacific Islands region.''.

AMENDMENT NO. 295 OFFERED BY MR. RASKIN OF MARYLAND

At the end of subtitle B of title II, add the following new section:

SEC. 2___. REQUIREMENT FOR SEPARATE PROGRAM ELEMENT FOR THE MULTI-MEDICINE MANUFACTURING PLATFORM PROGRAM.

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

(1) Congress has maintained a strong interest in critical materials subject to significant supply chain disruptions, particularly those for which the predominant supply sources are potential adversaries;

(2) as a result, Congress wishes to increase transparency regarding funding and progress of the multi-medicine manufacturing platform program of the Office of Naval Research; and

(3) that program's unique manufacturing platform will ensure that members of the armed forces have access to essential medicines, particularly for those deployed, whether on land or at sea.

(b) PROGRAM ELEMENT REQUIRED.—In the materials submitted by the Secretary of the Navy in support of the budget of the President for fiscal year 2025 and each fiscal year thereafter (as submitted to Congress pursuant to section 1105 of title 31, United States Code), the Secretary shall include a separate program element for the multi-medicine manufacturing platform program under the accounts of the Office of Naval Research.

AMENDMENT NO. 296 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle C of title I, add the following new section:

SEC. 1___. PROCUREMENT AUTHORITY FOR COMMERCIAL ENGINEERING SOFTWARE.

(a) PROCUREMENT AUTHORITY.—The Secretary of the Air Force may enter into one or more contracts for the procurement of commercial engineering software to meet the digital transformation goals and objectives of the Department of the Air Force.

(b) INCLUSION OF PROGRAM ELEMENT IN BUDGET MATERIALS.—In the materials submitted by the Secretary of the Air Force in support of the budget of the President for fiscal year 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code), the Secretary shall include a program element dedicated to the procurement and management of the commercial engineering software described in subsection (a).

(c) REVIEW.—In carrying out subsection (a), the Secretary of the Air Force shall—

(1) review the commercial physics-based simulation marketspace; and

(2) conduct research on providers of commercial software capabilities that have the potential to expedite the progress of digital engineering initiatives across the weapon system enterprise, with a particular focus on capabilities that have the potential to generate significant life-cycle cost savings, streamline and accelerate weapon system acquisition, and provide data-driven approaches to inform investments by the Department of the Air Force.

(d) REPORT.—Not later than March 1, 2023, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes—

(1) an analysis of specific physics-based simulation capability manufacturers that deliver high mission impact with broad reach into the weapon system enterprise of the Department of the Air Force; and

(2) a prioritized list of programs and offices of the Department of the Air Force that could better utilize commercial physics-based modeling and simulation and opportunities for the implementation of such modeling and simulation capabilities within the Department.

AMENDMENT NO. 297 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle I of title V, insert the following:

SEC. 5___. INCLUSION OF PURPLE HEART AWARDS ON MILITARY VALOR WEBSITE.

The Secretary of Defense shall ensure that the publicly accessible internet website of the Department of Defense that lists individuals who have been awarded certain military awards includes a list of each individual who meets each of the following criteria:

(1) The individual is awarded the Purple Heart for qualifying actions that occur after the date of the enactment of this Act.

(2) The individual elects to be included on such list (or, if the individual is deceased, the primary next of kin elects the individual to be included on such list).

(3) The public release of the individual's name does not constitute a security risk, as determined by the Secretary of the military department concerned.

AMENDMENT NO. 298 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle C of title I, add the following new section:

SEC. 1___. SENSE OF CONGRESS REGARDING UNITED STATES AIR NATIONAL GUARD REFUELING MISSION.

It is the sense of Congress that—

(1) the refueling mission of the reserve components of the Air Force is essential to ensuring the national security of the United States and our allies;

(2) this mission provides for aerial aircraft refueling essential to extending the range of aircraft, which is a critical capability when facing the current threats abroad; and

(3) the Air Force should ensure any plan to retire KC–135 aircraft includes equal replacement with KC–46A aircraft.

AMENDMENT NO. 299 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle D of title XVI, add the following:

SEC. ___. REPORT ON GUN LAUNCHED INTERCEPTOR TECHNOLOGIES.

Not later than March 31, 2023, the Secretary of Defense, acting through the Commanding General of the Army Space and Missile Defense Command, shall submit to the congressional defense committees a report containing—

(1) an assessment of the need for gun launched interceptor technologies; and

(2) a funding profile, by year, of the total cost of integrating and testing such technologies that are under development.

AMENDMENT NO. 300 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle D of title XVI, add the following:

SEC. ___. REPORT ON RADIATION HARDENED, THERMALLY INSENSITIVE TELESCOPES FOR SM–3 INTERCEPTOR.

Not later than March 31, 2023, the Secretary of Defense, acting through the Director of the Missile Defense Agency, shall submit to the congressional defense committees a report containing—

(1) an assessment of the requirement to develop radiation hardened, thermally insensitive sensors for missile defense; and

(2) a funding profile, by year, of the total cost of integrating and testing such sensors that are under development.

AMENDMENT NO. 301 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle C of title II, add the following new section:

SEC. 2___. SENSE OF CONGRESS ON THE ADDITIVE MANUFACTURING AND MACHINE LEARNING INITIATIVE OF THE ARMY.

It is the sense of Congress that—

(1) the additive manufacturing and machine learning initiative of the Army has the potential to accelerate the ability to deploy additive manufacturing capabilities in expeditionary settings and strengthen the United States defense industrial supply chain; and

(2) Congress and the Department of Defense should continue to support the additive manufacturing and machine learning initiative of the Army.

AMENDMENT NO. 302 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle C of title II, insert the following new section:

SEC. 2___. FUNDING FOR ROBOTICS SUPPLY CHAIN RESEARCH.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, Defense-Wide, as specified in the corresponding funding table in section 4201, for Defense Wide Manufacturing Science and Technology Program, Line 054, is hereby increased by $15,000,000, for Robotics Supply Chain Research.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for Army, as specified in the corresponding funding table in section 4201, for Integrated Personnel and Pay System Army, Line 123, is hereby reduced by $15,000,000.

AMENDMENT NO. 303 OFFERED BY MR. RESCHENTHALER OF PENNSYLVANIA

At the end of subtitle C of title II, insert the following new section:

SEC. 2___. FUNDING FOR ENTERPRISE DIGITAL TRANSFORMATION WITH COMMERCIAL PHYSICS SIMULATION.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, Air Force, as specified in the corresponding funding table in section 4201, for the Department of the Air Force Tech Architecture, Line 040, is hereby increased by $9,000,000, for Enterprise Digital Transformation with Commercial Physics Simulation.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, Air Force, as specified in the corresponding funding table in section 4201, for Stand-In Attack Weapon, Line 096, is hereby reduced by $9,000,000.

AMENDMENT NO. 304 OFFERED BY MR. ROUZER OF NORTH CAROLINA

At the end of subtitle B of title III, insert the following:

SEC. 3___. REPORT ON DEPARTMENT OF DEFENSE FLOOD MAPPING EFFORTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the flood mapping efforts of the Department of Defense. Such report shall address—

(1) how frequently the Department updates such flood maps;

(2) the resources used to undertake flood mapping projects; and

(3) whether, and if so, how, such maps are incorporated into broader flood maps of the Federal Emergency Management Agency.

AMENDMENT NO. 305 OFFERED BY MR. RYAN OF OHIO

At the end of subtitle C of title VII, insert the following new section:

SEC. 7___. GAO STUDY ON ACCESS TO EXCEPTIONAL FAMILY MEMBER PROGRAM AND EXTENDED CARE HEALTH OPTION PROGRAM BY MEMBERS OF RESERVE COMPONENTS.

(a) STUDY AND REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study to determine the barriers to members of the reserve components accessing the Extended Care Health Option program and the Exceptional Family Member program of the Department of Defense; and

(2) submit to the Secretary of Defense and the congressional defense committees a report containing the findings of such study.

(b) ELEMENTS.—The report under subsection (a)(2) shall include the following:

(1) A description of the methodology used by the Department of Defense to disseminate information regarding the eligibility of members of the reserve components for the Extended Care Health Option program and the Exceptional Family Member program upon such members commencing the performance of Active Guard and Reserve duty.

(2) An identification of the timeline of the enrollment process for members of the reserve components in such programs and any effects of delayed enrollment, such as exclusion from benefits or resources.

(3) An identification of impediments to enrollment in such programs among such members, including an assessment of the following:

(A) The availability of resources under such programs, including specialist providers under the Exceptional Family Member program, at the time of enrollment in such programs.

(B) The availability of support under such programs at facilities of the reserve components.

(C) Any misinformation provided to service members seeking enrollment.

(4) With respect to the Exceptional Family Member program—

(A) an identification of the number of families with a family member eligible to enroll in such program, disaggregated by whether the member of the reserve component in such family is performing Active Guard and Reserve duty;

(B) an assessment of the effects of navigating the process of enrollment in such program on the mission to which the member is assigned while performing Active Guard and Reserve duty; and

(C) an identification of the number of specialist providers and staff who support reserve component members through such program.

(5) Recommendations on improving the dissemination of information regarding the eligibility of members of the reserve components for the Extended Care Health Option program and the Exceptional Family Member program.

(6) Recommendations on improvements to such programs with respect to the reserve components.

(c) ACTIVE GUARD AND RESERVE DEFINED.—The term ''Active Guard and Reserve'' has the meaning given such term in section 101(b) of title 10, United States Code.

AMENDMENT NO. 306 OFFERED BY MS. SALAZAR OF FLORIDA

At the end of subtitle A of title XVI, add the following:

SEC. 1609. REPORT ON STRATOSPHERIC BALLOONS, AEROSTATS, OR SATELLITE TECHNOLOGY CAPABLE OF RAPIDLY DELIVERING WIRELESS INTERNET.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force and the Secretary of State, in consultation with the Chief of Space Operations, shall provide a report to the Senate Foreign Relations Committee, House Foreign Affairs Committee, Senate Armed Services Committee and House Armed Services Committee that identifies opportunities to deploy stratospheric balloons, aerostats, or satellite technology capable of rapidly delivering wireless internet anywhere on the planet from the stratosphere or higher. The report shall identify commercial as well as options developed by the Department of Defense. Additionally, the report shall provide an assessment of the military utility of such opportunities.

AMENDMENT NO. 307 OFFERED BY MS. SALAZAR OF FLORIDA

At the end of subtitle C of title X, insert the following:

SEC. 10___. CONGRESSIONAL NOTIFICATION REGARDING PENDING RETIREMENT OF NAVAL VESSELS VIABLE FOR ARTIFICIAL REEFING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Navy should explore and solicit artificial reefing opportunities with appropriate entities for any naval vessel planned for retirement before initiating any plans to dispose of the vessel.

(b) REPORT.—Not later than 90 days before the retirement from the Naval Vessel Register of any naval vessel that is a viable candidate for artificial reefing, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the pending retirement of such vessel.

AMENDMENT NO. 308 OFFERED BY MR. SAN NICOLAS OF GUAM

At the end of title LII, insert the following:

SEC. 52___. ACCESS TO MILITARY INSTALLATIONS FOR HOMELAND SECURITY INVESTIGATIONS PERSONNEL IN GUAM.

The commander of a military installation located in Guam shall grant to an officer or employee of Homeland Security Investigations the same access to such military installation (including the use of an APO or FPO box) such commander grants to an officer or employee of U.S. Customs and Border Protection or of the Federal Bureau of Investigation.

AMENDMENT NO. 309 OFFERED BY MR. SAN NICOLAS OF GUAM

At the end of subtitle B of title III, insert the following:

SEC. 3___. BIANNUAL LEAK INSPECTIONS OF NAVY AND AIR FORCE UNDERGROUND STORAGE TANKS ON GUAM.

(a) NAVY.—The Secretary of the Navy shall ensure that underground fuel storage tanks owned by the Navy and located on Guam are checked for leaks at least once every six months.

(b) AIR FORCE.—The Secretary of the Air Force shall ensure that underground fuel storage tanks owned by the Air Force and located on Guam are checked for leaks at least once every six months.

AMENDMENT NO. 310 OFFERED BY MS. SÁNCHEZ OF CALIFORNIA

At the end of subtitle A of title XIII of division A, add the following:

SEC. ___. SENSE OF CONGRESS ON ENHANCING NATO EFFORTS TO COUNTER MISINFORMATION AND DISINFORMATION.

It is the sense of Congress that the United States should—

(1) prioritize efforts to enhance the North Atlantic Treaty Organization' (NATO's) capacity to counter misinformation and disinformation;

(2) support an increase in NATO's human, financial, and technological resources and capacity dedicated to understand, respond to, and fight threats in the information space; and

(3) support building technological resilience to misinformation and disinformation.

SEC. ___. SENSE OF CONGRESS RELATING TO THE NATO PARLIAMENTARY ASSEMBLY.

It is the sense of Congress that the United States should—

(1) proactively engage with the North Atlantic Treaty Organization (NATO) Parliamentary Assembly (PA) and its member delegations;

(2) communicate with and educate the public on the benefits and importance of NATO and NATO PA; and

(3) support increased inter-democracy and inter-parliamentary cooperation on countering misinformation and disinformation.

AMENDMENT NO. 311 OFFERED BY MS. SÁNCHEZ OF CALIFORNIA

At the end of subtitle E of title XII, add the following:

SEC. 12__. REPORT ON EFFORTS OF NATO TO COUNTER MISINFORMATION AND DISINFORMATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the congressional committees specified in subsection (b) a report on efforts of the North Atlantic Treaty Organization (NATO) and NATO member states to counter misinformation and disinformation.

(b) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees specified in this subsection are the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(c) ELEMENTS.—The report required by subsection (a) shall—

(1) assess—

(A) vulnerabilities of NATO member states and NATO to misinformation and disinformation and describe efforts to counter such activities;

(B) the capacity and efforts of NATO member states and NATO to counter misinformation and disinformation, including United States cooperation with other NATO members states; and

(C) misinformation and disinformation campaigns carried out by authoritarian states, particularly Russia and China; and

(2) include recommendations to counter misinformation and disinformation.

AMENDMENT NO. 312 OFFERED BY MS. SÁNCHEZ OF CALIFORNIA

At the appropriate place in subtitle E of title XII, insert the following:

SEC. ___. IMPROVEMENTS TO THE NATO STRATEGIC COMMUNICATIONS CENTER OF EXCELLENCE.

(a) PRIORITIZATION.—The Secretary of Defense shall seek to prioritize funding through NATO's common budget to—

(1) enhance the capability, cooperation, and information sharing among NATO, NATO member countries, and partners, with respect to strategic communications and information operations; and

(2) facilitate education, research and development, lessons learned, and consultation in strategic communications and information operations.

(b) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the appropriate congressional committees that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being under taken to strengthen the role of Center in fostering strategic communications and information operations within NATO.

(c) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report outlining—

(1) the recommendations of the Secretary with respect to improving strategic communications within NATO; and

(2) the recommendations of the Secretary with respect to strengthening the role of the Center in fostering strategic communications and information operations within NATO.

(d) BRIEFINGS REQUIRED.—The Secretary of Defense shall brief the appropriate congressional committees on a biannual basis on—

(1) the efforts of the Department of Defense to strengthen the role of the Center in fostering strategic communications and information operations within NATO;

(2) how the Department of Defense is working with the NATO Strategic Communications Center of Excellence and the interagency to improve NATO's ability to counter and mitigate disinformation, active measures, propaganda, and denial and deception activities of Russia and China; and

(3) how the Department of Defense is developing ways to improve strategic communications within NATO, including by enhancing the capacity of and coordination with the NATO Strategic Communications Center of Excellence.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 313 OFFERED BY MR. SCHIFF OF CALIFORNIA

At the end of title LI, insert the following:

SEC. 51___. FEASIBILITY STUDY ON INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE LOST CREW MEMBERS OF THE USS FRANK E. EVANS KILLED ON JUNE 3, 1969.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study to determine the feasibility of including on the Vietnam Veterans Memorial Wall in the District of Columbia the names of the 74 crew members of the USS Frank E. Evans in service who were killed on June 3, 1969. Such study shall include a determination of—

(1) the cost of including such names; and

(2) whether there is sufficient space on the Wall for the inclusion of such names.

(b) CONSULTATION.—In conducting the study required under subsection, the Secretary shall consult with members of the Frank E. Evans Association, as well as survivors and family members of the crew members who were killed.

AMENDMENT NO. 314 OFFERED BY MR. SCHNEIDER OF ILLINOIS

Add at the end of subtitle E of title VIII the following:

SEC. 8___. SENSE OF CONGRESS ON MODERNIZING DEFENSE SUPPLY CHAIN MANAGEMENT.

(a) FINDINGS.—Congress finds the following:

(1) The continued modernize Department of Defense supply chain management using private sector best practices where applicable is imperative to run effective domestic and overseas operations, ensure timely maintenance, and sustain military forces.

(2) Congress supports the continued development and integration by the Secretary of Defense of advanced digital supply chain management and capabilities. These capabilities should include tools that digitize data flows in order to transition from older, inefficient manual systems, modernize warehouse operations of the Department of Defense to use digitized data management and inventory control, and maximize cybersecurity protection of logistics processes.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to meet the unique needs of the Department of Defense regarding continuity of supply chain management in both garrison and deployed or austere environments, the Department must prioritize digital supply chain management solutions that use durable devices and technologies designed to operate in remote regions with limited network connectivity.

AMENDMENT NO. 315 OFFERED BY MS. SCHRIER OF WASHINGTON

At the end of subtitle G of title V, insert the following:

SEC. 5___. GAO REPORT ON SCREENINGS INCLUDED IN THE HEALTH ASSESSMENT FOR MEMBERS SEPARATING FROM THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on screenings included in the health assessment administered to members separating from the the Armed Forces. Such report shall include the following elements:

(1) A list of screenings are included in such assessment.

(2) Whether such screenings—

(A) are uniform across the Armed Forces;

(B) include questions to assess if the member is at risk for social isolation, homelessness, or substance abuse; and

(C) include questions about community.

(3) How many such screenings result in referral of a member to—

(A) community services;

(B) community services other than medical services; and

(C) a veterans service organization.

(4) An assessment of the effectiveness of referrals described in paragraph (3).

(5) How organizations, including veterans service organizations, perform outreach to members in underserved communities.

(6) The extent to which organizations described in paragraph (5) perform such outreach.

(7) The effectiveness of outreach described in paragraph (6).

(8) The annual amount of Federal funding for services and organizations described in paragraphs (3) and (5).

AMENDMENT NO. 316 OFFERED BY MS. SCHRIER OF WASHINGTON

At the end of subtitle H of title V, insert the following:

SEC. 5___. PUBLIC REPORTING ON CERTAIN MILITARY CHILD CARE PROGRAMS.

Not later than September 30, 2023, and each calendar quarter thereafter, the Secretary of Defense shall post, on a publicly accessible website of the Department of Defense, information regarding the Military Child Care in Your Neighborhood and Military Child Care in Your Neighborhood-Plus programs. Such information shall include the following elements, disaggregated by State, ZIP code, month, and Armed Force:

(1) The number of children, military families, and child care providers who benefit from each program.

(2) Whether such providers are nationally accredited or rated by the Quality Rating and Improvement System of the State.

(3) The amounts of subsidy paid.

AMENDMENT NO. 317 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

At the appropriate place in subtitle E of title XII, insert the following:

SEC. ___. SENSE OF CONGRESS ON ENHANCING STRATEGIC PARTNERSHIP, DEFENSE AND SECURITY COOPERATION WITH GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend and strategic partner of the United States and a NATO aspirant that has consistently sought to advance shared values and mutual interests to include deploying alongside United States forces in Iraq and Afghanistan.

(2) Over the past 30 years of partnership, the United States has contributed to strengthening Georgia's progress on the path of European and Euro-Atlantic integration.

(3) Security in the Black Sea region is a matter of strategic importance for the United States, especially amid Russia's unprovoked and unjustified war on Ukraine. Enhancing Georgia's self-defense and whole-of-government resistance and resilience capacity is critical for Euro-Atlantic security, the United States's national security objectives and strategic interests in the Black Sea region.

(4) Georgia is a significant economic, energy transit, and international trade hub. Georgia is an integral part of the East-West corridor that is vital to European energy security and diversification of strategic supply-chain routes for the United States and Europe.

(5) Continuous illegal occupation of two Georgian regions by Russia, its accelerated attempts of de-facto annexation of both regions and hybrid warfare tactics including political interference, cyber-attacks, and disinformation and propaganda campaigns pose immediate challenges to the national security of Georgia and the security of Europe.

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

(1) reaffirm support and take steps to enhance and deepen the steadfast strategic partnership in all priority areas of the 2009 United States—Georgia Charter on Strategic Partnership and in line with the 2016 Memorandum of Understanding on Deepening the Defense and Security Partnership between the United States and Georgia;

(2) continue firm support to Georgia's sovereignty and territorial integrity within its internationally recognized borders;

(3) intensify efforts towards de-occupation of Georgia's territories and peaceful resolution of Russia-Georgia conflict, including through consolidation of decisive international action to ensure full and unconditional fulfilment by the Russian Federation of its international obligations, inter alia implementation of the EU-mediated 12 August 2008 Ceasefire Agreement;

(4) continue strong support and meaningful participation in the Geneva International Discussions for ensuring implementation of the Ceasefire Agreement by the Russian Federation and achieving lasting peace and security in Georgia;

(5) continue working to strengthen press freedom, democratic institutions, and the rule of law in Georgia in order to help secure its path of Euro-Atlantic integration and aspirant NATO and EU membership;

(6) prioritize and deepen defense and security cooperation with Georgia, including the full implementation and potential acceleration of the Georgia Defense and Deterrence Enhancement Initiative, increased military financing of Georgia's equipment modernization plans to enhance Georgia's deterrence, territorial defense, whole-of-government resistance and resilience capacity, and to foster readiness and NATO interoperability;

(7) support existing and new cooperation formats to bolster cooperation among NATO, Georgia and Black Sea regional partners to enhance Black Sea security especially in the changed security environment including increasing the frequency, scale and scope of exercises such as NATO Article 5 exercises and assistance to Georgia's Defense Forces modernization efforts;

(8) enhance assistance to Georgia in the cyber domain through training, education, and technical assistance to enable Georgia to prevent, mitigate and respond to cyber threats; and

(9) continue support and assistance to Georgia in countering Russian disinformation and propaganda campaigns intended to undermine the sovereignty of Georgia, credibility of its democratic institutions and European and Euro-Atlantic integration.

AMENDMENT NO. 318 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

At the appropriate place in subtitle A of title XII, insert the following:

SEC. ___. REPEAL OF LIMITATION ON COSTS COVERED UNDER HUMANITARIAN DEMINING ASSISTANCE.

Subsection (c)(3) of section 407 of title 10, United States Code, is repealed.

AMENDMENT NO. 319 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

At the end of subtitle F of title X, insert the following:

SEC. 10___. ANNUAL REPORT ON UNFUNDED PRIORITIES OF DEFENSE POW/MIA ACCOUNTING AGENCY.

Chapter 9 of title 10, United States Code, is amended by inserting after section 222c the following new section:

"§ 222d. Unfunded priorities of Defense POW/MIA Accounting Agency: annual report

''(a) REPORTS.—(a) Reports.-Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Director of the Defense POW/MIA Accounting Agency shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and to the congressional defense committees, a report on the unfunded priorities of the Defense POW/MIA Accounting Agency.

''(b) ELEMENTS.—(1) Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

''(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

''(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

''(C) Account information with respect to such priority, including the following (as applicable):

''(i) Line Item Number (LIN) for applicable procurement accounts.

''(ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.

''(iii) Sub-activity group (SAG) for applicable operation and maintenance accounts.

''(2) Each report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.

''(c) UNFUNDED PRIORITY DEFINED.— In this section, the term 'unfunded priority', in the case of a fiscal year, means a program, activity, or mission requirement of the POW/MIA Accounting Agency that—

''(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31, United States Code;

''(2) is necessary to fulfill a requirement associated with an operational or contingency plan of a combatant command or other validated requirement; and

''(3) would have been recommended for funding through the budget referred to in paragraph (1) by the Director of the POW/MIA Accounting Agency in connection with the budget if additional resources had been available for the budget to fund the program, activity, or mission requirement.''.

AMENDMENT NO. 320 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

At the appropriate place in subtitle A of title XII, insert the following:

SEC. ___. MODIFICATION TO FELLOWSHIP PROGRAM TO ADD TRAINING RELATING TO URBAN WARFARE.

Section 345 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by adding at the end the following sentence: ''In addition to the areas of combating terrorism and irregular warfare, the program should focus training on urban warfare.''; and

(2) by adding at the end of subsection (d) the following new paragraph:

''(6) A discussion of how the training from the previous year incorporated lessons learned from ongoing conflicts.''.

AMENDMENT NO. 321 OFFERED BY MR. SCOTT OF VIRGINIA

At the end of subtitle H of title XXVIII insert the following:

SEC. 28___. INTERAGENCY REGIONAL COORDINATOR FOR RESILIENCE PILOT PROJECT.

(a) PILOT PROJECT.—The Secretary of Defense shall carry out a pilot program under which the Secretary shall establish within the Department of Defense four Interagency Regional Coordinators. Each Interagency Regional Coordinator shall be responsible for improving the resilience of a community that supports a military installation and serving as a model for enhancing community resilience before disaster strikes.

(b) SELECTION.—Each Interagency Regional Coordinator shall support military installations and surrounding communities within a geographic area, with at least one such Coordinator serving each of the East, West, and Gulf coasts. For purposes of the project, the Secretary shall select geographic areas—

(1) with significant sea level rise and recurrent flooding that prevents members of the Armed Forces from reaching their posts or jeopardizes military readiness; and

(2) where communities have collaborated on multi-jurisdictional climate adaptation planning efforts, including such collaboration with the Army Corps of Engineers Civil Works Department and through Joint Land Use Studies.

(c) COLLABORATION.—In carrying out the pilot project, the Secretary shall build on existing efforts through collaboration with State and local entities, including emergency management, transportation, planning, housing, community development, natural resource managers, and governing bodies and with the heads of appropriate Federal departments and agencies.

AMENDMENT NO. 322 OFFERED BY MR. SCOTT OF VIRGINIA

At the appropriate place in subtitle J of title V, insert the following new section:

SEC. 5___ REPORT ON EFFORTS TO PREVENT AND RESPOND TO DEATHS BY SUICIDE IN THE NAVY.

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review of the efforts by the Secretary of the Navy to—

(1) prevent incidents of deaths by suicide, suicide attempts, and suicidal ideation among covered members; and

(2) respond to such incidents.

(b) ELEMENTS OF REVIEW.—The study conducted under subsection (a) shall include an assessment of each of the following:

(1) The extent of data collected regarding incidents of deaths by suicide, suicide attempts, and suicidal ideation among covered members, including data regarding whether such covered members are assigned to sea duty or shore duty at the time of such incidents.

(2) The means used by commanders to prevent and respond to incidents of deaths by suicide, suicide attempts, and suicidal ideation among covered members.

(3) Challenges related to—

(A) the prevention of incidents of deaths by suicide, suicide attempts, and suicidal ideation among members of the Navy assigned to sea duty; and

(B) the development of a response to such incidents.

(4) The capacity of teams providing mental health services to covered members to respond to incidents of suicidal ideation or suicide attempts among covered members in the respective unit each such team serves.

(5) The means used by such teams to respond to such incidents, including the extent to which post-incident programs are available to covered members.

(6) Such other matters as the Inspector General considers appropriate in connection with the prevention of deaths by suicide, suicide attempts, and suicidal ideation among covered members.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report that includes a summary of the results of the review conducted under subsection (a).

(d) COVERED MEMBER DEFINED.—In this section the term ''covered member'' means a member of the Navy assigned to sea duty or shore duty.

AMENDMENT NO. 323 OFFERED BY MR. SCOTT OF VIRGINIA

At the appropriate place in subtitle J of title V, insert the following:

SEC. 5___ REPORT ON PROGRAMS THROUGH WHICH MEMBERS OF THE ARMED FORCES MAY FILE ANONYMOUS CONCERNS.

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review that shall include an assessment of the extent to which the Secretary of Defense and each Secretary of a military department have—

(1) issued policy and guidance concerning the establishment, promotion, and management of an anonymous concerns program;

(2) established safeguards in such policy and guidance to ensure the anonymity of concerns or complaints filed through an anonymous concerns program; and

(3) used an anonymous concerns program—

(A) for purposes that include services on a military installation; and

(B) in settings that include—

(i) naval vessels;

(ii) military installations outside the continental United States; and

(iii) remote locations.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report that includes the findings of the review conducted under subsection (a).

(c) ANONYMOUS CONCERNS PROGRAM DEFINED.—In this section, the term ''anonymous concerns program''—

(1) means a program that enables a member of the Armed Force to anonymously submit a complaint or concern related to topics that include—

(A) morale;

(B) quality of life;

(C) safety; or

(D) the availability of Department of Defense programs or services to support members of the Armed Forces; and

(2) does not include an anonymous reporting mechanism related to sexual harassment, sexual assault, anti-harassment complaints, or military equal opportunity complaints.

AMENDMENT NO. 324 OFFERED BY MS. SHERRILL OF NEW JERSEY

Add at the end of subtitle D of title VIII the following:

SEC. 8___. OTHER TRANSACTION AUTHORITY CLARIFICATION.

Section 4022 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''military personnel and the supporting'' and inserting ''personnel of the Department of Defense or improving''; and

(B) by striking ''or materials in use'' and inserting ''materials, or installations in use''; and

(2) in subsection (e), by adding at the end the following new paragraph:

''(3) The term 'prototype project' means a project that addresses—

''(A) a proof of concept, model, or process, including a business process;

''(B) reverse engineering to address obsolescence;

''(C) a pilot or novel application of commercial technologies for defense purposes;

''(D) agile development activity, creation, design, development, or demonstration of operational utility; or

''(E) any combination of subparagraphs (A) through (D).''.

AMENDMENT NO. 325 OFFERED BY MS. SLOTKIN OF MICHIGAN

At the end of subtitle H of title III, insert the following new section:

SEC. 3___. RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.

Section 1125 of title 10, United States Code, is amended—

(1) by inserting ''(a) GENERAL AUTHORITY.— '' before ''The Secretary of Defense''; and

(2) by adding at the end the following new subsection:

''(b) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense shall develop a decoration or other appropriate recognition to recognize military

working dogs under the jurisdiction of the Secretary that are killed in action or that perform an exceptionally meritorious or courageous act in service to the United States.''.

AMENDMENT NO. 326 OFFERED BY MR. SMITH OF WASHINGTON

At the end of title XVII, insert the following:

SEC. 17___. UKRAINE CRITICAL MUNITIONS ACQUISITION FUND.

(a) ESTABLISHMENT.—There shall be established in the Treasury of the United States a revolving fund to be known as the ''Ukraine Critical Munitions Acquisition Fund'' (in this section referred to as the ''Fund'').

(b) PURPOSE.—Subject to the availability of appropriations, amounts in the Fund shall be made available by the Secretary of Defense—

(1) to ensure that adequate stocks of critical munitions are available for allies and partners of the United States during the war in Ukraine; and

(2) to finance the acquisition of critical munitions in advance of the transfer of such munitions to foreign countries during the war in Ukraine.

(c) ADDITIONAL AUTHORITY.—Subject to the availability of appropriations, the Secretary may also use amounts made available to the Fund—

(1) to keep on continuous order munitions that the Secretary deems as critical due to a reduction in current stocks as a result of the drawdown of stocks provided to the government of Ukraine for transfer to Ukraine; or

(2) with the concurrence of the Secretary of State, to procure munitions identified as having a high use rate during the war in Ukraine.

(d) DEPOSITS.—

(1) IN GENERAL.—The Fund shall consist of each of the following:

(A) Collections from sales made under letters of offer (or transfers made under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)) of munitions acquired using amounts made available from the Fund pursuant to this section, representing the value of such items calculated, as applicable, in accordance with—

(i) subparagraph (B) or (C) of section 21(a)(1) of the Arms Export Control Act (22 U.S.C. 2761(a)(1);

(ii) section 22 of the Arms Export Control Act (22 U.S.C. 2762); or

(iii) section 644(m) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

(B) Such amounts as may be appropriated pursuant to the authorization under this section or otherwise made available for the purposes of the Fund.

(C) Not more than $500,000,000 may be transferred to the Fund for any fiscal year, in accordance with subsection (e), from amounts authorized to be appropriated by this Act for the Department in such amounts as the Secretary determines necessary to carry out the purposes of this section, which shall remain available until expended. The transfer authority provided by this paragraph is in addition to any other transfer authority available to the Secretary.

(2) CONTRIBUTIONS FROM FOREIGN GOVERNMENTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Defense may accept contributions of amounts to the Fund from any foreign government or international organization. Any amounts so accepted shall be credited to the Ukraine Critical Munitions Acquisition Fund and shall be available for use as authorized under subsection (b).

(B) LIMITATION.—The Secretary may not accept a contribution under this paragraph if the acceptance of the contribution would compromise, or appear to compromise, the integrity of any program of the Department of Defense.

(C) NOTIFICATION.—If the Secretary accepts any contribution under this paragraph, the Secretary shall notify the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives. Such notice shall specify the source and amount of any contribution so accepted and the use of any amount so accepted.

(e) NOTIFICATION.—

(1) IN GENERAL.—No amount may be transferred pursuant to subsection (d)(1)(C) until the date that is 15 days after the date on which the Secretary provides to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate—

(A) notice in writing of the amount and purpose of the proposed transfer; and

(B) a description of how the Secretary intends to use the munitions acquired under this section to meet national defense requirements as specified in subsection (f)(1)(A).

(2) AMMUNITION PURCHASES.—No amounts in the Fund may be used to purchase ammunition, as authorized by this Act, until the date that is 15 days after the date on which the Secretary notifies the congressional defense committees in writing of the amount and purpose of the proposed purchase.

(3) FOREIGN TRANSFERS.—No munition purchased using amounts in the Fund may be transferred to a foreign country until the date that is 15 days after the date on which the Secretary notifies the congressional defense committees in writing of the proposed transfer.

(f) LIMITATIONS.—

(1) LIMITATION ON TRANSFER.—No munition acquired by the Secretary of Defense using amounts made available from the Fund pursuant to this section may be transferred to any foreign country unless such transfer is authorized by the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or other applicable law, except as follows:

(A) The Secretary of Defense, with the concurrence of the Secretary of State, may authorize the use by the Department of Defense of munitions acquired under this section prior to transfer to a foreign country, if such use is necessary to meet national defense requirements and the Department bear the costs of replacement and transport, maintenance, storage, and other such associated costs of such munitions.

(B) Except as required by subparagraph (A), amounts made available to the Fund may be used to pay for storage, maintenance, and other costs related to the storage, preservation and preparation for transfer of munitions acquired under this section prior to their transfer, and the administrative costs of the Department of Defense incurred in the acquisition of such items, to the extent such costs are not eligible for reimbursement pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)).

(2) CERTIFICATION REQUIREMENT.—

(A) IN GENERAL.—No amounts in the Fund may be used pursuant to this section unless the President—

(i) certifies to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate that the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.) cannot be used to fulfill the same functions and objectives for which such amounts to be made available from the Fund are to be used; and

(ii) includes in such certification a justification therefor, which may be included in a classified annex, if necessary.

(B) NON-DELEGATION.—The President may not delegate any responsibility of the President under subparagraph (A).

(g) TERMINATION.—The authority for the Fund under this section shall expire on December 31, 2024.

AMENDMENT NO. 327 OFFERED BY MR. SMITH OF NEW JERSEY

At the end of subtitle B of title XIII, add the following:

SEC. 13__. FEASIBILITY STUDY AND REPORT RELATING TO SOMALILAND.

(a) FEASIBILITY STUDY.—The Secretary of State, in consultation with the Secretary of Defense, shall conduct a feasibility study that—

(1) includes consultation with Somaliland security organs;

(2) determines opportunities for collaboration in the pursuit of United States national security interests in the Horn of Africa, the Gulf of Aden, and the broader Indo-Pacific region;

(3) identifies the practicability of improving the professionalization and capacity of Somaliland security sector actors; and

(4) identifies the most effective way to conduct and carry out programs, transactions, and other relations in the City of Hargeisa on behalf of the United States Government.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the heads of other relevant Federal departments and agencies, shall submit a classified report to the appropriate congressional committees that contains the results of the feasibility study required under subsection (a), including an assessment of the extent to which—

(1) opportunities exist for the United States to support the training of Somaliland's security sector actors with a specific focus on counterterrorism and border and maritime security;

(2) Somaliland's security forces were implicated, if any, in gross violations of human rights during the 3-year period immediately preceding the date of the enactment of this Act;

(3) the United States has provided or discussed with officials of Somaliland the provision of training to security forces, including—

(A) where such training has occurred;

(B) the extent to which Somaliland security forces have demonstrated the ability to absorb previous training; and

(C) the ability of Somaliland security forces to maintain and appropriately utilize such training, as applicable;

(4) a United States diplomatic and security engagement partnership with Somaliland would have a strategic impact, including by protecting the United States and allied maritime interests in the Bab-el-Mandeb Strait and at Somaliland's Port of Berbera;

(5) Somaliland could—

(A) serve as a maritime gateway in East Africa for the United States and its allies; and

(B) counter Iran's presence in the Gulf of Aden and China's growing regional military presence;

(6) a United States security and defense partnership could—

(A) bolster cooperation between Somaliland and Taiwan;

(B) stabilize this semi-autonomous region of Somalia further as a democratic counterweight to anti-democratic forces in the greater Horn of Africa region; and

(C) impact the capacity of the United States to achieve policy objectives in Somalia, particularly to degrade and ultimately

defeat the terrorist threat posed by Al-Shabaab, the Islamic State in Somalia (the Somalia-based Islamic State affiliate), and other terrorist groups operating in Somalia; and

(7) the extent to which an improved relationship with Somaliland could—

(A) support United States policy focused on the Red Sea corridor, the Indo-Pacific region, and the Horn of Africa;

(B) improve cooperation on counterterrorism and intelligence sharing;

(C) enable cooperation on counter-trafficking, including the trafficking of humans, wildlife, weapons, and illicit goods; and

(D) support trade and development, including how Somaliland could benefit from Prosper Africa and other regional trade initiatives.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In subsection (b), the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

AMENDMENT NO. 328 OFFERED BY MR. SMITH OF NEW JERSEY

Add at the end of subtitle C of title VII of division A the following:

SEC. 7___. KYLE MULLEN NAVAL SAFETY ENHANCEMENTS.

The Secretary of Defense, or his designee to Naval Special Warfare Command, shall conduct an appraisal of and provide recommended policies for improved medical care and oversight of individuals in the Navy engaged in high-stress training environments, in an effort to ensure sailor safety and prevent related long-term injury, illness, and death. The Secretary of the Navy shall ensure that such recommended polices are implemented to the full extent practicable and in a timely manner.

AMENDMENT NO. 329 OFFERED BY MR. SMITH OF NEW JERSEY

At the end of subtitle F of title X, insert the following:

SEC. 10___. REVIEW OF NAVY STUDY ON REQUIREMENTS FOR AND POTENTIAL BENEFITS OF REALISTICALLY SIMULATING REAL WORLD AND NEAR PEER ADVERSARY SUBMARINES.

The Secretary of the Navy shall conduct a review of the study conducted by the Chief of Naval Operations, N94 entitled ''Requirements for and Potential Benefits of Realistically Simulating Real World and Near Peer Adversary Submarines'', published November 1, 2021, to determine compliance with congressional intent and reconcile the findings of the study with instructions provided by Congress through the conference report 116-617 accompanying H.R. 6395, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283). Such review shall include an addendum that includes—

(1) views from Navy commands responsible for responding to foreign threats from adversary manned, diesel-powered submarines including the Navy's Fifth and Seventh Fleets, including views on the ability to conduct threat assessments related to submersibles operated by third world and near-peer adversaries in the areas of operations of such commands; and

(2) input from relevant training schools and range operators associated with antisubmarine warfare regarding current training platforms intended to replicate such threats and the effectiveness of such training platforms.

AMENDMENT NO. 330 OFFERED BY MR. SOTO OF FLORIDA

Page 661, line 19, insert ''or where there are significant space launch or mission control facilities'' after ''operates''.

Page 662, line 7, insert ''or where there are significant space launch or mission control facilities'' after ''operates''.

AMENDMENT NO. 331 OFFERED BY MR. SOTO OF FLORIDA

Page 940, line 24, insert ''and expand'' before the semicolon.

AMENDMENT NO. 332 OFFERED BY MR. SOTO OF FLORIDA

Page 622, line 17, insert ''distributed ledger technologies,'' after ''machine learning,''.

AMENDMENT NO. 333 OFFERED BY MR. SOTO OF FLORIDA

Page 138, after line 22, insert the following:

(9) Distributed leger technologies.

AMENDMENT NO. 334 OFFERED BY MR. SOTO OF FLORIDA

Page 328, line 12, insert ''(including artificial intelligence)'' after ''new technologies''.

AMENDMENT NO. 335 OFFERED BY MS. SPANBERGER OF VIRGINIA

At the appropriate place in subtitle D of title XII, insert the following:

SEC. ___. REPORT FROM COUNCIL OF THE INSPECTORS GENERAL ON UKRAINE.

Not later than September 1, 2024, the Chairperson of the Council of the Inspectors General on Integrity and Efficiency shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the oversight infrastructure established with respect to United States assistance to Ukraine, that also includes the following:

(1) the structure the Federal Government is currently using or plans to adopt (including the specific agencies charged) to oversee the expenditure of assistance to Ukraine;

(2) whether that oversight structure is best suited to conduct such oversight;

(3) whether there are any gaps in oversight over the expenditure of funds for assistance to Ukraine;

(4) whether the agencies identified pursuant to paragraph (1) are positioned to be able to accurately oversee and track United States assistance to Ukraine over the long term; and

(5) the lessons learned from the manner in which oversight over expenditures of assistance to Ukraine has been conducted.

AMENDMENT NO. 336 OFFERED BY MS. SPEIER OF CALIFORNIA

After section 523, insert the following and renumber subsequent sections accordingly:

SEC. 524. BRIEFING AND REPORT ON ADMINISTRATIVE SEPARATION BOARDS.

Subsection (c) of section 529B of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended to read as follows:

''(c) BRIEFING; REPORT.—The Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives—

''(1) a briefing on preliminary results of the study conducted under subsection (a) not later than December 27, 2022; and

''(2) a report on the final results of the study conducted under subsection (a) not later than May 31, 2023.''.

AMENDMENT NO. 337 OFFERED BY MS. SPEIER OF CALIFORNIA

At the appropriate place in title LVIII, insert the following:

SEC. ___. REPORT ON WAIVERS UNDER SECTION 907 OF THE FREEDOM FOR RUSSIA AND EMERGING EURASIAN DEMOCRACIES AND OPEN MARKETS SUPPORT ACT OF 1992.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit a report to the appropriate congressional committees on United States security assistance provided to the Government of Azerbaijan pursuant to a waiver under section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note).

(b) ELEMENTS.—The report under subsection (a) shall address the following:

(1) Documentation of the Department of State's consideration of all section 907 waiver requirements during the 5-year period ending on the date of the enactment of this Act.

(2) Further program-level detail and end-use monitoring reports of security assistance provided to the Government of Azerbaijan under a section 907 waiver during such 5-year period.

(3) The impact of United States security assistance provided to Azerbaijan on the negotiation of a peaceful settlement between Armenia and Azerbaijan over all disputed regions during such 5-year period.

(4) The impact of United States security assistance provided to Azerbaijan on the military balance between Azerbaijan and Armenia during such 5-year period.

(5) An assessment of Azerbaijan's use of offensive force against Armenia or violations of Armenian sovereign territory from November 11, 2020, to the date of the enactment of this Act.

(c) BRIEFING.—The Secretary of State, in coordination with the Secretary of Defense, shall brief the appropriate congressional committees not later than 180 days after the date of the enactment of this Act on the contents of the report required under subsection (a).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 338 OFFERED BY MR. STAUBER OF MINNESOTA

At the end of subtitle C of title X, insert the following:

SEC. 10___. AWARD OF CONTRACTS FOR SHIP REPAIR WORK TO NON-HOMEPORT SHIPYARDS TO MEET SURGE CAPACITY.

Section 8669a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) In order to meet surge capacity, the Secretary of the Navy may solicit proposals from, and award contracts for ship repair to, non-homeport shipyards that otherwise meet the requirements of the Navy for ship repair work.''.

AMENDMENT NO. 339 OFFERED BY MRS. STEEL OF CALIFORNIA

Add at the end of subtitle E of title VIII the following new section:

SEC. 859. PROHIBITION ON THE USE OF LOGINK.

(a) PROHIBITION.—

(1) IN GENERAL.—The Secretary of Defense, each Secretary of a military department, and a defense contractor may not use LOGINK.

(2) APPLICABILITY.—With respect to defense contractors, the prohibition in subsection (a) shall apply—

(A) with respect to any contract of the Department of Defense entered into on or after the date of the enactment of this section;

(B) with respect to the use of LOGINK in the performance of such contract.

(b) CONTRACTING PROHIBITION.—

(1) IN GENERAL.—The Secretary of Defense and each Secretary of a military department may not enter into any contract with an entity that uses LOGINK and shall prohibit the use of LOGINK in any contract entered into by the Department of Defense.

(2) DEFENSE CONTRACTOR.—With respect to any contract of the Department of Defense, a defense contractor may not enter into a subcontract with an entity that uses LOGINK.

(3) APPLICABILITY.—This subsection applies with respect to any contract entered into on or after the date of the enactment of this section.

(c) LOGINK DEFINED.—In this section, the term ''LOGINK'' means the public, open, shared logistics information network known as the National Public Information Platform for Transportation & Logistics by the Ministry of Transport of China.

AMENDMENT NO. 340 OFFERED BY MS. STRICKLAND OF WASHINGTON

At the end of subtitle H of title V, insert the following:

SECTION 5___. FEASIBILITY OF INCLUSION OF AU PAIRS IN PILOT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES FOR IN-HOME CHILD CARE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that members of the Armed Forces who participate in the au pair exchange visitor program should be eligible for assistance under the pilot program of the Department of Defense to provide financial assistance to members of the Armed Forces for in-home child care.

(b) FEASIBILITY ASSESSMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report containing the assessment of the Secretary of Defense of the feasibility, advisability, and considerations of expanding eligibility for the pilot program under section 589 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1791 note) to members of the Armed Forces who participate in an exchange visitor program under section 62.31 of title 22, Code of Federal Regulations, or successor regulation.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ''appropriate congressional committees'' means:

(1) The Committees on Armed Services of the Senate and House of Representatives.

(2) The Committee on Foreign Affairs of the House of Representatives.

(3) The Committee on Foreign Relations of the Senate.

AMENDMENT NO. 341 OFFERED BY MR. SWALWELL OF CALIFORNIA

At the end of subtitle B of title XIV of division A, add the following:

SEC. 1415. REPORT ON FEASIBILITY OF INCREASING QUANTITIES OF RARE EARTH PERMANENT MAGNETS IN NATIONAL DEFENSE STOCKPILE.

(a) STATEMENT OF POLICY.—It is the policy of the United States to build a stockpile of rare earth permanent magnets to meet requirements for Department of Defense programs and systems while reducing dependence on foreign countries for such magnets.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of increasing the quantity of rare earth permanent magnets in the National Defense Stockpile to support United States defense requirements.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) An assessment of the extent to which the existing National Defense Stockpile inventory would guarantee supply of rare earth permanent magnets to major defense acquisition programs included in the future years defense program.

(2) A description of the assumptions underlying the quantities of rare earth permanent magnet block identified for potential acquisition in the most recent National Defense Stockpile Annual Operations and Planning Report.

(3) An evaluation of factors that would affect shortfall estimates with respect to rare earth magnet block in the National Defense Stockpile inventory.

(4) A description of the impact on and requirements for domestic industry stakeholders, including Department of Defense contractors.

(5) An analysis of challenges related to the domestic manufacturing of rare earth permanent magnets.

(6) An assessment of the extent to which Department of Defense programs and systems rely on rare earth permanent magnets manufactured by an entity under the jurisdiction of a covered strategic competitor.

(7) Identification of additional funding, authorities, and policies necessary to advance the policy described in subsection (a).

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term ''congressional defense committees'' means the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(2) The term ''covered strategic competitor'' means a near-peer country identified by the Secretary of Defense and National Defense Strategy.

AMENDMENT NO. 342 OFFERED BY MR. TAKANO OF CALIFORNIA

Add at the end of subtitle B of title XIV the following:

SEC. 14___. STUDY ON STOCKPILING ENERGY STORAGE COMPONENTS.

Not later than 360 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a study on the viability of establishing a stockpile of the materials required to manufacture batteries, battery cells, and other energy storage components to meet national security requirements in the event of a national emergency (as defined in section 12 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-3)).

AMENDMENT NO. 343 OFFERED BY MS. TENNEY OF NEW YORK

At the end of subtitle C of title XII, add the following:

SEC. 12___. REPORT ON THE U.N. ARMS EMBARGO ON IRAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the Committees on Armed Services of the House of Representatives and the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report that includes a detailed description of—

(1) an assessment of the U.N. arms embargo on Iran on its effectiveness in constraining Iran's ability to supply, sell, or transfer, directly or indirectly, arms or related materiel, including spare parts, when it was in place; and

(2) the measures that the Departments of State and Defense are taking to constrain Iranian arms proliferation and combat the supply, sale, or transfer of weapons to or from Iran.

AMENDMENT NO. 344 OFFERED BY MS. TENNEY OF NEW YORK

At the end of subtitle C of title XII, add the following:

SEC. 12___. REPORT ON ISLAMIC REVOLUTIONARY GUARD CORPS-AFFILIATED OPERATIVES ABROAD.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the Committees on Armed Services of the House of Representatives and the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report that includes a detailed description of—

(1) all Islamic Revolutionary Guard Corps-affiliated operatives serving in diplomatic and consular posts abroad; and

(2) the ways in which the Department of State and the Department of Defense are working with partner nations to inform them of the threat posed by Islamic Revolutionary Guard Corps-affiliated officials serving in diplomatic and consular roles in third party countries.

AMENDMENT NO. 345 OFFERED BY MS. TENNEY OF NEW YORK

At the end of subtitle F of title X, add the following new section:

SEC. 10___. REPORT ON UNMANNED TRAFFIC MANAGEMENT SYSTEMS AT MILITARY BASES AND INSTALLATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of the threat of aerial drones and unmanned aircraft to United States national security; and

(2) an assessment of the unmanned traffic management systems of every military base and installation (within and outside the United States) to determine whether the base or installation is adequately equipped to detect, disable, and disarm hostile or unidentified unmanned aerial systems.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Foreign Relations of the Senate.

(2) The Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Transportation and Infrastructure of the House of Representatives.

AMENDMENT NO. 346 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

At the end of subtitle F of title X, insert the following new section:

SEC. 10___. REPORT ON NON-DOMESTIC FUEL USE.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the total dollar amount the Department of Defense spent on fuel from non-domestic sources during the period beginning on January 1, 2021, and ending on the date of the enactment of this Act.

AMENDMENT NO. 347 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

At the end of subtitle C of title VII, insert the following new section:

SEC. 7___. REPORT ON OPERATIONAL AND PHYSICAL AND MENTAL HEALTH EFFECTS OF LOW RECRUITMENT AND RETENTION TO ARMED FORCES.

The Secretary of Defense shall submit to the congressional defense committees a report on the current operational tempo resulting from low recruitment to and retention in the Armed Forces and the resulting effects on the physical and mental health of members of the Armed Forces.

AMENDMENT NO. 348 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

At the end of subtitle H of title V, insert the following new section:

SEC. 5___ REPORT ON THE EFFECTS OF ECONOMIC INFLATION ON FAMILIES OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall submit to the congressional defense committees a report on the extent to which economic inflation has affected families of members of the Armed Forces.

AMENDMENT NO. 349 OFFERED BY MS. TITUS OF NEVADA

At the appropriate place in title LVIII, insert the following:

SEC. _____. AMENDMENTS TO THE UKRAINE FREEDOM SUPPORT ACT OF 2014.

The Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.) is amended—

(1) by redesignating section 11 as section 13; and

(2) by inserting after section 10 the following new sections:

''SEC. 11. WORKING GROUP ON SEMICONDUCTOR SUPPLY DISRUPTIONS.

''(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this section, the President shall establish an interagency working group to address semiconductor supply chain issues caused by Russia's illegal and unprovoked attack on Ukraine.

''(b) MEMBERSHIP.—The interagency working group established pursuant to subsection (a) shall be comprised of the head, or designee of the head, of each of the following:

''(1) The Department of State.

''(2) The Department of Defense.

''(3) The Department of Commerce.

''(4) The Department of the Treasury.

''(5) The Office of the United States Trade Representative.

''(6) The Department of Interior.

''(7) The Department of Energy.

''(8) The Department of Homeland Security.

''(9) The Department of Labor.

''(10) Any other Federal department or agency the President determines appropriate.

''(c) CHAIR.—The Secretary of State shall serve as the chair of the working group established pursuant to subsection (a).

''SEC. 12. REPORTS ON SEMICONDUCTOR SUPPLY CHAIN DISRUPTIONS.

''(a) REPORT ON IMPACT OF RUSSIA'S INVASION OF UKRAINE.—Not later than 60 days after the date of the enactment of this section, the Secretary of State shall submit to the committees listed in subsection (b) a report of the interagency working group that—

''(1) reviews and analyzes—

''(A) the impact of Russia's unprovoked attack on Ukraine on the supply of palladium, neon gas, helium, and hexafluorobutadiene (C4F6); and

''(B) the impact, if any, on supply chains and the global economy;

''(2) recounts diplomatic efforts by the United States to work with other countries that mine, synthesize, or purify palladium, neon gas, helium, or hexafluorobutadiene (C4F6);

''(3) quantifies the actions resulting from these efforts to diversify sources of supply of these items;

''(4) sets forth steps the United States has taken to bolster its production or secure supply of palladium or other compounds and elements listed in paragraph (1)(A);

''(5) lists any other important elements, compounds, or products in the semiconductor supply chain that have been affected by Russia's illegal attack on Ukraine; and

''(6) recommends any potential legislative steps that could be taken by Congress to further bolster the supply of elements, compounds, or products for the semiconductor supply chain that have been curtailed as a result of Russia's actions.

''(b) COMMITTEES LISTED.—The committees listed in this subsection are—

''(1) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Energy and Commerce of the House of Representatives; and

''(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Commerce, Science, and Transportation of the Senate.

''(c) ANNUAL REPORT ON POTENTIAL FUTURE SHOCKS TO SEMICONDUCTOR SUPPLY CHAINS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, 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 of the interagency working group that—

''(A) outlines and plans for the most likely future geopolitical developments that could severely disrupt global semiconductor supply chains in ways that could harm the national security or economic interests of the United States;

''(B) forecasts the various potential impacts on the global supply chain for semiconductors, and products that use semiconductors, from the developments outlined pursuant to subparagraph (A), as well as the following contingencies—

''(i) an invasion of Taiwan or geopolitical instability or conflict in East Asia;

''(ii) a broader war or geopolitical instability in Europe;

''(iii) strategic competitors dominating parts of the supply chain and leveraging that dominance coercively;

''(iv) a future international health crisis; and

''(v) natural disasters or shortages of natural resources and raw materials;

''(C) describes the kind of continency plans that would be needed for the safe evacuation of individuals with deep scientific and technical knowledge of semiconductors and their supply chain from areas under risk from conflict or natural disaster; and

''(D) evaluates the current technical and supply chain work force expertise within the Federal government to carry out these assessments.''.

AMENDMENT NO. 350 OFFERED BY MS. TITUS OF NEVADA

At the end of subtitle C of title VII, insert the following new section:

SEC. 7___. REPORT ON MATERNAL MORTALITY RATES OF FEMALE MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on how maternal mortality rates may disproportionately affect female members of the Armed Forces (as compared with female civilians). Such report shall include an identification of any relevant barriers to the access of health care for such female members and any recommendations by the Secretary to improve such access and reduce such rates.

AMENDMENT NO. 351 OFFERED BY MS. TITUS OF NEVADA

At the appropriate place in subtitle H of title V, insert the following new section:

SEC. 5___ REPORT ON THE EFFECTS OF THE SHORTAGE OF INFANT FORMULA ON THE FAMILIES OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall submit to the congressional defense committees a report on the extent to which families of members of the Armed Forces—

(1) have access to infant formula; and

(2) have been affected by any shortage of infant formula available for consumer purchase from January 1, 2022, through the date of the enactment of this Act.

AMENDMENT NO. 352 OFFERED BY MS. TITUS OF NEVADA

At the end of subtitle G of title III, insert the following new section:

SEC. 3___. REPORTS RELATING TO AQUEOUS FILM-FORMING FOAM SUBSTITUTES AND PFAS CONTAMINATION AT CERTAIN INSTALLATIONS.

(a) REPORT ON PROGRESS TOWARDS AFFF SUBSTITUTES.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on the progress made towards, and the status of any certification efforts relating to, the replacement of fluorinated aqueous film-forming foam with a fluorine-free fire-fighting agent, as required under section 322 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1307; 10 USC 2661 note prec.).

(b) REPORT ON NON-AFFF PFAS CONTAMINATION AT CERTAIN MILITARY INSTALLATIONS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on known or suspected contamination on or around military installations located in the United States resulting from the release of any perfluoroalkyl substance or polyfluoroalkyl substance originating from a source other than aqueous film-forming foam.

AMENDMENT NO. 353 OFFERED BY MS. TITUS OF NEVADA

At the end of title XVII, insert the following:

SEC. 17___. QUARTERLY BRIEFINGS ON REPLENISHMENT AND REVITALIZATION OF STOCKS OF DEFENSIVE AND OFFENSIVE WEAPONS PROVIDED TO UKRAINE.

(a) QUARTERLY BRIEFINGS.—The Secretary of Defense shall provide to the congressional defense committees quarterly briefings, in accordance with subsection (b), on the progress of the Department of Defense toward replenishing and sustaining the production capacity and stocks of covered weapons that have been delivered to Ukraine as part of the effort to—

(1) support Ukraine's resistance against Russian aggression; and

(2) buy down strategic risks.

(b) ELEMENTS OF BRIEFINGS.—

(1) BRIEFINGS ON US WEAPONS.—The Secretary of Defense shall provide to the congressional defense committees quarterly briefings that include each of the following:

(A) A timeline and budgetary estimate for developing and procuring replacement stocks of covered weapons for the United States.

(B) An identification of any opportunities to allow vendors to compete for agreements to produce next-generation weapons.

(C) An analysis of risks within the industrial base that provides support for covered weapons, and detailed options to mitigate those risks.

(D) A discussion of options to maximize competition among providers of covered weapons and components thereof, and an identification of any gaps in legal authority to pursue and achieve the objectives of maximizing competition and replenishing and sustaining the production capacity of covered weapons.

(E) An update on the use of the authorities of the Department of Defense to replenish and sustain the production capacity and stocks of covered weapons referred to in subsection (a).

(2) BRIEFING ON WEAPONS OF ALLIES AND PARTNERS.—The Secretary of Defense shall provide to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a briefing on the plan to use authorities for—

(A) developing and procuring replacement stocks of covered weapons for allies and partners of the United States; and

(B) advancing the replenishment of weapons for such allies and partners that have provided, or are contemplating providing, such weapons to Ukraine.

(c) COVERED WEAPON.—In this section, the term ''covered weapon'' means any weapon other than a covered system, as that term is defined in section 1703(d).

(d) TERMINATION.—The requirement to provide quarterly briefings under subsection (b)(1) shall terminate on December 31, 2026.

AMENDMENT NO. 354 OFFERED BY MS. TITUS OF NEVADA

At the end of subtitle F of title X, insert the following:

SEC. 10____. REPORT ON HUMAN TRAFFICKING AS A RESULT OF RUSSIAN INVASION OF UKRAINE.

The Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on human trafficking as a result of the Russian invasion of Ukraine.

AMENDMENT NO. 355 OFFERED BY MS. TLAIB OF MICHIGAN

Page 1067, line 9, strike ''and''.

Page 1067, line 10, strike the period and insert ''; and''.

Page 1067, after line 10, insert the following:

(D) submit an alert for potential major health risks, such as the potential presence of lead paint, asbestos, mold, hazardous materials contaminated or unsafe drinking water, or serious safety issues, such as potential problems with fire or carbon monoxide detection equipment.

Page 1067, after line 15, insert the following:

(4) An educational feature to help users better identify potential environmental and safety hazards like lead paint, asbestos, mold and unsafe water, and potentially non-functional fire or carbon monoxide detection equipment for the purposes of protecting residents and submitting alerts described in paragraph (1)(D) for potential problems that may need urgent professional attention.

AMENDMENT NO. 356 OFFERED BY MS. TLAIB OF MICHIGAN

Page 311, line 7, strike ''and'' at the end.

Page 311, line 9, strike the period at the end and insert a semicolon.

Page 311, after line 9, insert the following:

(3) takes into account voluntary feedback from program recipients and relevant Department staff, including direct testimonials about their experiences with the program and ways in which they think it could be improved; and

(4) examines other potential actions that arise during the course of the program that the Department could take to further protect the safety of program participants and eligible individuals, as the Secretary determines appropriate.

AMENDMENT NO. 357 OFFERED BY MS. TLAIB OF MICHIGAN

At the end of subtitle G of title XXVIII, insert the following:

SEC. 28____. REPORTING ON LEAD SERVICE LINES AND LEAD PLUMBING.

(a) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report that includes—

(1) a description of the state of lead service lines and lead plumbing on military installations, military housing, and privatized military housing;

(2) an evaluation of whether military installations, military housing, and privatized military housing are in compliance with the standards established in the Lead and Copper rule and, if not, an identification of the areas of non-compliance; and

(3) an identification of steps and resources needed to remove remaining lead service lines and lead plumbing in military installations and housing.

(b) INCLUSION OF INFORMATION IN ANNUAL REPORT.—The Secretary shall include in the Defense Environmental Programs annual report for each year after the year in which the initial report is submitted information on the compliance of Department of Defense facilities and housing with the Lead and Copper Rule.

AMENDMENT NO. 358 OFFERED BY MS. TLAIB OF MICHIGAN

Page 1101, line 20, insert ''and covered lead exposure'' after ''conditions''.

In section 2880 of the bill, in the matter proposed to be added as section 2895(c) of title 10, United States Code, insert after paragraph (2) the following new paragraph (and redesignate the subsequent paragraphs accordingly):

(3) The term ''covered lead exposure'' means lead exposure that is determined by the Secretary of Defense to have resulted from residing in an unsafe housing unit.

AMENDMENT NO. 359 OFFERED BY MRS. TORRES OF CALIFORNIA

At the appropriate place in title LVIII, insert the following:

SEC. ___. GAO STUDY ON END USE MONITORING.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a review of the implementation by the Department of Defense and the Department of State of end-use monitoring, including—

(1) how well end-use monitoring deters misuse or unauthorized use of equipment;

(2) how the Departments identify persistent geographic areas of concern for closer monitoring; and

(3) how the Departments identify trends, learn from those trends, and implement best practices.

AMENDMENT NO. 360 OFFERED BY MRS. TORRES OF CALIFORNIA

At the end of subtitle D of title V, add the following new section:

SEC. 5____. STANDARDS AND REPORTS RELATING TO CASES OVERSEEN BY MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS.

(a) STANDARDS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall develop and implement uniform standards applicable to the military criminal investigative organizations of the Department of Defense that—

(A) establish processes and procedures for the handling of cold cases;

(B) specify the circumstances under which a case overseen by such an organization shall be referred to the Inspector General of the Department of Defense for review; and

(C) establish procedures to ensure that, in the event an investigator transfers out of such an organization or otherwise ceases to be an investigator, the cases overseen by such investigator are transferred to a new investigator within the organization.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act the Secretary of Defense shall submit to Congress a report on the standards developed under paragraph (1).

(3) IMPLEMENTATION.—Following the submittal of the report under paragraph (2), but not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall implement the standards developed under paragraph (1).

(b) REPORT ESTABLISHMENT OF COLD CASE UNIT IN THE ARMY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the feasibility of establishing a cold case unit in the Army Criminal Investigation Division that is similar to the cold case units operating within the Naval Criminal Investigative Service and the Air Force Office of Special Investigations.

AMENDMENT NO. 361 OFFERED BY MR. TORRES OF NEW YORK

At the end of subtitle G of title X, insert the following:

SEC. 10____. LIMITATIONS ON SALE AND USE OF PORTABLE HEATING DEVICES ON MILITARY INSTALLATIONS.

(a) PROHIBITION ON SALE OF UNSAFE PORTABLE HEATING DEVICES AT COMMISSARY STORES AND MWR RETAIL FACILITIES.—The Secretary of Defense shall ensure that the following types of portable heating devices are not sold at a commissary store or MWR retail facility:

(1) Portable heating devices that do not comply with applicable voluntary consumer product safety standards.

(2) Portable heating devices that do not have an automatic shutoff function.

(b) EDUCATION FOR FAMILIES LIVING IN MILITARY HOUSING.—The commander of a military installation shall ensure that members of the Armed Forces assigned to that installation and living in military family housing, including military family housing acquired or constructed pursuant to subchapter IV of chapter 169 of title 10, United States Code, are provided with the recommendations of the Consumer Product Safety Commission for operating portable heating devices safely.

(c) DEFINITIONS.—In this section:

(1) The term ''MWR retail facility'' has the meaning given that term in section 1063 of title 10, United States Code.

(2) The term ''portable heating device'' means an electric heater that—

(A) is intended to stand unsupported (freestanding);

(B) can be moved from place to place within conditioned areas in a structure;

(C) is connected to a nominal 120 VAC electric supply through a cord and plug;

(D) transfers heat by radiation, convection, or both (either natural or forced); and

(E) is intended for residential use.

AMENDMENT NO. 362 OFFERED BY MR. TORRES OF NEW YORK

At the end of subtitle G of title X, insert the following:

SEC. 10___. TRAINING AND INFORMATION FOR FIRST RESPONDERS REGARDING AID FOR VICTIMS OF TRAUMA-RELATED INJURIES.

The Secretary of Defense shall ensure that the Department of Defense shares best practices with, and offers training to, State and local first responders regarding how to most effectively aid victims who experience trauma-related injuries.

AMENDMENT NO. 363 OFFERED BY MR. TORRES OF NEW YORK

At the appropriate place in subtitle E of title XII, insert the following:

SEC. _____. REPORT ON IMPROVED DIPLOMATIC RELATIONS AND DEFENSE RELATIONSHIP WITH ALBANIA.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, jointly with the Secretary of State, shall submit to the appropriate congressional committees an assessment of the viability of military infrastructure in Durrës, Albania, and Vlorë, Albania, as locations for cooperative security activities, including NATO activities and exercises that advance NATO and shared security objectives and enhance interoperability. The report shall also include a description of—

(1) opportunities for the United States to support training for Albania's military forces;

(2) the current status of such training activities with Albania, including the level of progress toward interoperability, absorption of assistance, ability to sustain equipment provided, and other relevant factors that enhance Albania's ability to contribute to NATO objectives and maritime security; and

(3) a cost estimate for any potential U.S. investments and activities.

AMENDMENT NO. 364 OFFERED BY MRS. TRAHAN OF MASSACHUSETTS

At the end of subtitle B of title I, add the following new section:

SEC. 1___. REPORT ON APPLICABILITY OF DDG(X) ELECTRIC-DRIVE PROPULSION SYSTEM.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes an analysis of—

(1) the power and propulsion requirements for the DDG(X) destroyer;

(2) how such requirements compare to the power and propulsion requirements for the DDG–1000 Zumwalt class destroyer and the DDG–51 Arleigh Burke class destroyer, respectively;

(3) the ability of the Navy to leverage existing investments in the electric-drive propulsion system developed for the DDG(X) destroyer to reduce cost and risk; and

(4) the ability to design and manufacture components for such system in the United States.

AMENDMENT NO. 365 OFFERED BY MRS. TRAHAN OF MASSACHUSETTS

At the end of subtitle C of title II, add the following new section:

SEC. 2___. REPORT ON NATIONAL SECURITY APPLICATIONS FOR FUSION ENERGY TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on potential national security applications for fusion energy technology.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) an evaluation of commercial fusion energy technologies under development by private sector companies in the United States to determine if any such technologies have potential national security applications;

(2) consideration of commercial fusion energy technologies—

(A) that have met relevant technical milestones:

(B) that are supported by substantial private sector financing;

(C) that meet applicable requirements of the Department of Defense; and

(D) for which prototypes have been constructed;

(3) a timeline for the potential implementation of fusion energy in the Department;

(4) a description of any major challenges to such implementation; and

(5) recommendations to the ensure the effectiveness of such implementation.

AMENDMENT NO. 366 OFFERED BY MR. TURNER OF OHIO

At the end of subtitle B of title III, insert the following new section:

SEC. 3___. ADDITIONAL SPECIAL CONSIDERATIONS FOR ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN.

(a) ADDITIONAL SPECIAL CONSIDERATIONS.—Section 2911(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(14) The reliability and security of energy resources in the event of a military conflict.

''(15) The value of resourcing energy from partners and allies of the United States.''.

(b) REPORT ON FEASIBILITY OF TERMINATING ENERGY PROCUREMENT FROM FOREIGN ENTITIES OF CONCERN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Operational Energy Plans and Programs shall submit to the appropriate congressional committees a report on the feasibility and advisability of terminating energy procurement by the Department of Defense from foreign entities of concern.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) An assessment of the reliance by the Department of Defense on foreign entities of concern for the procurement of energy.

(B) An identification of the number of energy contracts in force between the Director of the Defense Logistics Agency and a foreign entity of concern or an entity headquartered in a country that is a foreign entity of concern.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate.

(2) The term ''foreign entity of concern'' has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651).

AMENDMENT NO. 367 OFFERED BY MS. VAN DUYNE OF TEXAS

Page 387, after line 20, insert the following:

SEC. 584. STUDY ON FRAUDULENT MISREPRESENTATION ABOUT RECEIPT OF A MILITARY MEDAL OR DECORATION.

(a) STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study to identify any monetary or government benefits obtained through a fraudulent misrepresentation about the receipt a military decoration or medal as described by section 704(c)(2) or 704(d) of title 18, United States Code.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall report to Congress on the findings of the study conducted under subsection (b) and policy recommendations to resolve issues identified in the study.

AMENDMENT NO. 368 OFFERED BY MS. VAN DUYNE OF TEXAS

At the end of subtitle G of title V, add the following new section:

SEC. 579D. DEPARTMENT OF DEFENSE REPORT ON THIRD-PARTY JOB SEARCH TECHNOLOGY.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report on potential partnership opportunities with companies that provide third-party job search software to assist active duty service members and veterans up to two years post-separation from the military find employment following their active duty service. Such report shall include the potential use and effectiveness of any such partnerships.

AMENDMENT NO. 369 OFFERED BY MRS. WAGNER OF MISSOURI

At the end of subtitle J of title V, insert the following:

SEC. 5___. SENSE OF CONGRESS REGARDING ULYSSES S. GRANT.

It is the Sense of Congress that—

(1) the efforts and leadership of Ulysses S. Grant in defending the United States deserve honor;

(2) the military victories achieved under the command of Ulysses S. Grant were integral to the preservation of the United States; and

(3) Ulysses S. Grant is among the most influential military commanders in the history of the United States.

AMENDMENT NO. 370 OFFERED BY MR. WALTZ OF FLORIDA

Page 441, line 8, strike ''paragraph (4)'' and insert ''subsection (d)''.

AMENDMENT NO. 371 OFFERED BY MR. WALTZ OF FLORIDA

Page 864, after line 25, insert the following:

(8) Scandium.

AMENDMENT NO. 372 OFFERED BY MS. WASSERMAN SCHULTZ OF FLORIDA

At the end of subtitle H of title V, insert the following:

SEC. 5___. BRIEFING ON CHILD CARE AT CAMP BULL SIMONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Air Force shall submit to the congressional defense committees a joint briefing regarding the provision of child care at Camp Bull Simons, Eglin Air Force Base. The briefing shall include the following elements:

(1) Risk mitigation measures that could allow the current proposed site to achieve certification for child care.

(2) Plans for alternative locations, including acquiring land for a military child development center (as such term is defined in section 1800 of title 10, United States Code) in proximity to Camp Bull Simons.

(3) An update on public-private partnership agreements for child care that could alleviate the deficit in available child care at Camp Bull Simons.

(4) Current availability for child care, and related wait times, at military child development centers on the main campus of Eglin Air Force Base.

AMENDMENT NO. 373 OFFERED BY MS. WEXTON OF VIRGINIA

Add at the end of title LVII of division E the following:

SEC. ___. STUDY AND REPORT ON RETURNSHIP PROGRAMS.

(a) IN GENERAL.—Not later than September 30, 2023, the Secretary of Defense shall conduct a study, and submit a report on such study to the congressional defense committees, on the feasibility and benefits of establishing returnship programs for the civilian workforce of the Department of Defense. The study and report shall assess—

(1) where returnship programs could be used to address such workforce needs and bolster the knowledge and experience base of such workforce;

(2) how the programs would be structured and the estimated funding levels to implement the returnship programs; and

(3) if and how returnship programs impact the diversity of such workforce.

(b) RETURNSHIP PROGRAM DEFINED.—In this section, the term ''returnship program'' means any program that supports entry into the civilian workforce of the Department of Defense of an individual who has taken an extended leave of absence from such workforce, including a leave of absence to care for a dependent.

AMENDMENT NO. 374 OFFERED BY MS. WILD OF PENNSYLVANIA

At the end of subtitle G of title III, insert the following new section:

SEC. 3___. BRIEFINGS ON IMPLEMENTATION OF RECOMMENDATIONS RELATING TO SAFETY AND ACCIDENT PREVENTION.

Beginning not later than 45 days after the date of the enactment of this Act, and on a biannual basis thereafter until such time as each recommendation referred to in this section has been implemented, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the status of the implementation of recommendations relating to safety and the prevention of accidents and mishaps (including fatal accidents) with respect to members of the Armed Forces, including—

(1) the recommendations of the Comptroller General of the United States in the Government Accountability Office report of July 2021, titled ''Military Vehicles: Army and Marine Corps Should Take Additional Actions to Mitigate and Prevent Training Accidents'' (relating to vehicle safety);

(2) the recommendations of the National Commission on Military Aviation Safety under section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1992); and

(3) the 117 recommendations of the Readiness Reform Oversight Committee of the Department of the Navy following the deaths of 17 members of the Armed Forces on the USS John McCain and the USS Fitzgerald.

AMENDMENT NO. 375 OFFERED BY MS. WILD OF PENNSYLVANIA

At the end of subtitle H of title III, insert the following new section:

SEC. 3___. MAINTENANCE OF PUBLICLY ACCESSIBLE WEBSITE BY JOINT SAFETY COUNCIL.

Section 184(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) Developing and maintaining (including by updating on a basis that is not less frequent than once every 180 days) a publicly accessible Internet website that contains the following:

''(A) Information for the families of deceased members of the armed forces who died in a fatal operational or training accident.

''(B) Information on the findings of each review or assessment conducted by the Council.

''(C) An identification of any recommendation of the Council relating to the prevention of fatal accidents among members of the Armed Forces, and information on the progress of the implementation of any such recommendation.''.

AMENDMENT NO. 376 OFFERED BY MS. WILLIAMS OF GEORGIA

At the end of subtitle G of title X, insert the following:

SEC. 10___. PUBLIC AVAILABILITY OF COST OF CERTAIN MILITARY OPERATIONS TO EACH UNITED STATES TAXPAYER.

Section 1090 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by inserting ''(a) PUBLICATION OF INFORMATION.—'' before ''The Secretary of Defense'';

(2) by striking ''of each of the wars in Afghanistan, Iraq, and Syria.'' and inserting ''of any overseas contingency operation conducted by the United States Armed Forces on or after September 18, 2001.''; and

(3) by adding at the end the following new subsections:

''(b) DISPLAY OF INFORMATION.—The information required to be posted under subsection (a) shall—

''(1) be posted directly on the website of the Department of Defense, in an accessible and clear format;

''(2) include corresponding documentation as links or attachments; and

''(3) include, for each overseas contingency operation—

''(A) both the total cost to each taxpayer, and the cost to each taxpayer for each fiscal year, of conducting the overseas contingency operation;

''(B) a list of countries where the overseas contingency operation has taken place.

''(c) UPDATES.—The Secretary shall ensure that all the information required to be posted under subsection (a) is updated by not later than 90 days after the last day of each fiscal year.

''(d) CONTINGENCY OPERATION DEFINED.—In this section, the term 'contingency operation' has the meaning given such term in section 101(a)(13) of title 10, United States Code.''.

AMENDMENT NO. 377 OFFERED BY MS. WILLIAMS OF GEORGIA

Page 1348, insert after line 23 the following:

SEC. 5806. SENSE OF CONGRESS REGARDING THE LIFE AND LEGACY OF SENATOR JOSEPH MAXWELL CLELAND.

(a) FINDINGS.—Congress finds the following:

(1) Joseph Maxwell Cleland was born August 24, 1942, in Atlanta, Georgia, the child of Juanita Kesler Cleland and Joseph Hughie Cleland, a World War II veteran, and grew up in Lithonia, Georgia.

(2) Joseph Maxwell Cleland graduated from Stetson University in Florida in 1964, and received his Master's Degree in history from Emory University in Atlanta, Georgia.

(3) Following his graduation from Stetson University, Joseph Maxwell Cleland received a Second Lieutenant's Commission in the Army through its Reserve Officers' Training Corps program.

(4) Joseph Maxwell Cleland volunteered for duty in the Vietnam War in 1967, serving with the 1st Cavalry Division.

(5) On April 8, 1968, during combat at the mountain base at Khe Sanh, Joseph Maxwell Cleland was gravely injured by the blast of a grenade, eventually losing both his legs and right arm.

(6) Joseph Maxwell Cleland was awarded the Bronze Star for meritorious service and the Silver Star for gallantry in action.

(7) In 1970, Joseph Maxwell Cleland was elected to the Georgia Senate as the youngest member and the only Vietnam veteran, where he served until 1975.

(8) As a Georgia State Senator, Joseph Maxwell Cleland authored and advanced legislation to ensure access to public facilities in Georgia for elderly and handicapped individuals.

(9) In 1976, Joseph Maxwell Cleland began serving as a staffer on the Committee on Veterans Affairs of the Senate.

(10) In 1977, Joseph Maxwell Cleland was appointed by President Jimmy Carter to lead the Veterans Administration.

(11) He was the youngest Administrator of the Veterans Administration ever and the first Vietnam veteran to head the agency.

(12) He served as a champion for veterans and led the Veterans Administration to recognize, and begin to treat, post-traumatic stress disorder in veterans suffering the invisible wounds of war.

(13) Joseph Maxwell Cleland was elected in 1982 as Georgia's Secretary of State, the youngest individual to hold the office, and served in that position for 14 years.

(14) in 1996, Joseph Maxwell Cleland was elected to the United States Senate representing Georgia.

(15) As a member of the Committee on Armed Services, Joseph Maxwell Cleland advocated for Georgia's military bases, servicemembers, and veterans, including by championing key personnel issues, playing a critical role in the effort to allow servicemembers to pass their GI Bill education benefits to their children, and establishing a new veterans cemetery in Canton, Georgia.

(16) In 2002, Joseph Maxwell Cleland was appointed to the 9/11 Commission.

(17) In 2003, Joseph Maxwell Cleland was appointed by President George W. Bush to the Board of Directors for the Export-Import Bank of the United States, where he served until 2007.

(18) In 2009, Joseph Maxwell Cleland was appointed by President Barack Obama as Secretary of the American Battle Monuments Commission overseeing United States military cemeteries and monuments overseas, where he served until 2017.

(19) Joseph Maxwell Cleland authored 3 books: Strong at the Broken Places, Going for the Max: 12 Principles for Living Life to the Fullest, and Heart of a Patriot.

(20) Joseph Maxwell Cleland received numerous honors and awards over the course of his long and distinguished career.

(21) Joseph Maxwell Cleland was a patriot, veteran, and lifelong civil servant who proudly served Georgia, the United States, and all veterans and servicemembers of the United States.

(22) On November 9, 2021, at the age of 79, Joseph Maxwell Cleland died, leaving behind a legacy of service, sacrifice, and joy.

(b) DEATH OF THE HONORABLE JOSEPH MAXWELL CLELAND.—Congress has heard with profound sorrow of the death of the Honorable Joseph Maxwell Cleland, who served—

(1) with courage and sacrifice in combat in the Vietnam War;

(2) with unwavering dedication to Georgia as a State Senator, Secretary of State, and Senator; and

(3) with honorable service to the United States and veterans of the United States through his lifetime of public service and tenure as Administrator of the Veterans Administration.

AMENDMENT NO. 378 OFFERED BY MR. WITTMAN OF VIRGINIA

At the end of subtitle B of title I, add the following new section:

SEC. 1___. PROHIBITION ON AVAILABILITY OF FUNDS FOR DISPOSAL OF LITTORAL COMBAT SHIPS.

(a) PROHIBITION.—None of the funds authorized to appropriated by this Act or otherwise made available for fiscal year 2023 for the Navy may be obligated or expended to dispose of or dismantle a Littoral Combat Ship.

(b) EXCEPTION.—The prohibition under subsection (a) shall not apply to the transfer of a Littoral Combat Ship to the military forces of a nation that is an ally or partner of the United States.

AMENDMENT NO. 379 OFFERED BY MR. WITTMAN OF VIRGINIA

At the end of subtitle E of title VIII, add the following new section:

SEC. 8___. REPORT ON TRANSITION TO PHASE III FOR SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM AWARDS.

(a) REPORT REQUIRED.—On an annual basis, each Secretary of a military department (as defined in section 101 of title 10, United States Code) shall collect and submit to the President for inclusion in each budget submitted to Congress under section 1105 of title 31, United States Code, data on the Phase I, Phase II, and Phase III awards under the SBIR and STTR programs of the military department of the Secretary for the immediately preceding five fiscal years, including—

(1) the aggregate funding amount for Phase III awards in relevant program offices, as selected by the each Secretary of a military department;

(2) the change in Phase III funding during the period covered by the report such selected program offices;

(3) the number of SBIR awards made by such selected program offices in under 180 days during the period covered by the report; and

(4) where possible, an identification of specific recommendations from each Secretary of a military department on opportunities to identify and expand best practices that demonstrate growth in Phase III award funding.

(b) DEFINITIONS.—In this section, the terms ''Phase I'', ''Phase II'', ''Phase III'', ''SBIR'', and ''STTR'' have the meanings given those terms, respectively, in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

AMENDMENT NO. 380 OFFERED BY MR. WITTMAN OF VIRGINIA

At the end of subtitle D of title VIII, insert the following:

SEC. 8___. EXISTING AGREEMENT LIMITS FOR OPERATION WARP SPEED.

(a) IN GENERAL.—Any award made to a consortium under section 4022 of title 10, United States Code, by the Department of Defense on or after March 1, 2020, to address the COVID–19 pandemic through vaccines and other therapeutic measures using funds made available under a covered award shall not be counted toward any limit established prior to March 1, 2020, on the total estimated amount of all projects to be issued for a specified fiscal year (except that such funds shall count toward meeting any guaranteed minimum value).

(b) FOLLOW-ON CONTRACTS.—The Secretary of Defense may not award a follow-on contract, agreement, or grant for any award described in subsection (a)—

(1) until the limit described in subsection (a) has been reached;

(2) until the term of the award described in subsection (a) has expired; or

(3) unless such follow-on contract, agreement, or grant is made accordance with the terms and conditions of the award described in subsection (a).

(c) COVERED AWARD DEFINED.—In this section, the term ''covered award'' means an award made in support of the efforts led by the Department of Health and Human Services and the Department of Defense, known as Operation Warp Speed, to accelerate the development, acquisition, and distribution of vaccines and other therapies to address the COVID–19 pandemic, and any successor efforts.

AMENDMENT NO. 381 OFFERED BY MR. WITTMAN OF VIRGINIA

At the end of subtitle C of title VII add the following:

SEC. 7___. REPORT ON DEFENSE HEALTH AGENCY CONTRACTS.

Not later than February 1, 2023, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes, with respect to fiscal years 2020, 2021, and 2022—

(1) the total number of contracts awarded by the Defense Health Agency during each such fiscal year; and

(2) the number and percent of such contracts for each such fiscal year that were—

(A) protested and the protest was upheld;

(B) standard professional services contracts;

(C) issued as a direct award;

(D) in the case of the contracts described in subparagraph (C), exceeded $5 million in total value; and

(E) awarded to the following:

(i) Businesses eligible to enter into a contract under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

(ii) Qualified HUBZone small business concerns.

(iii) Small business concerns owned and controlled by service-disabled veterans.

(iv) Small business concerns owned and controlled by women (as defined in section 8(m)(1) of the Small Business Act (15 U.S.C. 637(m)(1)).

AMENDMENT NO. 382 OFFERED BY MR. WITTMAN OF VIRGINIA

Add at the end of subtitle G of title X the following new section:

SEC. 10___. REPORT ON DEPARTMENT OF DEFENSE PLAN TO ACHIEVE STRATEGIC OVERMATCH IN THE INFORMATION ENVIRONMENT.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives a report on the following:

(1) A plan, developed in cooperation with relevant Federal agencies, for the Department of Defense to achieve strategic overmatch in the information environment, including—

(A) modifications and updates to existing policy or guidance;

(B) a description of impacts to future budget requests and funding priorities;

(C) updates to personnel policies to ensure the recruitment, promotion, retention, and compensation incentives for individuals with the necessary skills in the information environment; and

(D) a description of improvements to the collection, prioritization, and analysis of open source intelligence to better inform the understanding of competitors and adversaries to the Department of Defense in the information environment.

(2) A description of any initiatives, identified in cooperation with relevant Federal agencies, that the Secretary of Defense and such Federal agencies may undertake to assist and incorporate allies and partner countries of the United States into efforts to achieve strategic overmatch in the information environment.

(3) A description of other actions, including funding modifications, policy changes, or congressional action, are necessary to further enable widespread and sustained information environment operations of the Department of Defense relevant Federal agencies.

(4) Any other matters the Secretary of Defense determines appropriate.

(b) INFORMATION ENVIRONMENT DEFINED.—In this section, the term ''information environment'' has the meaning given in the publication of the Department of Defense titled ''Joint Concept for Operating in the Information Environment (JCOIE)'' dated July 25, 2018.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Washington (Mr. SMITH) and the gentleman from Alabama (Mr. ROGERS) each will control 15 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Speaker, I thank Chairman SMITH for yielding.

I would like to speak on the JACKIE SPEIER amendment No. 337, part of en bloc No. 3, which directs the Secretary of Defense in coordination with the Secretary of State to document details of the consideration of the waiver requirements to section 907 of the FREEDOM Support Act and report on whether security assistance to the Government of Azerbaijan undermines a peaceful settlement to the conflict between Armenia and Azerbaijan.

Let me just say that those of us in the Armenian Caucus have been very concerned over the years about the constant waiver of requirements under section 907 of the FREEDOM Support Act because the bottom line is that Azerbaijan has continued its aggression against Armenia and started a war against Armenia over Nagorno-Karabakh a couple of years ago.

We don't believe there is any justification for waiving this because of the constant threat that Azerbaijan opposes not only to Nagorno-Karabakh but also to Armenia itself, which has continued ever since that war.

The bottom line is we would like to see some action, if you will, to show whether this security assistance to Azerbaijan should continue with these constant waivers. It is really a simple request, and I would ask our Members on both sides of the aisle to support this as part of the en bloc No. 3.

Mr. ROGERS of Alabama. Madam Speaker, I rise in support of this amendment and urge our colleagues to vote for it.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Madam Speaker, we have no further speakers, so I will urge adoption of the amendment, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Madam Speaker, I, too, urge adoption of this en bloc package, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I respectfully ask the House today to adopt my

amendment—the Kyle Mullen Naval Safety Enhancements—that directs the Secretary of Defense to conduct an appraisal of and provide recommended policies for improved medical care and oversight of individuals in the Navy engaged in high-stress training like the Navy SEALS to better ensure sailor safety and prevent related long-term injury, illness, and death.

In February of this year, my constituent Kyle Mullen passed away after completing the rigorous training of 'Hell Week' as a Navy SEAL candidate.

The autopsy report cited pneumonia and staph infection as the cause of death.

Kyle was an extraordinary talented and gifted young man—a true leader who selflessly enlisted in the Navy to serve our nation and protect our freedom.

Kyle was a world class athlete and was a basketball standout and Captain of both Manalapan High School and Yale University Football teams.

Kyle's mother—Regina—a nurse told me in a heartbreaking conversation in her home that Kyle's death could have been prevented had her son received timely medical attention.

Regina has many questions that demand answers.

Meanwhile, this grieving mom has made it clear and with great urgency and resolve that Congress and DOD must insist that medical care, aggressive monitoring, and oversight be provided now, without delay, to every Navy SEAL candidate during high-stress training.

The SPEAKER pro tempore. Pursuant to House Resolution Number 1124, the previous question is ordered on the amendments en bloc offered by the gentleman from Washington (Mr. SMITH).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOHMERT. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 2330

Amendments En Bloc No. 4 Offered by Mr. SMITH of Washington

Mr. SMITH of Washington. Madam Speaker, pursuant to House Resolution 1224, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc 4 consisting of amendment Nos. 383, 385, 386, 387, 388, 389, 390, 393, 394, 396, 397, 398, 400, 401, 402, 403, 404, 405, 407, 408, 409, 411, 412, 414, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 438, 439, 441, 442, 443, 445, 449, 450, 452, 453, 457, 458, 459, 460, 462, 463, 464, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, and 542, printed in part A of House Report 117–405, offered by Mr. SMITH of Washington:

AMENDMENT NO. 383 OFFERED BY MS. LEE OF CALIFORNIA

At the end of subtitle C of title XII, add the following:

SEC. 12__. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

AMENDMENT NO. 385 OFFERED BY MS. SPANBERGER OF VIRGINIA

At the end of title LVIII, insert the following:

SEC. _____. REPEAL OF 1991 AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION.

The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 50 U.S.C. 1541 note) is repealed.

AMENDMENT NO. 386 OFFERED BY MR. MEIJER OF MICHIGAN

Add at the end of subtitle B of title XIII the following:

SEC. 13___. REPEAL OF JOINT RESOLUTION TO PROMOTE PEACE AND STABILITY IN THE MIDDLE EAST.

Effective on the date that is 90 days after the date of the enactment of this Act, the joint resolution entitled ''A joint resolution to promote peace and stability in the Middle East'' (Public Law 85–7; 22 U.S.C. 1961 et seq.) is hereby repealed.

AMENDMENT NO. 387 OFFERED BY MS. LEE OF CALIFORNIA

Add at the end of subtitle B of title XIII the following:

SEC. 13___. SENSE OF CONGRESS REGARDING THE INCLUSION OF SUNSET PROVISIONS IN AUTHORIZATIONS FOR USE OF MILITARY FORCE.

(a) FINDINGS.—Congress makes the following findings:

(1) Article 1, Section 8, of the Constitution provides Congress with the sole authority to ''declare war''.

(2) Legal experts who have served in both Democratic and Republic administrations recommend the inclusion of a sunset clause or reauthorization requirement in authorizations for use of military force to ensure that Congress fulfills its constitutional duty to debate and vote on whether to send United States servicemembers into war.

(3) Sunset provisions have been included in 29 percent of prior authorizations for use of military force and declarations of war.

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

(1) the inclusion of a sunset provision or reauthorization requirement in authorizations for use of military force is critical to ensuring Congress's exercise of its constitutional duty to declare war; and

(2) any joint resolution enacted to authorize the introduction of United States forces into hostilities or into situations where there is a serious risk of hostilities should include a sunset provision setting forth a date certain for the termination of the authorization for the use of such forces absent the enactment of a subsequent specific statutory authorization for such use of the United States forces.

AMENDMENT NO. 388 OFFERED BY MS. SPANBERGER OF VIRGINIA

At the end of title LVIII of division E, add the following:

SEC. 5806. ONDCP SUPPLEMENTAL STRATEGIES.

Section 706(h) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1705(h)) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(7) develops performance measures and targets for the National Drug Control Strategy for supplemental strategies (the Southwest Border, Northern Border, and Caribbean Border Counternarcotics Strategies) to effectively evaluate region-specific goals, to the extent the performance measurement system does not adequately measure the effectiveness of the strategies, as determined by the Director, such strategies may evaluate interdiction efforts at and between ports of entry, interdiction technology, intelligence sharing, diplomacy, and other appropriate metrics, specific to each supplemental strategies region, as determined by the Director.''.

AMENDMENT NO. 389 OFFERED BY MR. ARRINGTON OF TEXAS

At the appropriate place in subtitle B of title XIII, insert the following:

SEC. ___. REPORT ON MEXICO.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of past and current bilateral security cooperation with Mexico, including through Northcom, the Department of Homeland Security, and the Department of Justice (including the Drug Enforcement Administration), including over the preceding 10 years.

(2) A description of the benefits of partnerships with Mexican security forces in enforcing judicial process for violent crimes and cartels along the southern border.

(3) A description of increasing cartel control over Mexican territory and its impacts on national security.

(4) A description of deteriorating role of electoral and democratic institutions, including human rights violations, and its impacts on national security.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex. The unclassified portion of such report shall be published on a publicly available website of the Federal government.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 390 OFFERED BY MR. THOMPSON OF MISSISSIPPI

Add at the end of title LVIII of division E the following:

Subtitle B—Rights for the TSA Workforce Act of 2022

SEC. 5811. SHORT TITLE.

This subtitle may be cited as the ''Rights for the Transportation Security Administration Workforce Act of 2022'' or the ''Rights for the TSA Workforce Act of 2022''.

SEC. 5812. DEFINITIONS.

For purposes of this subtitle—

(1) the term ''adjusted basic pay'' means—

(A) the rate of pay fixed by law or administrative action for the position held by a covered employee before any deductions; and

(B) any regular, fixed supplemental payment for non-overtime hours of work creditable as basic pay for retirement purposes, including any applicable locality payment and any special rate supplement;

(2) the term ''Administrator'' means the Administrator of the Transportation Security Administration;

(3) the term ''appropriate congressional committees'' means the Committees on Homeland Security and Oversight and Reform of the House of Representatives and the Committees on Commerce, Science, and Transportation and Homeland Security and Governmental Affairs of the Senate;

(4) the term ''at-risk employee'' means a Transportation Security Officer, Federal Air Marshal, canine handler, or any other employee of the Transportation Security Administration carrying out duties that require substantial contact with the public during the COVID–19 national emergency;

(5) the term ''conversion date'' means the date as of which subparagraphs (A) through (F) of section 5813(c)(1) take effect;

(6) the term ''covered employee'' means an employee who holds a covered position;

(7) the term ''covered position'' means a position within the Transportation Security Administration;

(8) the term ''COVID–19 national emergency'' means the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) on March 13, 2020, with respect to the coronavirus;

(9) the term ''employee'' has the meaning given such term by section 2105 of title 5, United States Code;

(10) the term ''Secretary'' means the Secretary of Homeland Security;

(11) the term ''TSA personnel management system'' means any personnel management system established or modified under—

(A) section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note); or

(B) section 114(n) of title 49, United States Code;

(12) the term ''TSA'' means the Transportation Security Administration; and

(13) the term ''2019 Determination'' means the publication, entitled ''Determination on Transportation Security Officers and Collective Bargaining'', issued on July 13, 2019, by Administrator David P. Pekoske, as modified, or any superseding subsequent determination.

SEC. 5813. CONVERSION OF TSA PERSONNEL.

(a) RESTRICTIONS ON CERTAIN PERSONNEL AUTHORITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, and except as provided in paragraph (2), effective as of the date of the enactment of this Act—

(A) any TSA personnel management system in use for covered employees and covered positions on the day before such date of enactment, and any TSA personnel management policy, letter, guideline, or directive in effect on such day may not be modified;

(B) no TSA personnel management policy, letter, guideline, or directive that was not established before such date issued pursuant to section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) or section 114(n) of title 49, United States Code, may be established; and

(C) any authority to establish or adjust a human resources management system under chapter 97 of title 5, United States Code, shall terminate with respect to covered employees and covered positions.

(2) EXCEPTIONS.—

(A) PAY.—Notwithstanding paragraph (1)(A), the limitation in that paragraph shall not apply to any TSA personnel management policy, letter, guideline, or directive related to annual adjustments to pay schedules and locality-based comparability payments in order to maintain parity with such adjustments authorized under section 5303, 5304, 5304a, and 5318 of title 5, United States Code; and

(B) ADDITIONAL POLICY.—Notwithstanding paragraph (1)(B), new TSA personnel management policy may be issued if—

(i) such policy is needed to resolve a matter not specifically addressed in policy in effect on the date of enactment of this Act; and

(ii) the Secretary provides such policy, with an explanation of its necessity, to the appropriate congressional committees not later than 7 days of issuance.

(C) EMERGING THREATS TO TRANSPORTATION SECURITY DURING TRANSITION PERIOD.—Notwithstanding paragraph (1), any TSA personnel management policy, letter, guideline, or directive related to an emerging threat to transportation security, including national emergencies or disasters and public health threats to transportation security, may be modified or established until the conversion date. The Secretary shall provide to the appropriate congressional committees any modification or establishment of such a TSA personnel management policy, letter, guideline, or directive, with an explanation of its necessity, not later than 7 days of such modification or establishment.

(b) PERSONNEL AUTHORITIES DURING TRANSITION PERIOD.—Any TSA personnel management system in use for covered employees and covered positions on the day before the date of enactment of this Act and any TSA personnel management policy, letter, guideline, or directive in effect on the day before the date of enactment of this Act shall remain in effect until the conversion date.

(c) TRANSITION TO TITLE 5.—

(1) IN GENERAL.—Except as provided in paragraph (2), effective as of the date determined by the Secretary, but in no event later than December 31, 2022—

(A) the TSA personnel management system shall cease to be in effect;

(B) section 114(n) of title 49, United States Code, is repealed;

(C) section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) is repealed;

(D) any TSA personnel management policy, letter, guideline, and directive, including the 2019 Determination, shall cease to be effective;

(E) any human resources management system established or adjusted under chapter 97 of title 5, United States Code, with respect to covered employees or covered positions shall cease to be effective; and

(F) covered employees and covered positions shall be subject to the provisions of title 5, United States Code.

(2) CHAPTERS 71 AND 77 OF TITLE 5.—Not later than 90 days after the date of enactment of this Act—

(A) chapter 71 and chapter 77 of title 5, United States Code, shall apply to covered employees carrying out screening functions pursuant to section 44901 of title 49, United States Code; and

(B) any policy, letter, guideline, or directive issued under section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) related to matters otherwise covered by such chapter 71 or 77 shall cease to be in effect.

(3) ASSISTANCE OF OTHER AGENCIES.—Not later than 180 days after the date of enactment of this Act or December 31, 2022, whichever is earlier—

(A) the Office of Personnel Management shall establish a position series and classification standard for the positions of Transportation Security Officer, Federal Air Marshal, Transportation Security Inspector, and other positions requested by the Administrator; and

(B) the Department of Agriculture's National Finance Center shall make necessary changes to its Financial Management Services and Human Resources Management Services to ensure payroll, leave, and other personnel processing systems for TSA personnel are commensurate with chapter 53 of title 5, United States Code, and provide functions as needed to implement this subtitle.

(d) SAFEGUARDS ON GRIEVANCES AND APPEALS.—

(1) IN GENERAL.—Each covered employee with a grievance or appeal pending within TSA on the date of the enactment of this Act or initiated during the transition period described in subsection (c) shall have the right to have such grievance or appeal removed to proceedings pursuant to title 5, United States Code, or continued within the TSA.

(2) AUTHORITY.—With respect to any grievance or appeal continued within the TSA pursuant to paragraph (1), the Administrator may consider and finally adjudicate such grievance or appeal notwithstanding any other provision of this subtitle.

(3) PRESERVATION OF RIGHTS.—Notwithstanding any other provision of law, any appeal or grievance continued pursuant to this section that is not finally adjudicated pursuant to paragraph (2) shall be preserved and all timelines tolled until the rights afforded by application of chapters 71 and 77 of title 5, United States Code, are made available pursuant to section 5813(c)(2) of this subtitle.

SEC. 5814. TRANSITION RULES.

(a) NONREDUCTION IN PAY AND COMPENSATION.—Under pay conversion rules as the Secretary may prescribe to carry out this subtitle, a covered employee converted from a TSA personnel management system to the provisions of title 5, United States Code, pursuant to section 5813(c)(1)(F)—

(1) shall not be subject to any reduction in either the rate of adjusted basic pay payable or law enforcement availability pay payable to such covered employee; and

(2) shall be credited for years of service in a specific pay band under a TSA personnel management system as if the employee had served in an equivalent General Schedule position at the same grade, for purposes of determining the appropriate step within a grade at which to establish the employee's converted rate of pay.

(b) RETIREMENT PAY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a proposal, including proposed legislative changes if needed, for determining a covered employee's average pay for purposes of calculating the employee's retirement annuity, consistent with title 5, United States Code, for any covered employee who retires within three years of the conversion date, in a manner that appropriately accounts for time in service and annual rate of basic pay following the conversion date.

(c) LIMITATION ON PREMIUM PAY.—Notwithstanding section 5547 of title 5, United States Code, or any other provision of law, a Federal Air Marshal or criminal investigator hired prior to the date of enactment of this Act may be eligible for premium pay up to the maximum level allowed by the Administrator prior to the date of enactment of this Act. The Office of Personnel Management shall recognize such premium pay as fully creditable for the purposes of calculating pay and retirement benefits.

(d) PRESERVATION OF LAW ENFORCEMENT AVAILABILITY PAY AND OVERTIME PAY RATES FOR FEDERAL AIR MARSHALS.—

(1) LEAP.—Section 5545a of title 5, United States Code, is amended by adding at the end the following:

''(l) The provisions of subsections (a)–(h) providing for availability pay shall apply to any Federal Air Marshal who is an employee of the Transportation Security Administration.''.

(2) OVERTIME.—Section 5542 of such title is amended by adding at the end the following:

''(i) Notwithstanding any other provision of law, a Federal Air Marshal who is an employee of the Transportation Security Administration shall receive overtime pay under this section, at such a rate and in such a manner, so that such Federal Air Marshal does not receive less overtime pay than such Federal Air Marshal would receive were that Federal Air Marshal subject to the overtime pay provisions of section 7 of the Fair Labor Standards Act of 1938.''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall begin to apply on the conversion date (as that term is defined in section 5812 of the Rights for the TSA Workforce Act of 2022).

(e) COLLECTIVE BARGAINING UNIT.—Notwithstanding section 7112 of title 5, United States Code, following the application of chapter 71 pursuant to section 5813(c)(2) of this subtitle, full- and part-time non-supervisory Transportation Security Administration personnel carrying out screening functions under section 44901 of title 49, United States Code, shall remain eligible to form a collective bargaining unit.

(f) PRESERVATION OF OTHER RIGHTS.—The Secretary shall take any actions necessary to ensure that the following rights are preserved and available for each covered employee as of the conversion date and any covered employee appointed after the conversion date, and continue to remain available to covered employees after the conversion date:

(1) Any annual leave, sick leave, or other paid leave accrued, accumulated, or otherwise available to a covered employee immediately before the conversion date shall remain available to the employee until used, subject to any limitation on accumulated leave under chapter 63 of title 5, United States Code.

(2) Part-time personnel carrying out screening functions under section 44901 of title 49, United States Code, pay Federal Employees Health Benefits premiums on the same basis as full-time TSA employees.

(3) Covered employees are provided appropriate leave during national emergencies to assist the covered employees and ensure TSA meets mission requirements, notwithstanding section 6329a of title 5, United States Code.

(4) Eligible covered employees carrying out screening functions under section 44901 of title 49, United States Code, receive a split-shift differential for regularly scheduled split-shift work as well as regularly scheduled overtime and irregular and occasional split-shift work.

(5) Eligible covered employees receive group retention incentives, as appropriate, notwithstanding sections 5754(c), (e), and (f) of title 5, United States Code.

SEC. 5815. CONSULTATION REQUIREMENT.

(a) EXCLUSIVE REPRESENTATIVE.—

(1) IN GENERAL.—

(A) Beginning on the date chapter 71 of title 5, United States Code, begins to apply to covered employees pursuant to section 5813(c)(2), the labor organization certified by the Federal Labor Relations Authority on June 29, 2011, or any successor labor organization, shall be treated as the exclusive representative of full- and part-time non-supervisory TSA personnel carrying out screening functions under section 44901 of title 49, United States Code, and shall be the exclusive representative for such personnel under chapter 71 of title 5, United States Code, with full rights under such chapter.

(B) Nothing in this subsection shall be construed to prevent covered employees from selecting an exclusive representative other than the labor organization described under paragraph (1) for purposes of collective bargaining under such chapter 71.

(2) NATIONAL LEVEL.—Notwithstanding any provision of such chapter 71, collective bargaining for any unit of covered employees shall occur at the national level, but may be supplemented by local level bargaining and local level agreements in furtherance of elements of a national agreement or on local unit employee issues not otherwise covered by a national agreement. Such local-level bargaining and local-level agreements shall occur only by mutual consent of the exclusive representative of full and part-time non-supervisory TSA personnel carrying out screening functions under section 44901 of title 49, United States Code, and a TSA Federal Security Director or their designee.

(3) CURRENT AGREEMENT.—Any collective bargaining agreement covering such personnel in effect on the date of enactment of this Act shall remain in effect until a collective bargaining agreement is entered into under such chapter 71, unless the Administrator and exclusive representative mutually agree to revisions to such agreement.

(b) CONSULTATION PROCESS.—Not later than seven days after the date of the enactment of this Act, the Secretary shall consult with the exclusive representative for the personnel described in subsection (a) under chapter 71 of title 5, United States Code, on the formulation of plans and deadlines to carry out the conversion of full- and part-time non-supervisory TSA personnel carrying out screening functions under section 44901 of title 49, United States Code, under this subtitle. Prior to the date such chapter 71 begins to apply pursuant to section 5813(c)(2), the Secretary shall provide (in writing) to such exclusive representative the plans for how the Secretary intends to carry out the conversion of such personnel under this subtitle, including with respect to such matters as—

(1) the anticipated conversion date; and

(2) measures to ensure compliance with sections 5813 and 5814.

(c) REQUIRED AGENCY RESPONSE.—If any views or recommendations are presented under subsection (b) by the exclusive representative, the Secretary shall consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented and provide the exclusive representative a written statement of the reasons for the final actions to be taken.

SEC. 5816. NO RIGHT TO STRIKE.

Nothing in this subtitle may be considered—

(1) to repeal or otherwise affect—

(A) section 1918 of title 18, United States Code (relating to disloyalty and asserting the right to strike against the Government); or

(B) section 7311 of title 5, United States Code (relating to loyalty and striking); or

(2) to otherwise authorize any activity which is not permitted under either provision of law cited in paragraph (1).

SEC. 5817. PROPOSAL ON HIRING AND CONTRACTING BACKGROUND CHECK REQUIREMENTS.

Not later than one year after the date of enactment of this Act, the Secretary shall submit a plan to the appropriate congressional committees on a proposal to harmonize and update, for the purposes of hiring and for authorizing or entering into any contract for service, the restrictions in section 70105(c) of title 46, United States Code, (relating to the issuance of transportation security cards) and section 44936 of title 49, United States Code, (relating to security screener employment investigations and restrictions).

SEC. 5818. COMPTROLLER GENERAL REVIEWS.

(a) REVIEW OF RECRUITMENT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the efforts of the TSA regarding recruitment, including recruitment efforts relating to veterans and the dependents of veterans and members of the Armed Forces and the dependents of such members. Such report shall also include recommendations regarding how the TSA may improve such recruitment efforts.

(b) REVIEW OF IMPLEMENTATION.—Not later than 60 days after the conversion date, the Comptroller General shall commence a review of the implementation of this subtitle. The Comptroller General shall submit to Congress a report on its review no later than one year after such conversion date.

(c) REVIEW OF PROMOTION POLICIES AND LEADERSHIP DIVERSITY.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the efforts of the TSA to ensure that recruitment, hiring, promotion, and advancement opportunities are equitable and provide for demographics among senior leadership that are reflective of the United States' workforce demographics writ large. Such report shall, to the extent possible, include an overview and analysis of the current demographics of TSA leadership and, as appropriate, recommendations to improve hiring and promotion procedures and diversity in leadership roles that may include recommendations for how TSA can better promote from within and retain and advance its workers.

(d) REVIEW OF HARASSMENT AND ASSAULT POLICIES AND PROTECTIONS.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the efforts of the TSA to ensure the safety of its staff with regards to harassment and assault in the workplace, such as incidents of sexual harassment and violence and harassment and violence motivated by an individual's perceived race, ethnicity, religion, gender identity or sexuality, and including incidents where the alleged perpetrator or perpetrators are members of the general public. Such report shall include an overview and analysis of the current TSA policies and response procedures, a detailed description of if, when, and how these policies fail to adequately protect TSA personnel, and, as appropriate, recommendations for steps the TSA can take to better protect its employees from harassment and violence in their workplace. In conducting its review, the Comptroller General shall provide opportunities for TSA employees of all levels and positions, and unions and associations representing such employees, to submit comments, including in an anonymous form, and take those comments into account in its final recommendations.

SEC. 5819. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the TSA's personnel system provides insufficient benefits and workplace protections to the workforce that secures the nation's transportation systems and that the TSA's workforce should be provided protections and benefits under title 5, United States Code; and

(2) the provision of these title 5 protections and benefits should not result in a reduction of pay or benefits to current TSA employees.

SEC. 5820. ASSISTANCE FOR FEDERAL AIR MARSHAL SERVICE.

The Administrator may communicate with organizations representing a significant number of Federal Air Marshals, to the extent provided by law, to address concerns regarding Federal Air Marshals related to the following:

(1) Mental health.

(2) Suicide rates.

(3) Morale and recruitment.

(4) Equipment and training.

(5) Work schedules and shifts, including mandated periods of rest.

(6) Any other personnel issues the Administrator determines appropriate.

SEC. 5821. PREVENTION AND PROTECTION AGAINST CERTAIN ILLNESS.

The Administrator, in coordination with the Director of the Centers for Disease Control and Prevention and the Director of the National Institute of Allergy and Infectious Diseases, shall ensure that covered employees are provided proper guidance regarding prevention and protections against the COVID–19 National Emergency, including appropriate resources.

SEC. 5822. HAZARDOUS DUTY PAYMENTS.

Subject to the availability of appropriations, and not later than 90 days after receiving such appropriations, the Administrator shall provide a one-time bonus payment of $3,000 to each at-risk employee.

SEC. 5823. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary, to remain available until expended, to carry out this subtitle.

SEC. 5824. STUDY ON FEASIBILITY OF COMMUTING BENEFITS.

Not later than 270 days after the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a feasibility study on allowing covered employees carrying out screening functions under section 44901 of title 49, United States Code, to treat as hours of employment time spent by such employees regularly traveling between airport parking lots and bus and transit stops and screening checkpoints before and after the regular work day. In conducting such study, the Administrator shall consider—

(1) the amount of time needed to travel to and from airport parking lots and bus and transit stops at representative airports of various sizes;

(2) the feasibility of using mobile phones and location data to allow employees to report their arrival to and departure from airport parking lots and bus and transit stops; and

(3) the estimated costs of providing such benefits.

SEC. 5825. BRIEFING ON ASSAULTS AND THREATS ON TSA EMPLOYEES.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall brief the appropriate congressional committees regarding the following:

(1) Reports to the Administrator of instances of physical or verbal assault or threat made by a member of the general public against a covered employee engaged in carrying out screening functions under section 44901 of title 49, United States Code, since January 1, 2019.

(2) Procedures for reporting such assaults and threats, including information on how the Administrator communicates the availability of such procedures.

(3) Any steps taken by TSA to prevent and respond to such assaults and threats.

(4) Any related civil actions and criminal referrals made annually since January 1, 2019.

(5) Any additional authorities needed by the Administrator to better prevent or respond to such assaults and threats.

SEC. 5826. ANNUAL REPORTS ON TSA WORKFORCE.

Not later than one year after the date of the enactment of this Act and annually thereafter, the Administrator shall submit to the appropriate congressional committees a report that contains the following:

(1) An analysis of the Office of Personnel Management's Federal Employee Viewpoint Survey (FEVS) to determine job satisfaction rates of covered employees.

(2) Information relating to retention rates of covered employees at each airport, including transfers, in addition to aggregate retention rates of covered employees across the TSA workforce.

(3) Information relating to actions taken by the TSA intended to improve workforce morale and retention.

AMENDMENT NO. 393 OFFERED BY MR. HIMES OF CONNECTICUT

Add at the end of title LIV of division E the following:

SEC. 5403. SPECIAL MEASURES TO FIGHT MODERN THREATS.

(a) FINDINGS.—Congress finds the following:

(1) The Financial Crimes Enforcement Network (FinCEN) is the Financial Intelligence Unit of the United States tasked with safeguarding the financial system from illicit use, combating money laundering and its related crimes including terrorism, and promoting national security.

(2) Per statute, FinCEN may require domestic financial institutions and financial agencies to take certain ''special measures'' against jurisdictions, institutions, classes of transactions, or types of accounts determined to be of primary money laundering concern, providing the Secretary with a range of options, such as enhanced record-keeping, that can be adapted to target specific money laundering and terrorist financing and to bring pressure on those that pose money laundering threats.

(3) This special-measures authority was granted in 2001, when most cross-border transactions occurred through correspondent or payable-through accounts held with large financial institutions which serve as intermediaries to facilitate financial transactions on behalf of other banks.

(4) Innovations in financial services have transformed and expanded methods of cross-border transactions that could not have been envisioned 20 years ago when FinCEN was given its special-measures authority.

(5) These innovations, particularly through digital assets and informal value transfer systems, while useful to legitimate consumers and law enforcement, can be tools abused by bad actors like sanctions evaders, fraudsters, money launderers, and those who commit ransomware attacks on victimized U.S. companies and which abuse the financial system to move and obscure the proceeds of their crimes.

(6) Ransomware attacks on U.S. companies requiring payments in cryptocurrencies have increased in recent years, with the U.S. Treasury estimating that ransomware payments in the United States reached $590 million in just the first half of 2021, compared to a total of $416 million in 2020.

(7) As ransomware attacks organized by Chinese and other foreign bad actors continue to grow in size and scope, modernizing FinCEN's special measure authorities will empower FinCEN to adapt its existing tools, monitor and obstruct global financial threats, and meet the challenges of combating 21st century financial crime.

(b) PROHIBITIONS OR CONDITIONS ON CERTAIN TRANSMITTALS OF FUNDS.—Section 5318A of title 31, United States Code, is amended—

(1) in subsection (a)(2)(C), by striking ''subsection (b)(5)'' and inserting ''paragraphs (5) and (6) of subsection (b)''; and

(2) in subsection (b)—

(A) in paragraph (5), by striking ''for or on behalf of a foreign banking institution''; and

(B) by adding at the end the following:

''(6) PROHIBITIONS OR CONDITIONS ON CERTAIN TRANSMITTALS OF FUNDS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more types of accounts within, or involving, a jurisdiction outside of the United States, or 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States to be of primary money laundering concern, the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon certain transmittals of funds (as such term may be defined by the Secretary in a special measure issuance, by regulation, or as otherwise permitted by law), to or from any domestic financial institution or domestic financial agency if such transmittal of funds involves any such jurisdiction, institution, type of account, or class of transaction.''.

AMENDMENT NO. 394 OFFERED BY MR. MEEKS OF NEW YORK

Add at the end of title LIV of division E the following:

SEC. 5403. SUBMISSION OF DATA RELATING TO DIVERSITY.

Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

''(s) SUBMISSION OF DATA RELATING TO DIVERSITY.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'executive officer' has the meaning given the term in section 230.501(f) of title 17, Code of Federal Regulations, as in effect on the date of enactment of this subsection; and

''(B) the term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.

''(2) SUBMISSION OF DISCLOSURE.—Each issuer required to file an annual report under subsection (a) shall disclose in any proxy statement and any information statement relating to the election of directors filed with the Commission the following:

''(A) Demographic data, based on voluntary self-identification, on the racial, ethnic, gender identity, and sexual orientation composition of—

''(i) the board of directors of the issuer;

''(ii) nominees for the board of directors of the issuer; and

''(iii) the executive officers of the issuer.

''(B) The status of any member of the board of directors of the issuer, any nominee for the board of directors of the issuer, or any executive officer of the issuer, based on voluntary self-identification, as a veteran.

''(C) Whether the board of directors of the issuer, or any committee of that board of directors, has, as of the date on which the issuer makes a disclosure under this paragraph, adopted any policy, plan, or strategy to promote racial, ethnic, and gender diversity among—

''(i) the board of directors of the issuer;

''(ii) nominees for the board of directors of the issuer; or

''(iii) the executive officers of the issuer.

''(3) ALTERNATIVE SUBMISSION.—In any 1-year period in which an issuer required to file an annual report under subsection (a) does not file with the Commission a proxy statement or an information statement relating to the election of directors, the issuer

shall disclose the information required under paragraph (2) in the first annual report of issuer that the issuer submits to the Commission after the end of that 1-year period.

''(4) ANNUAL REPORT.—Not later than 18 months after the date of enactment of this subsection, and annually thereafter, the Commission shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, and publish on the website of the Commission, a report that analyzes the information disclosed under paragraphs (2) and (3) and identifies any trends with respect to such information.

''(5) BEST PRACTICES.—

''(A) IN GENERAL.—The Director of the Office of Minority and Women Inclusion of the Commission shall, not later than 3 years after the date of enactment of this subsection, and every 3 years thereafter, publish best practices for compliance with this subsection.

''(B) COMMENTS.—The Director of the Office of Minority and Women Inclusion of the Commission may, pursuant to subchapter II of chapter 5 of title 5, United States Code, solicit public comments related to the best practices published under subparagraph (A).''.

SEC. 5404. DIVERSITY ADVISORY GROUP.

(a) DEFINITIONS.—For the purposes of this section:

(1) ADVISORY GROUP.—The term ''Advisory Group'' means the Diversity Advisory Group established under subsection (b).

(2) COMMISSION.—The term ''Commission'' means the Securities and Exchange Commission.

(3) ISSUER.—The term ''issuer'' has the meaning given the term in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(b) ESTABLISHMENT.—The Commission shall establish a Diversity Advisory Group, which shall be composed of representatives from—

(1) the Federal Government and State and local governments;

(2) academia; and

(3) the private sector.

(c) STUDY AND RECOMMENDATIONS.—The Advisory Group shall—

(1) carry out a study that identifies strategies that can be used to increase gender identity, racial, ethnic, and sexual orientation diversity among members of boards of directors of issuers; and

(2) not later than 270 days after the date on which the Advisory Group is established, submit to the Commission, the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives a report that—

(A) describes any findings from the study conducted under paragraph (1); and

(B) makes recommendations regarding strategies that issuers could use to increase gender identity, racial, ethnic, and sexual orientation diversity among board members.

(d) ANNUAL REPORT.—Not later than 1 year after the date on which the Advisory Group submits the report required under subsection (c)(2), and annually thereafter, the Commission shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that describes the status of gender identity, racial, ethnic, and sexual orientation diversity among members of the boards of directors of issuers.

(e) PUBLIC AVAILABILITY OF REPORTS.—The Commission shall make all reports of the Advisory Group available to issuers and the public, including on the website of the Commission.

(f) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Advisory Group or the activities of the Advisory Group.

AMENDMENT NO. 396 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of title LI, insert the following new section:

SEC. 51___. LIMITATION ON COPAYMENTS FOR CONTRACEPTION.

Section 1722A(a)(2) of title 38, United States Code, is amended—

(1) by striking ''to pay'' and all that follows through the period and inserting ''to pay—''; and

(2) by adding at the end the following new subparagraphs:

''(A) an amount in excess of the cost to the Secretary for medication described in paragraph (1); or

''(B) an amount for any contraceptive item for which coverage under health insurance coverage is required without the imposition of any cost-sharing requirement pursuant to section 2713(a)(4) of the Public Health Service Act (42 U.S.C. 300gg–13(a)(4)).''.

AMENDMENT NO. 397 OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle B of title III, insert the following new section:

SEC. 3___. CLARIFICATION AND REQUIREMENT FOR DEPARTMENT OF DEFENSE RELATING TO RENEWABLE BIOMASS AND BIOGAS.

(a) CLARIFICATION OF RENEWABLE ENERGY SOURCES.—Section 2924 of title 10, United States Code, is amended—

(1) in paragraph (6)—

(A) by redesignating subparagraphs (D) through (I) as subparagraphs (E) through (J), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph:

''(D) Biogas.''; and

(2) by adding at the end the following new paragraphs:

''(7) The term 'biomass' has the meaning given the term 'renewable biomass' in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)), and the regulations thereunder.

''(8) The term 'biogas' means biogas as such term is used in section 211(o)(1)(B)(ii)(V) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B)(ii)(V)), and the regulations thereunder.''.

(b) REQUIREMENT.—With respect to any energy-related activity carried out pursuant to chapter 173 of title 10, United States Code, biomass and biogas (as such terms are defined in section 2924 of such title, as amended by subsection (a)) shall be considered an eligible energy source for purposes of such activity.

AMENDMENT NO. 398 OFFERED BY MS. ROSS OF NORTH CAROLINA

At the end of title LV, add the following:

SEC. ____. LEASING ON THE OUTER CONTINENTAL SHELF.

(a) LEASING AUTHORIZED.—Notwithstanding the Presidential Memorandum entitled ''Memorandum on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition'' (issued September 8, 2020) and the Presidential Memorandum entitled ''Presidential Determination on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition'' (issued September 25, 2020), the Secretary of the Interior is authorized to grant leases pursuant to section 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)) in the South Atlantic Planning Area, the Straits of Florida Planning Area, and the Mid Atlantic Planning Area designated by the Bureau of Ocean Energy Management as of September 25, 2020.

(b) WITHDRAWALS.—Any Presidential withdrawal of an area of the Outer Continental Shelf from leasing under section 12(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(a)) issued after the date of enactment of this section shall apply only to leasing authorized under subsections (a) and (i) of section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a) and 1337(i)), unless the withdrawal explicitly applies to other leasing authorized under such Act.

AMENDMENT NO. 400 OFFERED BY MS. WILLIAMS OF GEORGIA

At the end of title LIII of division E, add the following:

SEC. ____. PERMITTING USE OF HIGHWAY TRUST FUND FOR CONSTRUCTION OF CERTAIN NOISE BARRIERS.

(a) IN GENERAL.—Section 339(b) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note) is amended to read as follows:

''(1) GENERAL RULE.—No funds made available out of the Highway Trust Fund may be used to construct a Type II noise barrier (as defined by section 772.5 of title 23, Code of Federal Regulations) pursuant to subsections (h) and (i) of section 109 of title 23, United States Code.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to construction or preservation of a Type II noise barrier if such a barrier—

''(A) was not part of a project approved by the Secretary before November 28, 1995;

''(B) is proposed along lands that were developed or were under substantial construction before approval of the acquisition of the rights-of-ways for, or construction of, the existing highway; or

''(C) as determined and applied by the Secretary, separates a highway or other noise corridor from a group of structures of which the majority of such structures closest to the highway or noise corridor—

''(i) are residential in nature; and

''(ii) are at least 10 years old as of the date of the proposal of the barrier project.''.

(b) ELIGIBILITY FOR SURFACE TRANSPORTATION BLOCK GRANT FUNDS.—Section 133 of title 23, United States Code, is amended—

(1) in subsection (b) by adding at the end the following:

''(25) Planning, design, preservation, or construction of a Type II noise barrier (as described in section 772.5 of title 23, Code of Federal Regulations) and consistent with the requirements of section 339(b) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note).''; and

(2) in subsection (c)(2) by striking ''and paragraph (23)'' and inserting '', paragraph (23), and paragraph (25)''.

(c) MULTIPURPOSE NOISE BARRIERS.—

(1) IN GENERAL.—The Secretary of Transportation shall ensure that a noise barrier constructed or preserved under section 339(b) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note) or with funds made available under title 23, United States Code, may be a multipurpose noise barrier.

(2) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodation of a secondary beneficial use on a noise barrier within a right-of-way on a Federal-aid highway.

(3) DEFINITIONS.—In this subsection:

(A) MULTIPURPOSE NOISE BARRIER.—The term ''multipurpose noise barrier'' means any noise barrier that provides a secondary beneficial use, including a barrier that hosts or accommodates renewable energy generation facilities, electrical transmission and distribution infrastructure, or broadband infrastructure and conduit.

(B) SECONDARY BENEFICIAL USE.—The term ''secondary beneficial use'' means an environmental, economic, or social benefit in addition to highway noise mitigation.

(d) AESTHETICS.—A project sponsor constructing or preserving a noise barrier under section 339(b) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note) or with funds made available under title 23, United States Code, shall consider the aesthetics of the proposed noise barrier, consistent with latest version of the Noise Barrier Design Handbook published by the Federal Highway Administration of the Department of Transportation.

AMENDMENT NO. 401 OFFERED BY MRS. BEATTY OF OHIO

At the end title LIV add the following:

SEC. 54___. DISCOUNT ON MORTGAGE INSURANCE PREMIUM PAYMENTS FOR FIRST-TIME HOMEBUYERS WHO COMPLETE FINANCIAL LITERACY HOUSING COUNSELING PROGRAMS.

The second sentence of subparagraph (A) of section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)(A)) is amended—

(1) by inserting before the comma the following: ''and such program is completed before the mortgagor has signed an application for a mortgage to be insured under this title or a sales agreement''; and

(2) by striking ''not exceed 2.75 percent of the amount of the original insured principal obligation of the mortgage'' and inserting ''be 25 basis points lower than the premium payment amount established by the Secretary under the first sentence of this subparagraph''.

AMENDMENT NO. 402 OFFERED BY MS. SLOTKIN OF MICHIGAN

Add at the end of title LVIII of division E the following:

SEC. _____. SUPPORT FOR AFGHANS APPLYING FOR STUDENT VISAS.

(a) EXCEPTION WITH RESPECT TO RESIDENCE.—To be eligible as a nonimmigrant described in section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)), a national of Afghanistan or a person with no nationality who last habitually resided in Afghanistan shall meet all requirements for such nonimmigrant status except they shall not need to demonstrate residence in Afghanistan or an intention not to abandon such residence.

(b) APPLICABILITY.—

(1) IN GENERAL.—The exception under subsection (a) shall apply beginning on the date of the enactment of this Act and ending on the date that is two years after the date of the enactment of this Act.

(2) EXTENSION.—The Secretary of Homeland Security, in consultation with the Secretary of State, shall periodically review the country conditions in Afghanistan and may renew the exception under subsection (a) in 18 month increments based on such conditions.

AMENDMENT NO. 403 OFFERED BY MS. ROSS OF NORTH CAROLINA

Add at the end of title LVIII of division E the following:

SEC. 28___. IMMIGRATION AGE-OUT PROTECTIONS.

(a) AGE-OUT PROTECTIONS FOR IMMIGRANTS.—

(1) IN GENERAL.—Section 101(b) of the Immigration and Nationality Act (8 U.S.C. 1101(b)) is amended by adding at the end the following:

''(6) A determination of whether an alien is a child shall be made as follows:

''(A) For purposes of a petition under section 204 and a subsequent application for an immigrant visa or adjustment of status, such determination shall be made using the age of the alien on the date that is the priority date for the principal beneficiary and all derivative beneficiaries under section 203(h).

''(B) For purposes of a petition under section 214(d) and a subsequent application for adjustment of status under section 245(d), such determination shall be made using the age of the alien on the date on which the petition is filed with the Secretary of Homeland Security.

''(C) In the case of a petition under section 204 filed for an alien's classification as a married son or daughter of a United States citizen under section 203(a)(3), if the petition is later converted, due to the legal termination of the alien's marriage, to a petition to classify the alien as an immediate relative under section 201(b)(2)(A)(i) or as an unmarried son or daughter of a United States citizen under section 203(a)(1), the determination of the alien's age shall be made using the age of the alien on the date of the termination of the marriage.

''(D) For an alien who was in status as a dependent child of a nonimmigrant pursuant to an approved employment-based petition under section 214 or an approved application under section 101(a)(15)(E) for an aggregate period of eight years prior to the age of 21, notwithstanding subparagraphs (A) through (C), the alien's age shall be based on the date that such initial nonimmigrant employment-based petition or application was filed.

''(E) For an alien who has not sought to acquire status of an alien lawfully admitted for permanent residence within two years of an immigrant visa number becoming available to such alien, the alien's age shall be their biological age unless the failure to seek to acquire status was due to extraordinary circumstances.

''(7) An alien who has reached 21 years of age and has been admitted under section 203(d) as a lawful permanent resident on a conditional basis as the child of an alien lawfully admitted for permanent residence under section 203(b)(5), whose lawful permanent resident status on a conditional basis is terminated under section 216A or section 203(b)(5)(M), shall continue to be considered a child of the principal alien for the purpose of a subsequent immigrant petition by such alien under section 203(b)(5) if the alien remains unmarried and the subsequent petition is filed by the principal alien not later than 1 year after the termination of conditional lawful permanent resident status. No alien shall be considered a child under this paragraph with respect to more than 1 petition filed after the alien reaches 21 years of age.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended by striking subsection (f).

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this section shall be effective as if included in the Child Status Protection Act (Public Law 107–208).

(B) MOTION TO REOPEN OR RECONSIDER.—

(i) IN GENERAL.—A motion to reopen or reconsider the denial of a petition or application described in paragraph (6) of section 101(b), as amended in paragraph (1), may be granted if—

(I) such petition or application would have been approved if the amendments described in such paragraph had been in effect at the time of adjudication of the petition or application;

(II) the individual seeking relief pursuant to such motion was in the United States at the time the underlying petition or application was filed; and

(III) such motion is filed with the Secretary of Homeland Security or the Attorney General not later than the date that is 2 years after the date of the enactment of this Act.

(ii) NUMERICAL LIMITATIONS.—Notwithstanding any other provision of law, an individual granted relief pursuant to such motion to reopen or reconsider shall be exempt from numerical limitations in sections 201, 202, and 203 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, and 1153).

(b) AGE OUT PROTECTIONS FOR NONIMMIGRANT DEPENDENT CHILDREN.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by adding at the end the following:

''(s)(1) Except as described in paragraph (2), the determination of whether an alien who is the derivative beneficiary of a properly filed pending or approved immigrant petition under section 204 is eligible to be a dependent child of a nonimmigrant admitted pursuant to an approved employer petition under this section or approved application under section 101(a)(15)(E), shall be based on whether the alien is determined to be a child under section 101(b)(6) of the Immigration and Nationality Act.

''(2) If otherwise eligible, an alien who is determined to be a child pursuant to section 101(b)(6)(D) may change status to or extend status as a dependent child of a nonimmigrant with an approved employment based petition under this section or an approved application under section 101(a)(15)(E), notwithstanding such alien's marital status.

''(3) An alien who is admitted to the United States as a dependent child of a nonimmigrant who is described in this section is authorized to engage in employment in the United States incident to status.''.

(c) PRIORITY DATE RETENTION.—Section 203(h) of the Immigration and Nationality Act (8 U.S.C. 1153(h)) is amended to read as follows:

''(h) RETENTION OF PRIORITY DATES.—

''(1) PRIORITY DATE.—The priority date for an alien shall be the date that is the earliest of—

''(A) the date that a petition under section 204 is filed with the Secretary of Homeland Security (or the Secretary of State, if applicable); or

''(B) the date on which a labor certification is filed with the Secretary of Labor.

''(2) RETENTION.—The principal beneficiary and all derivative beneficiaries shall retain the priority date associated with the earliest of any approved petition or labor certification and such priority date shall be applicable to any subsequently approved petition.''.

SEC. 28___. MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$7,500,000,000'' and inserting ''$7,279,000,000''.

AMENDMENT NO. 404 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of title LIII of division E, add the following:

SEC. 5306. ESTABLISHMENT OF SOUTHERN NEW ENGLAND REGIONAL COMMISSION.

(a) ESTABLISHMENT.—Section 15301(a) of title 40, United States Code, is amended by adding at the end the following:

''(4) The Southern New England Regional Commission.''.

(b) DESIGNATION OF REGION.—

(1) IN GENERAL.—Subchapter II of chapter 157 of such title is amended by adding at the end the following:

''§ 15734. Southern New England Regional Commission

''The region of the Southern New England Regional Commission shall include the following counties:

''(1) RHODE ISLAND.—Each county in the State of Rhode Island.

''(2) CONNECTICUT.—The counties of Hartford, New Haven, Windham, Tolland, Middlesex, and New London in the State of Connecticut.

''(3) MASSACHUSETTS.—The counties of Hampden, Plymouth, Barnstable, Essex, Worcester, and Bristol in the State of Massachusetts.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for Subchapter II of chapter 157 of such title is amended by adding at the end the following:

''15734. Southern New England Regional Commission.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—The authorization of appropriations in section 15751 of title 40, United States Code, shall apply with respect to the Southern New England Regional Commission beginning with fiscal year 2023.

AMENDMENT NO. 405 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

At the end of title LVIII of division E, insert the following:

SEC. _____. CLEAN WATER ACT EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS AND WATER QUALITY CRITERIA FOR PFAS.

(a) DEADLINES.—

(1) WATER QUALITY CRITERIA.—Not later than the date that is 3 years after the date of enactment of this Act, the Administrator shall publish in the Federal Register human health water quality criteria under section 304(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(1)) to address each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of those substances.

(2) EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR PRIORITY INDUSTRY CATEGORIES.—Not later than the following dates, the Administrator shall publish in the Federal Register a final rule establishing effluent limitations guidelines and standards, in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), for each of the following industry categories for the discharge (including a discharge into a publicly owned treatment works) of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, or class of those substances:

(A) DURING CALENDAR YEAR 2024.—Not later than June 30, 2024, for the following point source categories:

(i) Organic chemicals, plastics, and synthetic fibers, as identified in part 414 of title 40, Code of Federal Regulations (or successor regulations).

(ii) Electroplating, as identified in part 413 of title 40, Code of Federal Regulations (or successor regulations).

(iii) Metal finishing, as identified in part 433 of title 40, Code of Federal Regulations (or successor regulations).

(B) DURING CALENDAR YEAR 2025.—Not later than June 30, 2025, for the following point source categories:

(i) Textile mills, as identified in part 410 of title 40, Code of Federal Regulations (or successor regulations).

(ii) Electrical and electronic components, as identified in part 469 of title 40, Code of Federal Regulations (or successor regulations).

(iii) Landfills, as identified in part 445 of title 40, Code of Federal Regulations (or successor regulations).

(C) DURING CALENDAR YEAR 2026.—Not later than December 31, 2026, for the following point source categories:

(i) Leather tanning and finishing, as identified in part 425 of title 40, Code of Federal Regulations (or successor regulations).

(ii) Paint formulating, as identified in part 446 of title 40, Code of Federal Regulations (or successor regulations).

(iii) Plastics molding and forming, as identified in part 463 of title 40, Code of Federal Regulations (or successor regulations).

(b) ADDITIONAL MONITORING REQUIREMENTS.—

(1) IN GENERAL.—Effective beginning on the date of enactment of this Act, the Administrator shall require monitoring of the discharges (including discharges into a publicly owned treatment works) of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of those substances for the point source categories and entities described in paragraph (2). The monitoring requirements under this paragraph shall be included in any permits issued under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) after the date of enactment of this Act.

(2) CATEGORIES DESCRIBED.—The point source categories and entities referred to in paragraphs (1) and (3) are each of the following:

(A) Pulp, paper, and paperboard, as identified in part 430 of title 40, Code of Federal Regulations (or successor regulations).

(B) Airports (as defined in section 47102 of title 49, United States Code).

(3) DETERMINATION.—

(A) IN GENERAL.—Not later than December 31, 2023, the Administrator shall make a determination—

(i) to commence developing effluent limitations and standards for the point source categories and entities listed in paragraph (2); or

(ii) that effluent limitations and standards are not feasible for those point source categories and entities, including an explanation of the reasoning for this determination.

(B) REQUIREMENT.—Any effluent limitations and standards for the point source categories and entities listed in paragraph (2) shall be published in the Federal Register by not later than December 31, 2027.

(c) NOTIFICATION.—The Administrator shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of each publication made under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $12,000,000 for fiscal year 2023, to remain available until expended.

(e) DEFINITIONS.—In this section:

(1) The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) The term ''effluent limitation'' has the meaning given the term in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(3) The term ''measurable'', with respect to a chemical substance or class of chemical substances, means capable of being measured using test procedures established under section 304(h) of the Federal Water Pollution Control Act (33 U.S.C. 1314(h)).

(4) The term ''perfluoroalkyl substance'' means a chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(5) The term ''polyfluoroalkyl substance'' means a chemical containing at least 1 fully fluorinated carbon atom and at least 1 carbon atom that is not a fully fluorinated carbon atom.

(6) The term ''treatment works'' has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

AMENDMENT NO. 407 OFFERED BY MR. GOLDEN OF MAINE

At the end of title LVIII of division E, add the following:

SECTION 5806. AMENDMENTS TO THE MAINE INDIAN CLAIMS SETTLEMENT ACT OF 1980.

(a) APPLICATION OF STATE LAWS.—The Maine Indian Claims Settlement Act of 1980 (Public Law 96–420) is amended—

(1) in section 3—

(A) in subsection (m), by striking ''and'' at the end;

(B) in subsection (n), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(o) 'Mi'kmaq Nation' means the sole successor to the Micmac Nation as constituted in aboriginal times in what is now the State of Maine, and all its predecessors and successors in interest, and which is represented, as of the date of enactment of this subsection, as to lands within the United States, by the Mi'kmaq Council.''; and

(2) in section 6—

(A) in subsection (a), by striking ''provided in section 8(e) and section 5(d)(4)'' and inserting ''otherwise provided in this Act''; and

(B) in subsection (h)—

(i) by striking ''Except as other wise provided in this Act, the'' and inserting ''The'';

(ii) in the first sentence, by inserting ''or enacted for the benefit of'' before ''Indians, Indian nations'';

(iii) by inserting ''that is in effect as of the date of the enactment of the Advancing Equality for Wabanaki Nations Act, (2)'' after ''United States (1)'';

(iv) by striking ''also (2)'' and inserting ''also (3)''; and

(v) by striking ''within the State'' and inserting ''within the State, unless Federal law or the State laws of Maine provide for the application of such Federal law or regulation''.

(b) IMPLEMENTATION OF THE INDIAN CHILD WELFARE ACT.—Section 8 of the Maine Indian Claims Settlement Act of 1980 (Public Law 96–420) is amended—

(1) in subsection (a)—

(A) by striking ''or'' after ''Passamaquoddy Tribe'' and inserting a comma;

(B) by inserting '', the Houlton Band of Maliseet Indians, or the Mi'kmaq Nation'' after ''Penobscot Nation''; and

(C) in the second sentence, by striking ''respective tribe or nation'' each place it appears and inserting ''respective tribe, nation, or band'';

(2) in subsection (b)—

(A) by striking ''or'' after ''Passamaquoddy Tribe'' and inserting a comma; and

(B) by inserting '', the Houlton Band of Maliseet Indians, or the Mi'kmaq Nation'' after ''Penobscot Nation'';

(3) by striking subsection (e);

(4) by redesignating subsection (f) as subsection (e); and

(5) in subsection (e), as so redesignated—

(A) by striking ''or'' after ''Passamaquoddy Tribe'' and inserting a comma;

(B) by inserting '', the Houlton Band of Maliseet Indians, or the Mi'kmaq Nation'' after ''Penobscot Nation''; and

(C) by striking ''or nation'' and inserting '', nation, or band''.

(c) CONSTRUCTION.—Section 16 of the Maine Indian Claims Settlement Act of 1980 (Public Law 96–420) is amended—

(1) by striking ''(a)'' at the beginning; and

(2) by striking subsection (b).

(d) AROOSTOOK BAND OF MICMACS SETTLEMENT ACT.—Section 8 of the Aroostook Band of Micmacs Settlement Act (Public Law 102–171) is repealed.

AMENDMENT NO. 408 OFFERED BY MR. PERLMUTTER OF COLORADO

Page 1254, after line 16, insert the following:

Subtitle A—In General

Page 1262, after line 23, insert the following:

Subtitle B—SAFE Banking

SEC. 5421. SHORT TITLE; TABLE OF CONTENTS; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Secure And Fair Enforcement Banking Act of 2022'' or the ''SAFE Banking Act of 2022''.

(b) TABLE OF CONTENTS.—The table of contents for this subtitle is as follows:

(c) PURPOSE.—The purpose of this subtitle is to increase public safety by ensuring access to financial services to cannabis-related legitimate businesses and service providers and reducing the amount of cash at such businesses.

SEC. 5422. SAFE HARBOR FOR DEPOSITORY INSTITUTIONS.

(a) IN GENERAL.—A Federal banking regulator may not—

(1) terminate or limit the deposit insurance or share insurance of a depository institution under the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), the Federal Credit Union Act (12 U.S.C. 1751 et seq.), or take any other adverse action against a depository institution under section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) solely because the depository institution provides or has provided financial services to a cannabis-related legitimate business or service provider;

(2) prohibit, penalize, or otherwise discourage a depository institution from providing financial services to a cannabis-related legitimate business or service provider or to a State, political subdivision of a State, or Indian Tribe that exercises jurisdiction over cannabis-related legitimate businesses;

(3) recommend, incentivize, or encourage a depository institution not to offer financial services to an account holder, or to downgrade or cancel the financial services offered to an account holder solely because—

(A) the account holder is a cannabis-related legitimate business or service provider, or is an employee, owner, or operator of a cannabis-related legitimate business or service provider;

(B) the account holder later becomes an employee, owner, or operator of a cannabis-related legitimate business or service provider; or

(C) the depository institution was not aware that the account holder is an employee, owner, or operator of a cannabis-related legitimate business or service provider;

(4) take any adverse or corrective supervisory action on a loan made to—

(A) a cannabis-related legitimate business or service provider, solely because the business is a cannabis-related legitimate business or service provider;

(B) an employee, owner, or operator of a cannabis-related legitimate business or service provider, solely because the employee, owner, or operator is employed by, owns, or operates a cannabis-related legitimate business or service provider, as applicable; or

(C) an owner or operator of real estate or equipment that is leased to a cannabis-related legitimate business or service provider, solely because the owner or operator of the real estate or equipment leased the equipment or real estate to a cannabis-related legitimate business or service provider, as applicable; or

(5) prohibit or penalize a depository institution (or entity performing a financial service for or in association with a depository institution) for, or otherwise discourage a depository institution (or entity performing a financial service for or in association with a depository institution) from, engaging in a financial service for a cannabis-related legitimate business or service provider.

(b) SAFE HARBOR APPLICABLE TO DE NOVO INSTITUTIONS.—Subsection (a) shall apply to an institution applying for a depository institution charter to the same extent as such subsection applies to a depository institution.

SEC. 5423. PROTECTIONS FOR ANCILLARY BUSINESSES.

For the purposes of sections 1956 and 1957 of title 18, United States Code, and all other provisions of Federal law, the proceeds from a transaction involving activities of a cannabis-related legitimate business or service provider shall not be considered proceeds from an unlawful activity solely because—

(1) the transaction involves proceeds from a cannabis-related legitimate business or service provider; or

(2) the transaction involves proceeds from—

(A) cannabis-related activities described in section 5434(4)(B) conducted by a cannabis-related legitimate business; or

(B) activities described in section 5434(13)(A) conducted by a service provider.

SEC. 5424. PROTECTIONS UNDER FEDERAL LAW.

(a) IN GENERAL.—With respect to providing a financial service to a cannabis-related legitimate business (where such cannabis-related legitimate business operates within a State, political subdivision of a State, or Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or purchase of cannabis pursuant to a law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country, as applicable) or a service provider (wherever located), a depository institution, entity performing a financial service for or in association with a depository institution, or insurer that provides a financial service to a cannabis-related legitimate business or service provider, and the officers, directors, and employees of that depository institution, entity, or insurer may not be held liable pursuant to any Federal law or regulation—

(1) solely for providing such a financial service; or

(2) for further investing any income derived from such a financial service.

(b) PROTECTIONS FOR FEDERAL RESERVE BANKS AND FEDERAL HOME LOAN BANKS.—With respect to providing a service to a depository institution that provides a financial service to a cannabis-related legitimate business (where such cannabis-related legitimate business operates within a State, political subdivision of a State, or Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or purchase of cannabis pursuant to a law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country, as applicable) or service provider (wherever located), a Federal reserve bank or Federal Home Loan Bank, and the officers, directors, and employees of the Federal reserve bank or Federal Home Loan Bank, may not be held liable pursuant to any Federal law or regulation—

(1) solely for providing such a service; or

(2) for further investing any income derived from such a service.

(c) PROTECTIONS FOR INSURERS.—With respect to engaging in the business of insurance within a State, political subdivision of a State, or Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or purchase of cannabis pursuant to a law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country, as applicable, an insurer that engages in the business of insurance with a cannabis-related legitimate business or service provider or who otherwise engages with a person in a transaction permissible under State law related to cannabis, and the officers, directors, and employees of that insurer may not be held liable pursuant to any Federal law or regulation—

(1) solely for engaging in the business of insurance; or

(2) for further investing any income derived from the business of insurance.

(d) FORFEITURE.—

(1) DEPOSITORY INSTITUTIONS.—A depository institution that has a legal interest in the collateral for a loan or another financial service provided to an owner, employee, or operator of a cannabis-related legitimate business or service provider, or to an owner or operator of real estate or equipment that is leased or sold to a cannabis-related legitimate business or service provider, shall not be subject to criminal, civil, or administrative forfeiture of that legal interest pursuant to any Federal law for providing such loan or other financial service.

(2) FEDERAL RESERVE BANKS AND FEDERAL HOME LOAN BANKS.—A Federal reserve bank or Federal Home Loan Bank that has a legal interest in the collateral for a loan or another financial service provided to a depository institution that provides a financial service to a cannabis-related legitimate business or service provider, or to an owner or operator of real estate or equipment that is leased or sold to a cannabis-related legitimate business or service provider, shall not be subject to criminal, civil, or administrative forfeiture of that legal interest pursuant to any Federal law for providing such loan or other financial service.

SEC. 5425. RULES OF CONSTRUCTION.

(a) NO REQUIREMENT TO PROVIDE FINANCIAL SERVICES.—Nothing in this subtitle shall require a depository institution, entity performing a financial service for or in association with a depository institution, or insurer to provide financial services to a cannabis-related legitimate business, service provider, or any other business.

(b) GENERAL EXAMINATION, SUPERVISORY, AND ENFORCEMENT AUTHORITY.—Nothing in this subtitle may be construed in any way as limiting or otherwise restricting the general examination, supervisory, and enforcement authority of the Federal banking regulators, provided that the basis for any supervisory or enforcement action is not the provision of financial services to a cannabis-related legitimate business or service provider.

(c) BUSINESS OF INSURANCE.—Nothing in this subtitle shall interfere with the regulation of the business of insurance in accordance with the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the ''McCarran-Ferguson Act'') and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.).

SEC. 5426. REQUIREMENTS FOR FILING SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

''(5) REQUIREMENTS FOR CANNABIS-RELATED LEGITIMATE BUSINESSES.—

''(A) IN GENERAL.—With respect to a financial institution or any director, officer, employee, or agent of a financial institution that reports a suspicious transaction pursuant to this subsection, if the reason for the report relates to a cannabis-related legitimate business or service provider, the report shall comply with appropriate guidance issued by the Financial Crimes Enforcement Network. Not later than the end of the 180-day period beginning on the date of enactment of this paragraph, the Secretary shall update the February 14, 2014, guidance titled 'BSA Expectations Regarding Marijuana-Related Businesses' (FIN–2014–G001) to ensure that the guidance is consistent with the purpose and intent of the SAFE Banking Act of 2022 and does not significantly inhibit the provision of financial services to a cannabis-related legitimate business or service provider in a State, political subdivision of a State, or Indian country that has allowed the cultivation, production, manufacture, transportation, display, dispensing, distribution, sale, or purchase of cannabis pursuant to law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country.

''(B) DEFINITIONS.—For purposes of this paragraph:

''(i) CANNABIS.—The term 'cannabis' has the meaning given the term 'marihuana' in section 102 of the Controlled Substances Act (21 U.S.C. 802).

''(ii) CANNABIS-RELATED LEGITIMATE BUSINESS.—The term 'cannabis-related legitimate business' has the meaning given that term in section 5434 of the SAFE Banking Act of 2022.

''(iii) INDIAN COUNTRY.—The term 'Indian country' has the meaning given that term in section 1151 of title 18.

''(iv) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

''(v) FINANCIAL SERVICE.—The term 'financial service' has the meaning given that term in section 5434 of the SAFE Banking Act of 2022.

''(vi) SERVICE PROVIDER.—The term 'service provider' has the meaning given that term in section 5434 of the SAFE Banking Act of 2022.

''(vii) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.''.

SEC. 5427. GUIDANCE AND EXAMINATION PROCEDURES.

Not later than 180 days after the date of enactment of this Act, the Financial Institutions Examination Council shall develop uniform guidance and examination procedures for depository institutions that provide financial services to cannabis-related legitimate businesses and service providers.

SEC. 5428. ANNUAL DIVERSITY AND INCLUSION REPORT.

The Federal banking regulators shall issue an annual report to Congress containing—

(1) information and data on the availability of access to financial services for minority-owned and women-owned cannabis-related legitimate businesses; and

(2) any regulatory or legislative recommendations for expanding access to financial services for minority-owned and women-owned cannabis-related legitimate businesses.

SEC. 5429. GAO STUDY ON DIVERSITY AND INCLUSION.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the barriers to marketplace entry, including in the licensing process, and the access to financial services for potential and existing minority-owned and women-owned cannabis-related legitimate businesses.

(b) REPORT.—The Comptroller General shall issue a report to the Congress—

(1) containing all findings and determinations made in carrying out the study required under subsection (a); and

(2) containing any regulatory or legislative recommendations for removing barriers to marketplace entry, including in the licensing process, and expanding access to financial services for potential and existing minority-owned and women-owned cannabis-related legitimate businesses.

SEC. 5430. GAO STUDY ON EFFECTIVENESS OF CERTAIN REPORTS ON FINDING CERTAIN PERSONS.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall carry out a study on the effectiveness of reports on suspicious transactions filed pursuant to section 5318(g) of title 31, United States Code, at finding individuals or organizations suspected or known to be engaged with transnational criminal organizations and whether any such engagement exists in a State, political subdivision, or Indian Tribe that has jurisdiction over Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or purchase of cannabis. The study shall examine reports on suspicious transactions as follows:

(1) During the period of 2014 until the date of the enactment of this Act, reports relating to marijuana-related businesses.

(2) During the 1-year period after date of the enactment of this Act, reports relating to cannabis-related legitimate businesses.

SEC. 5431. APPLICATION OF THIS SUBTITLE WITH RESPECT TO HEMP-RELATED LEGITIMATE BUSINESSES AND HEMP-RELATED SERVICE PROVIDERS.

(a) IN GENERAL.—The provisions of this subtitle (other than sections 5426 and 5430) shall apply with respect to hemp-related legitimate businesses and hemp-related service providers in the same manner as such provisions apply with respect to cannabis-related legitimate businesses and service providers.

(b) DEFINITIONS.—In this section:

(1) CBD.—The term ''CBD'' means cannabidiol.

(2) HEMP.—The term ''hemp'' has the meaning given that term under section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o).

(3) HEMP-RELATED LEGITIMATE BUSINESS.—The term ''hemp-related legitimate business'' means a manufacturer, producer, or any person or company that—

(A) engages in any activity described in subparagraph (B) in conformity with the Agricultural Improvement Act of 2018 (Public Law 115–334) and the regulations issued to implement such Act by the Department of Agriculture, where applicable, and the law of a State or political subdivision thereof or Indian Tribe; and

(B) participates in any business or organized activity that involves handling hemp, hemp-derived CBD products, and other hemp-derived cannabinoid products, including cultivating, producing, extracting, manufacturing, selling, transporting, displaying, dispensing, distributing, or purchasing hemp, hemp-derived CBD products, and other hemp-derived cannabinoid products.

(4) HEMP-RELATED SERVICE PROVIDER.—The term ''hemp-related service provider''—

(A) means a business, organization, or other person that—

(i) sells goods or services to a hemp-related legitimate business; or

(ii) provides any business services, including the sale or lease of real or any other property, legal or other licensed services, or any other ancillary service, relating to hemp, hemp-derived CBD products, or other hemp-derived cannabinoid products; and

(B) does not include a business, organization, or other person that participates in any business or organized activity that involves handling hemp, hemp-derived CBD products, or other hemp-derived cannabinoid products, including cultivating, producing, manufacturing, selling, transporting, displaying, dispensing, distributing, or purchasing hemp, hemp-derived CBD products, and other hemp-derived cannabinoid products.

SEC. 5432. BANKING SERVICES FOR HEMP-RELATED LEGITIMATE BUSINESSES AND HEMP-RELATED SERVICE PROVIDERS.

(a) FINDINGS.—The Congress finds that—

(1) the Agriculture Improvement Act of 2018 (Public Law 115–334) legalized hemp by removing it from the definition of ''marihuana'' under the Controlled Substances Act;

(2) despite the legalization of hemp, some hemp businesses (including producers, manufacturers, and retailers) continue to have difficulty gaining access to banking products and services; and

(3) businesses involved in the sale of hemp-derived CBD products are particularly affected, due to confusion about the legal status of such products.

(b) FEDERAL BANKING REGULATORS' HEMP BANKING GUIDANCE.—Not later than the end of the 90-day period beginning on the date of enactment of this Act, the Federal banking regulators shall update their existing guidance, as applicable, regarding the provision of financial services to hemp-related legitimate businesses and hemp-related service providers to address—

(1) compliance with financial institutions' existing obligations under Federal laws and implementing regulations determined relevant by the Federal banking regulators, including subchapter II of chapter 53 of title 31, United States Code, and its implementing regulation in conformity with this subtitle and the Department of Agriculture's rules regulating domestic hemp production (7 CFR 990); and

(2) best practices for financial institutions to follow when providing financial services, including processing payments, to hemp-related legitimate businesses and hemp-related service providers.

(c) DEFINITIONS.—In this section:

(1) FINANCIAL INSTITUTION.—The term ''financial institution''—

(A) has the meaning given that term under section 5312(a) of title 31, United States Code; and

(B) includes a bank holding company, as defined under section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)).

(2) HEMP TERMS.—The terms ''CBD'', ''hemp'', ''hemp-related legitimate business'', and ''hemp-related service provider'' have the meaning given those terms, respectively, under section 5431.

SEC. 5433. REQUIREMENTS FOR DEPOSIT ACCOUNT TERMINATION REQUESTS AND ORDERS.

(a) TERMINATION REQUESTS OR ORDERS MUST BE VALID.—

(1) IN GENERAL.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate a specific customer account or group of customer accounts or to otherwise restrict or discourage a depository institution from entering into or maintaining a banking relationship with a specific customer or group of customers unless—

(A) the agency has a valid reason for such request or order; and

(B) such reason is not based solely on reputation risk.

(2) TREATMENT OF NATIONAL SECURITY THREATS.—If an appropriate Federal banking agency believes a specific customer or group of customers is, or is acting as a conduit for, an entity which—

(A) poses a threat to national security;

(B) is involved in terrorist financing;

(C) is an agency of the Government of Iran, North Korea, Syria, or any country listed from time to time on the State Sponsors of Terrorism list;

(D) is located in, or is subject to the jurisdiction of, any country specified in subparagraph (C); or

(E) does business with any entity described in subparagraph (C) or (D), unless the appropriate Federal banking agency determines that the customer or group of customers has used due diligence to avoid doing business with any entity described in subparagraph (C) or (D),

such belief shall satisfy the requirement under paragraph (1).

(b) NOTICE REQUIREMENT.—

(1) IN GENERAL.—If an appropriate Federal banking agency formally or informally requests or orders a depository institution to terminate a specific customer account or a group of customer accounts, the agency shall—

(A) provide such request or order to the institution in writing; and

(B) accompany such request or order with a written justification for why such termination is needed, including any specific laws or regulations the agency believes are being violated by the customer or group of customers, if any.

(2) JUSTIFICATION REQUIREMENT.—A justification described under paragraph (1)(B) may not be based solely on the reputation risk to the depository institution.

(c) CUSTOMER NOTICE.—

(1) NOTICE REQUIRED.—Except as provided under paragraph (2) or as otherwise prohibited from being disclosed by law, if an appropriate Federal banking agency orders a depository institution to terminate a specific customer account or a group of customer accounts, the depository institution shall inform the specific customer or group of customers of the justification for the customer's account termination described under subsection (b).

(2) NOTICE PROHIBITED.—

(A) NOTICE PROHIBITED IN CASES OF NATIONAL SECURITY.—If an appropriate Federal banking agency requests or orders a depository institution to terminate a specific customer account or a group of customer accounts based on a belief that the customer or customers pose a threat to national security, or are otherwise described under subsection (a)(2), neither the depository institution nor the appropriate Federal banking agency may inform the customer or customers of the justification for the customer's account termination.

(B) NOTICE PROHIBITED IN OTHER CASES.—If an appropriate Federal banking agency determines that the notice required under paragraph (1) may interfere with an authorized criminal investigation, neither the depository institution nor the appropriate Federal banking agency may inform the specific customer or group of customers of the justification for the customer's account termination.

(d) REPORTING REQUIREMENT.—Each appropriate Federal banking agency shall issue an annual report to the Congress stating—

(1) the aggregate number of specific customer accounts that the agency requested or ordered a depository institution to terminate during the previous year; and

(2) the legal authority on which the agency relied in making such requests and orders and the frequency on which the agency relied on each such authority.

(e) DEFINITIONS.—For purposes of this section:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term ''appropriate Federal banking agency'' means—

(A) the appropriate Federal banking agency, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) the National Credit Union Administration, in the case of an insured credit union.

(2) DEPOSITORY INSTITUTION.—The term ''depository institution'' means—

(A) a depository institution, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) an insured credit union.

SEC. 5434. DEFINITIONS.

In this subtitle:

(1) BUSINESS OF INSURANCE.—The term ''business of insurance'' has the meaning given such term in section 1002 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5481).

(2) CANNABIS.—The term ''cannabis'' has the meaning given the term ''marihuana'' in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(3) CANNABIS PRODUCT.—The term ''cannabis product'' means any article which contains cannabis, including an article which is a concentrate, an edible, a tincture, a cannabis-infused product, or a topical.

(4) CANNABIS-RELATED LEGITIMATE BUSINESS.—The term ''cannabis-related legitimate business'' means a manufacturer, producer, or any person or company that—

(A) engages in any activity described in subparagraph (B) pursuant to a law established by a State or a political subdivision of a State, as determined by such State or political subdivision; and

(B) participates in any business or organized activity that involves handling cannabis or cannabis products, including cultivating, producing, manufacturing, selling, transporting, displaying, dispensing, distributing, or purchasing cannabis or cannabis products.

(5) DEPOSITORY INSTITUTION.—The term ''depository institution'' means—

(A) a depository institution as defined in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c));

(B) a Federal credit union as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); or

(C) a State credit union as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

(6) FEDERAL BANKING REGULATOR.—The term ''Federal banking regulator'' means each of the Board of Governors of the Federal Reserve System, the Bureau of Consumer Financial Protection, the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency, the Financial Crimes Enforcement Network, the Office of Foreign Asset Control, the Office of the Comptroller of the Currency, the National Credit Union Administration, the Department of the Treasury, or any Federal agency or department that regulates banking or financial services, as determined by the Secretary of the Treasury.

(7) FINANCIAL SERVICE.—The term ''financial service''—

(A) means a financial product or service, as defined in section 1002 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5481), regardless if the customer receiving the product or service is a consumer or commercial entity;

(B) means a financial product or service, or any combination of products and services, permitted to be provided by—

(i) a national bank or a financial subsidiary pursuant to the authority provided under—

(I) the provision designated ''Seventh'' of section 5136 of the Revised Statutes of the United States (12 U.S.C. 24); or

(II) section 5136A of the Revised Statutes of the United States (12 U.S.C. 24a); and

(ii) a Federal credit union, pursuant to the authority provided under the Federal Credit Union Act;

(C) includes the business of insurance;

(D) includes, whether performed directly or indirectly, the authorizing, processing, clearing, settling, billing, transferring for deposit, transmitting, delivering, instructing to be delivered, reconciling, collecting, or otherwise effectuating or facilitating of payments or funds, where such payments or funds are made or transferred by any means, including by the use of credit cards, debit cards, other payment cards, or other access devices, accounts, original or substitute checks, or electronic funds transfers;

(E) includes acting as a money transmitting business which directly or indirectly makes use of a depository institution in connection with effectuating or facilitating a payment for a cannabis-related legitimate business or service provider in compliance with section 5330 of title 31, United States Code, and any applicable State law; and

(F) includes acting as an armored car service for processing and depositing with a depository institution or a Federal reserve bank with respect to any monetary instruments (as defined under section 1956(c)(5) of title 18, United States Code.

(8) INDIAN COUNTRY.—The term ''Indian country'' has the meaning given that term in section 1151 of title 18.

(9) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(10) INSURER.—The term ''insurer'' has the meaning given that term under section 313(r) of title 31, United States Code.

(11) MANUFACTURER.—The term ''manufacturer'' means a person who manufactures, compounds, converts, processes, prepares, or packages cannabis or cannabis products.

(12) PRODUCER.—The term ''producer'' means a person who plants, cultivates, harvests, or in any way facilitates the natural growth of cannabis.

(13) SERVICE PROVIDER.—The term ''service provider''—

(A) means a business, organization, or other person that—

(i) sells goods or services to a cannabis-related legitimate business; or

(ii) provides any business services, including the sale or lease of real or any other

property, legal or other licensed services, or any other ancillary service, relating to cannabis; and

(B) does not include a business, organization, or other person that participates in any business or organized activity that involves handling cannabis or cannabis products, including cultivating, producing, manufacturing, selling, transporting, displaying, dispensing, distributing, or purchasing cannabis or cannabis products.

(14) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

SEC. 5435. DISCRETIONARY SURPLUS FUNDS.

Section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by reducing the dollar figure by $6,000,000.

AMENDMENT NO. 409 OFFERED BY MS. CLARK OF MASSACHUSETTS

At the end of title LVIII of division E, add the following:

SEC. ___. SENSE OF CONGRESS THAT THE DEPARTMENT OF VETERANS AFFAIRS SHOULD BE PROHIBITED FROM DENYING HOME LOANS FOR VETERANS WHO LEGALLY WORK IN THE MARIJUANA INDUSTRY.

It is the sense of Congress that—

(1) veterans who have served our country honorably should not be denied access to Department of Veterans Affairs home loans on the basis of income derived from State-legalized cannabis activities;

(2) while the Department of Veterans Affairs has clarified that no statute or regulation specifically prohibits a veteran whose income is derived from State-legalized cannabis activities from obtaining a certificate of eligibility for Department of Veterans Affairs home loan benefits, many veterans continue to be denied access to home loans on the basis of income derived from State-legalized cannabis activities; and

(3) the Department of Veterans Affairs should improve communication with eligible lending institutions to reduce confusion among lenders and borrowers on this matter.

AMENDMENT NO. 411 OFFERED BY MR. NEGUSE OF COLORADO

At the appropriate place in title LIII of division E, insert the following:

SEC. _____. CRITICAL DOCUMENT FEE WAIVER.

Section 1238(a) of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5174b) is amended—

(1) in paragraph (2), by striking ''applies regardless'' and inserting ''and the requirement of the President to waive fees under paragraph (4) apply regardless'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

''(4) MANDATORY AUTOMATIC WAIVER.—The President, in consultation with the Governor of a State, shall automatically provide a fee waiver described in paragraph (1) to an individual or household that has been adversely affected by a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)—

''(A) for which the President provides assistance to individuals and households under section 408 of that Act (42 U.S.C. 5174); and

''(B) that destroyed a critical document described in paragraph (1) of the individual or household.''.

AMENDMENT NO. 412 OFFERED BY MS. LEGER FERNANDEZ OF NEW MEXICO

Add at the end of title LVIII the following:

SEC. 5806. HERMIT'S PEAK/CALF CANYON FIRE ASSISTANCE.

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) on April 6, 2022, the Forest Service initiated the Las Dispensas-Gallinas prescribed burn on Federal land in the Santa Fe National Forest in San Miguel County, New Mexico, when erratic winds were prevalent in the area that was also suffering from severe drought after many years of insufficient precipitation;

(B) on April 6, 2022, the prescribed burn, which became known as the ''Hermit's Peak Fire'', exceeded the containment capabilities of the Forest Service, was declared a wildfire, and spread to other Federal and non-Federal land;

(C) on April 19, 2022, the Calf Canyon Fire, also in San Miguel County, New Mexico, began burning on Federal land and was later identified as the result of a pile burn in January 2022 that remained dormant under the surface before reemerging;

(D) on April 27, 2022, the Hermit's Peak Fire and the Calf Canyon Fire merged, and both fires were reported as the Hermit's Peak Fire or the Hermit's Peak/Calf Canyon Fire, (referred hereafter in this subsection as the ''Hermit's Peak/Calf Canyon Fire'');

(E) by May 2, 2022, the fire had grown in size and caused evacuations in multiple villages and communities in San Miguel County and Mora County, including in the San Miguel county jail, the State's psychiatric hospital, the United World College, and New Mexico Highlands University;

(F) on May 4, 2022, the President issued a major disaster declaration for the counties of Colfax, Mora, and San Miguel, New Mexico;

(G) on May 20, 2022, U.S. Forest Service Chief Randy Moore ordered a 90-day review of prescribed burn policies to reduce the risk of wildfires and ensure the safety of the communities involved;

(H) the U.S. Forest Service has assumed responsibility for the Hermit's Peak/Calf Canyon Fire;

(I) the fire resulted in the loss of Federal, State, local, Tribal, and private property; and

(J) the United States should compensate the victims of the Hermit's Peak/Calf Canyon Fire.

(2) PURPOSES.—The purposes of this section are—

(A) to compensate victims of the Hermit's Peak/Calf Canyon Fire, for injuries resulting from the fire; and

(B) to provide for the expeditious consideration and settlement of claims for those injuries.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means—

(A) the Administrator of the Federal Emergency Management Agency; or

(B) if a Manager is appointed under subsection (c)(1)(C), the Manager.

(2) HERMIT'S PEAK/CALF CANYON FIRE.—The term ''Hermit's Peak/Calf Canyon Fire'' means—

(A) the fire resulting from the initiation by the Forest Service of a prescribed burn in the Santa Fe National Forest in San Miguel County, New Mexico, on April 6, 2022;

(B) the pile burn holdover resulting from the prescribed burn by the Forest Service, which reemerged on April 19, 2022; and

(C) the merger of the two fires described in subparagraphs (A) and (B), reported as the Hermit's Peak Fire or the Hermit's Peak Fire/Calf Canyon Fire.

(3) INDIAN TRIBE.—The term ''Indian Tribe'' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(4) INJURED PERSON.—The term ''injured person'' means—

(A) an individual, regardless of the citizenship or alien status of the individual; or

(B) an Indian Tribe, corporation, Tribal corporation, partnership, company, association, county, township, city, State, school district, or other non-Federal entity (including a legal representative) that suffered injury resulting from the Hermit's Peak/Calf Canyon Fire.

(5) INJURY.—The term ''injury'' has the same meaning as the term ''injury or loss of property, or personal injury or death'' as used in section 1346(b)(1) of title 28, United States Code.

(6) MANAGER.—The term ''Manager'' means an Independent Claims Manager appointed under subsection (c)(1)(C).

(7) OFFICE.—The term ''Office'' means the Office of Hermit's Peak/Calf Canyon Fire Claims established by subsection (c)(1)(B).

(8) TRIBAL ENTITY.—The term ''Tribal entity'' includes any Indian Tribe, tribal organization, Indian-controlled organization serving Indians, Native Hawaiian organization, or Alaska Native entity, as such terms are defined or used in section 166 of the Workforce Innovation and Opportunity Act (25 U.S.C. 5304).

(c) COMPENSATION FOR VICTIMS OF HERMIT'S PEAK/CALF CANYON FIRE.—

(1) IN GENERAL.—

(A) COMPENSATION.—Each injured person shall be entitled to receive from the United States compensation for injury suffered by the injured person as a result of the Hermit's Peak/Calf Canyon Fire.

(B) OFFICE OF HERMIT'S PEAK/CALF CANYON FIRE CLAIMS.—

(i) IN GENERAL.—There is established within the Federal Emergency Management Agency an Office of Hermit's Peak/Calf Canyon Fire Claims.

(ii) PURPOSE.—The Office shall receive, process, and pay claims in accordance with this section.

(iii) FUNDING.—The Office—

(I) shall be funded from funds made available to the Administrator under this section;

(II) may appoint and fix the compensation of such temporary personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service; and

(III) may reimburse other Federal agencies for claims processing support and assistance.

(C) OPTION TO APPOINT INDEPENDENT CLAIMS MANAGER.—The Administrator may appoint an Independent Claims Manager to—

(i) head the Office; and

(ii) assume the duties of the Administrator under this section.

(2) SUBMISSION OF CLAIMS.—Not later than 2 years after the date on which regulations are first promulgated under paragraph (6), an injured person may submit to the Administrator a written claim for 1 or more injuries suffered by the injured person in accordance with such requirements as the Administrator determines to be appropriate.

(3) INVESTIGATION OF CLAIMS.—

(A) IN GENERAL.—The Administrator shall, on behalf of the United States, investigate, consider, ascertain, adjust, determine, grant, deny, or settle any claim for money damages asserted under paragraph (2).

(B) APPLICABILITY OF STATE LAW.—Except as otherwise provided in this section, the laws of the State of New Mexico shall apply to the calculation of damages under paragraph (4)(D).

(C) EXTENT OF DAMAGES.—Any payment under this section—

(i) shall be limited to actual compensatory damages measured by injuries suffered; and

(ii) shall not include—

(I) interest before settlement or payment of a claim; or

(II) punitive damages.

(4) PAYMENT OF CLAIMS.—

(A) DETERMINATION AND PAYMENT OF AMOUNT.—

(i) IN GENERAL.—

(I) PAYMENT.—Not later than 180 days after the date on which a claim is submitted under this section, the Administrator shall determine and fix the amount, if any, to be paid for the claim.

(II) PRIORITY.—The Administrator, to the maximum extent practicable, shall pay subrogation claims submitted under this section only after paying claims submitted by injured parties that are not insurance companies seeking payment as subrogees.

(ii) PARAMETERS OF DETERMINATION.—In determining and settling a claim under this section, the Administrator shall determine only—

(I) whether the claimant is an injured person;

(II) whether the injury that is the subject of the claim resulted from the fire;

(III) the amount, if any, to be allowed and paid under this section; and

(IV) the person or persons entitled to receive the amount.

(iii) INSURANCE AND OTHER BENEFITS.—

(I) IN GENERAL.—In determining the amount of, and paying, a claim under this section, to prevent recovery by a claimant in excess of actual compensatory damages, the Administrator shall reduce the amount to be paid for the claim by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature that were paid, or will be paid, with respect to the claim.

(II) GOVERNMENT LOANS.—This subparagraph shall not apply to the receipt by a claimant of any government loan that is required to be repaid by the claimant.

(B) PARTIAL PAYMENT.—

(i) IN GENERAL.—At the request of a claimant, the Administrator may make 1 or more advance or partial payments before the final settlement of a claim, including final settlement on any portion or aspect of a claim that is determined to be severable.

(ii) JUDICIAL DECISION.—If a claimant receives a partial payment on a claim under this section, but further payment on the claim is subsequently denied by the Administrator, the claimant may—

(I) seek judicial review under paragraph (9); and

(II) keep any partial payment that the claimant received, unless the Administrator determines that the claimant—

(aa) was not eligible to receive the compensation; or

(bb) fraudulently procured the compensation.

(C) RIGHTS OF INSURER OR OTHER THIRD PARTY.—If an insurer or other third party pays any amount to a claimant to compensate for an injury described in paragraph (1), the insurer or other third party shall be subrogated to any right that the claimant has to receive any payment under this section or any other law.

(D) ALLOWABLE DAMAGES.—

(i) LOSS OF PROPERTY.—A claim that is paid for loss of property under this section may include otherwise uncompensated damages resulting from the Hermit's Peak/Calf Canyon Fire for—

(I) an uninsured or underinsured property loss;

(II) a decrease in the value of real property;

(III) damage to physical infrastructure, including irrigation infrastructure such as acequia systems;

(IV) a cost resulting from lost subsistence from hunting, fishing, firewood gathering, timbering, grazing, or agricultural activities conducted on land damaged by the Hermit's Peak/Calf Canyon Fire;

(V) a cost of reforestation or revegetation on Tribal or non-Federal land, to the extent that the cost of reforestation or revegetation is not covered by any other Federal program; and

(VI) any other loss that the Administrator determines to be appropriate for inclusion as loss of property.

(ii) BUSINESS LOSS.—A claim that is paid for injury under this section may include damages resulting from the Hermit's Peak/Calf Canyon Fire for the following types of otherwise uncompensated business loss:

(I) Damage to tangible assets or inventory.

(II) Business interruption losses.

(III) Overhead costs.

(IV) Employee wages for work not performed.

(V) Any other loss that the Administrator determines to be appropriate for inclusion as business loss.

(iii) FINANCIAL LOSS.—A claim that is paid for injury under this section may include damages resulting from the Hermit's Peak/Calf Canyon Fire for the following types of otherwise uncompensated financial loss:

(I) Increased mortgage interest costs.

(II) An insurance deductible.

(III) A temporary living or relocation expense.

(IV) Lost wages or personal income.

(V) Emergency staffing expenses.

(VI) Debris removal and other cleanup costs.

(VII) Costs of reasonable efforts, as determined by the Administrator, to reduce the risk of wildfire, flood, or other natural disaster in the counties impacted by the Hermit's Peak/Calf Canyon Fire to risk levels prevailing in those counties before the Hermit's Peak/Calf Canyon Fire, that are incurred not later than the date that is 3 years after the date on which the regulations under paragraph (6) are first promulgated.

(VIII) A premium for flood insurance that is required to be paid on or before May 31, 2024, if, as a result of the Hermit's Peak/Calf Canyon Fire, a person that was not required to purchase flood insurance before the Hermit's Peak/Calf Canyon Fire is required to purchase flood insurance.

(IX) A disaster assistance loan received from the Small Business Administration.

(X) Any other loss that the Administrator determines to be appropriate for inclusion as financial loss.

(5) ACCEPTANCE OF AWARD.—The acceptance by a claimant of any payment under this section, except an advance or partial payment made under paragraph (4)(B), shall—

(A) be final and conclusive on the claimant, with respect to all claims arising out of or relating to the same subject matter; and

(B) constitute a complete release of all claims against the United States (including any agency or employee of the United States) under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), or any other Federal or State law, arising out of or relating to the same subject matter.

(6) REGULATIONS AND PUBLIC INFORMATION.—

(A) REGULATIONS.—Notwithstanding any other provision of law, not later than 45 days after the date of enactment of this section, the Administrator shall promulgate and publish in the Federal Register interim final regulations for the processing and payment of claims under this section.

(B) PUBLIC INFORMATION.—

(i) IN GENERAL.—At the time at which the Administrator promulgates regulations under subparagraph (A), the Administrator shall publish, online and in print, in newspapers of general circulation in the State of New Mexico, a clear, concise, and easily understandable explanation, in English and Spanish, of—

(I) the rights conferred under this section; and

(II) the procedural and other requirements of the regulations promulgated under subparagraph (A).

(ii) DISSEMINATION THROUGH OTHER MEDIA.—The Administrator shall disseminate the explanation published under clause (i) through websites, blogs, social media, brochures, pamphlets, radio, television, and other media that the Administrator determines are likely to reach prospective claimants.

(7) CONSULTATION.—In administering this section, the Administrator shall consult with the Secretary of the Interior, the Secretary of Energy, the Secretary of Agriculture, the Administrator of the Small Business Administration, other Federal agencies, and State, local, and Tribal authorities, as determined to be necessary by the Administrator, to—

(A) ensure the efficient administration of the claims process; and

(B) provide for local concerns.

(8) ELECTION OF REMEDY.—

(A) IN GENERAL.—An injured person may elect to seek compensation from the United States for 1 or more injuries resulting from the Hermit's Peak/Calf Canyon Fire by—

(i) submitting a claim under this section;

(ii) filing a claim or bringing a civil action under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''); or

(iii) bringing an authorized civil action under any other provision of law.

(B) EFFECT OF ELECTION.—An election by an injured person to seek compensation in any manner described in subparagraph (A) shall be final and conclusive on the claimant with respect to all injuries resulting from the Hermit's Peak/Calf Canyon Fire that are suffered by the claimant.

(C) ARBITRATION.—

(i) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Administrator shall establish by regulation procedures under which a dispute regarding a claim submitted under this section may be settled by arbitration.

(ii) ARBITRATION AS REMEDY.—On establishment of arbitration procedures under clause (i), an injured person that submits a disputed claim under this section may elect to settle the claim through arbitration.

(iii) BINDING EFFECT.—An election by an injured person to settle a claim through arbitration under this subparagraph shall—

(I) be binding; and

(II) preclude any exercise by the injured person of the right to judicial review of a claim described in paragraph (9).

(D) NO EFFECT ON ENTITLEMENTS.—Nothing in this section affects any right of a claimant to file a claim for benefits under any Federal entitlement program.

(9) JUDICIAL REVIEW.—

(A) IN GENERAL.—Any claimant aggrieved by a final decision of the Administrator under this section may, not later than 60 days after the date on which the decision is issued, bring a civil action in the United States District Court for the District of New Mexico, to modify or set aside the decision, in whole or in part.

(B) RECORD.—The court shall hear a civil action under subparagraph (A) on the record made before the Administrator.

(C) STANDARD.—The decision of the Administrator incorporating the findings of the Administrator shall be upheld if the decision is supported by substantial evidence on the record considered as a whole.

(10) ATTORNEY'S AND AGENT'S FEES.—

(A) IN GENERAL.—No attorney or agent, acting alone or in combination with any other attorney or agent, shall charge, demand, receive, or collect, for services rendered in connection with a claim submitted under this section, fees in excess of the limitations established under section 2678 of title 28, United States Code.

(B) VIOLATION.—An attorney or agent who violates subparagraph (A) shall be fined not more than $10,000.

(11) WAIVER OF REQUIREMENT FOR MATCHING FUNDS.—

(A) STATE AND LOCAL PROJECT.—

(i) IN GENERAL.—Notwithstanding any other provision of law, a State or local project that is determined by the Administrator to be carried out in response to the Hermit's Peak/Calf Canyon Fire under any Federal program that applies to an area affected by the Hermit's Peak/Calf Canyon Fire shall not be subject to any requirement for State or local matching funds to pay the cost of the project under the Federal program.

(ii) FEDERAL SHARE.—The Federal share of the costs of a project described in clause (i) shall be 100 percent.

(B) OTHER NEEDS PROGRAM ASSISTANCE.—Notwithstanding section 408(g)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(g)(2)), for any emergency or major disaster declared by the President under that Act for the Hermit's Peak/Calf Canyon Fire, the Federal share of assistance provided under that section shall be 100 percent.

(12) APPLICABILITY OF DEBT COLLECTION REQUIREMENTS.—Section 3711(a) of title 31, United States Code, shall not apply to any payment under this section, unless—

(A) there is evidence of civil or criminal fraud, misrepresentation, presentation of a false claim; or

(B) a claimant was not eligible under paragraph (4)(B) of this section to any partial payment.

(13) INDIAN COMPENSATION.—Notwithstanding any other provision of law, in the case of an Indian Tribe, a Tribal entity, or a member of an Indian Tribe that submits a claim under this section—

(A) the Bureau of Indian Affairs shall have no authority over, or any trust obligation regarding, any aspect of the submission of, or any payment received for, the claim;

(B) the Indian Tribe, Tribal entity, or member of an Indian Tribe shall be entitled to proceed under this section in the same manner and to the same extent as any other injured person; and

(C) except with respect to land damaged by the Hermit's Peak/Calf Canyon Fire that is the subject of the claim, the Bureau of Indian Affairs shall have no responsibility to restore land damaged by the Hermit's Peak/Calf Canyon Fire.

(14) REPORT.—Not later than 1 year after the date of promulgation of regulations under paragraph (6)(A), and annually thereafter, the Administrator shall submit to Congress a report that describes the claims submitted under this section during the year preceding the date of submission of the report, including, for each claim—

(A) the amount claimed;

(B) a brief description of the nature of the claim; and

(C) the status or disposition of the claim, including the amount of any payment under this section.

(15) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

AMENDMENT NO. 414 OFFERED BY MR. JOHNSON OF GEORGIA

At the end of title LIII, add the following:

SEC. ___. DISADVANTAGED BUSINESS ENTERPRISES.

Section 11101(e)(2)(A) of the Infrastructure Investment and Jobs Act (Public Law 117–58) is amended to read as follows:

''(A) SMALL BUSINESS CONCERN.—The term 'small business concern' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).''.

AMENDMENT NO. 416 OFFERED BY MS. WATERS OF CALIFORNIA

Strike section 5401 and insert the following:

SEC. 5401. SERVICES THAT OPEN PORTALS TO DIRTY MONEY ACT.

(a) SHORT TITLE.—This section may be cited as the ''Establishing New Authorities for Businesses Laundering and Enabling Risks to Security Act'' and the ''ENABLERS Act''.

(b) FINDINGS.—Congress finds the following:

(1) Kleptocrats and other corrupt actors across the world are increasingly relying on non-bank professional service providers, including non-bank professional service providers operating in the United States, to move, hide, and grow their ill-gotten gains.

(2) In 2003, the Financial Action Task Force, an intergovernmental body formed by the United States and other major industrial nations, determined that designated non-financial businesses and professions should be subject to the same anti-money laundering and counter-terrorist financing rules and regulations as financial institutions, including the requirement to know your customer or client and to perform due diligence, as well as to file suspicious transaction reports, referred to as suspicious activity reports or ''SARs'' in the United States.

(3) In October 2021, the ''Pandora Papers'', the largest exposé of global financial data in history, revealed to a global audience how the United States plays host to a highly specialized group of ''enablers'' who help the world's elite move, hide, and grow their money.

(4) The Pandora Papers described how an adviser to the former Prime Minister of Malaysia reportedly used affiliates of a United States law firm to assemble and consult a network of companies, despite the adviser fitting the ''textbook definition'' of a high-risk client. The adviser went on to use his companies to help steal $4.5 billion from Malaysia's public investment fund in one of ''the world's biggest-ever financial frauds'', known as 1MDB.

(5) Russian oligarchs have used gatekeepers to move their money into the United States. For example, a gatekeeper formed a company in Delaware that reportedly owns a $15 million mansion in Washington, D.C., that is linked to one of Vladimir Putin's closest allies. Also, reportedly connected to the oligarch is a $14 million townhouse in New York City owned by a separate Delaware company.

(6) The Pandora Papers uncovered over 200 United States-based trusts across 15 States that held assets of over $1 billion, ''including nearly 30 trusts that held assets linked to people or companies accused of fraud, bribery, or human rights abuses''. In particular, South Dakota, Nevada, Delaware, Florida, Wyoming, and New Hampshire have emerged as global hotspots for those seeking to hide their assets and minimize their tax burdens.

(7) In 2016, an investigator with the nonprofit organization Global Witness posed as an adviser to a corrupt African official and set up meetings with 13 New York City law firms to discuss how to move suspect funds into the United States. Lawyers from all but one of the firms provided advice to the faux adviser, including advice on how to utilize anonymous companies to obscure the true owner of the assets. Other suggestions included naming the lawyer as a trustee of an offshore trust in order to open a bank account, and using the law firm's escrow account to receive payments.

(8) The autocratic Prime Minister of Iraqi Kurdistan, reportedly known for torturing and killing journalists and critics, allegedly purchased a retail store valued at over $18 million in Miami, Florida, with the assistance of a Pennsylvania-based law firm.

(9) Teodoro Obiang, the vice president of Equatorial Guinea and son of the country's authoritarian president, embezzled millions of dollars from his home country, which was then used to purchase luxury assets in the United States. Obiang relied on the assistance of two American lawyers to move millions of dollars of suspect funds through U.S. banks. The lawyers incorporated five shell companies in California and opened bank accounts associated with the companies for Obiang's personal use. The suspect funds were first wired to the lawyers' attorney-client and firm accounts, then transferred to the accounts of the shell companies.

(10) An American consulting company reportedly made millions of dollars working for companies owned or partly owned by Isabel dos Santos, the eldest child of a former President of Angola. This included working with Angola's state oil company when it was run by Isabel dos Santos and helping to ''run a failing jewelry business acquired with Angolan money''. In 2021, a Dutch tribunal found that Isabel dos Santos and her husband obtained a $500 million stake in the oil company through ''grand corruption''.

(11) In December 2021, the United States Government issued a first-ever ''United States Strategy on Countering Corruption'', that includes ''Curbing Illicit Finance'' as a strategic pillar. An express line of effort to advance this strategic pillar states that: ''Deficiencies in the U.S. regulatory framework mean various professionals and service providers—including lawyers, accountants, trust and company service providers, incorporators, and others willing to be hired as registered agents or who act as nominees to open and move funds through bank accounts—are not required to understand the nature or source of income of their clients or prospective clients. . .While U.S. law enforcement has increased its focus on such facilitators, it is both difficult to prove 'intent and knowledge' that a facilitator was dealing with illicit funds or bad actors, or that they should have known the same. Cognizant of such constraints, the Administration will consider additional authorities to cover key gatekeepers, working with the Congress as necessary to secure additional authorities''.

(12) This section provides the authorities needed to require that professional service providers who serve as key gatekeepers to the U.S. financial system adopt anti-money laundering procedures that can help detect and prevent the laundering of corrupt and other criminal funds into the United States. Absent such authorities, the United States Government will be unable to adequately protect the U.S. financial system, identify funds and assets that are the proceeds of corruption, or support foreign states in their efforts to combat corruption and promote good governance.

(c) REQUIREMENTS FOR GATEKEEPERS.—

(1) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, as amended by the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, is amended—

(A) by redesignating subparagraphs (Z) and (AA) as subparagraphs (AA) and (BB), respectively; and

(B) by inserting after subparagraph (Y) the following:

''(Z) any person, excluding any governmental entity, employee, or agent, who engages in any activity which the Secretary determines, by regulation pursuant to section 5337(a), to be the provision, with or without compensation, of—

''(i) corporate or other legal entity arrangement, association, or formation services;

''(ii) trust services;

''(iii) third party payment services; or

''(iv) legal or accounting services that—

''(I) involve financial activities that facilitate—

''(aa) corporate or other legal entity arrangement, association, or formation services;

''(bb) trust services; or

''(cc) third party payment services; and

''(II) are not direct payments or compensation for civil or criminal defense matters.''.

(2) REQUIREMENTS FOR GATEKEEPERS.—Subchapter II of chapter 53 of subtitle IV of title 31, United States Code, is amended by adding at the end the following:

''§ 5337. Requirements for gatekeepers.

''(a) IN GENERAL.—

''(1) IN GENERAL.—The Secretary shall, not later than 1 year after the date of the enactment this section, issue a rule to—

''(A) determine what persons fall within the class of persons described in section 5312(a)(2)(Z); and

''(B) prescribe appropriate requirements for such persons.

''(2) SENSE OF THE CONGRESS.—It is the sense of the Congress that when issuing a rule to determine what persons fall within the class of persons described in section 5312(a)(2)(Z), the Secretary shall design such rule—

''(A) to minimizes burden of such rule and maximizes the intended outcome of such rule, as determined by the Secretary; and

''(B) avoid applying additional requirements for persons that may fall within the class of persons described in section 5312(a)(2)(Z) but whom are already, as determined by the Secretary, appropriately regulated under section 5312.

''(3) IDENTIFICATION OF PERSONS.—When determining what persons fall within the class of persons described in section 5312(a)(2)(Z) the Secretary of the Treasury shall include—

''(A) any person involved in—

''(i) the formation or registration of a corporation, limited liability company, trust, foundation, limited liability partnership, partnership, or other similar entity;

''(ii) the acquisition or disposition of an interest in a corporation, limited liability company, trust, foundation, limited liability partnership, partnership, or other similar entity;

''(iii) providing a registered office, address or accommodation, correspondence or administrative address for a corporation, limited liability company, trust, foundation, limited liability partnership, partnership, or other similar entity;

''(iv) acting as, or arranging for another person to act as, a nominee shareholder for another person;

''(v) the managing, advising, or consulting with respect to money or other assets;

''(vi) the processing of payments;

''(vii) the provision of cash vault services;

''(viii) the wiring of money;

''(ix) the exchange of foreign currency, digital currency, or digital assets; or

''(x) the sourcing, pooling, organization, or management of capital in association with the formation, operation, or management of, or investment in, a corporation, limited liability company, trust, foundation, limited liability partnership, partnership, or other similar entity;

''(B) any person who, in connection with filing any return, directly or indirectly, on behalf of a foreign individual, trust or fiduciary with respect to direct or indirect, United States investment, transaction, trade or business, or similar activities—

''(i) obtains or uses a preparer tax identification number; or

''(ii) would be required to use or obtain a preparer tax identification number, if such person were compensated for services rendered;

''(C) any person acting as, or arranging for another person to act as, a registered agent, trustee, director, secretary, partner of a company, a partner of a partnership, or similar position in relation to a corporation, limited liability company, trust, foundation, limited liability partnership, partnership, or other similar entity; and

''(D) any person, wherever organized or doing business, that is—

''(i) owned or controlled by a person described in subparagraphs (A), (B), or (C);

''(ii) acts as an agent of a person described in subparagraphs (A), (B), or (C); or

''(iii) is an instrumentality of a person described in subparagraphs (A), (B), or (C).

''(b) REQUIREMENTS.—The Secretary shall require persons described in section 5312(a)(3) to do 1 or more of the following—

''(1) identify and verify account holders and functional equivalents as described in section 5318(l), including by establishing and maintaining written procedures that are reasonably designed to enable the person to identify and verify beneficial owners (as such term is defined in section 5336(a)) of clients;

''(2) maintain appropriate procedures, including the collection and reporting of such information as the Secretary may prescribe by regulation, to ensure compliance with this subchapter and regulations prescribed thereunder or to guard against corruption, money laundering, the financing of terrorism, or other forms of illicit finance;

''(3) establish anti-money laundering programs as described in section 5318(h);

''(4) report suspicious transactions as described in section 5318(g)(1); and

''(5) establish due diligence policies, procedures, and controls as described in section 5318(i).

''(c) LIMITATION ON EXEMPTIONS.—The Secretary may not delay the application of any requirement described in this subchapter for any person described in section 5312(a)(2)(Z) or section 5337(a)(3)

''(d) EXTRATERRITORIAL JURISDICTION.—Any person described in section 5312(a)(2)(Z) shall be subject to extraterritorial Federal jurisdiction with respect to the requirements of this subtitle.

''(e) ENFORCEMENT.—

''(1) RANDOM AUDITS.—Beginning on the date that is 1 year after the date that the Secretary issues a rule to determine what persons fall within the class of persons described in section 5312(a)(2)(Z), and on an ongoing basis thereafter, the Secretary shall conduct random audits of persons that fall within the class of persons described in section 5312(a)(2)(Z), in a manner that the Secretary determines appropriate, to access compliance with this section.

''(2) REPORTS.—The Secretary shall, not later than 180 days after the conclusion of any calendar year that begins after the date that is 1 year after the date that the Secretary issues a rule pursuant to section 5337(a), submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that—

''(A) describes the results of any random audits conducted pursuant to paragraph (1) during such calendar year; and

''(B) includes recommendations for improving the effectiveness of the requirements imposed under this section on persons described in section 5312(a)(2)(Z).''.

(3) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date that the Secretary of the Treasury issues a rule pursuant to section 5537 of title 31 of the United States Code, as added by this section.

(4) CONFORMING AMENDMENT.—The table of sections in chapter 53 of subtitle IV of title 31, United States Code, is amended by inserting after the item relating to section 5336 the following:

''5337. Requirements for gatekeepers.''.

(5) USE OF TECHNOLOGY TO INCREASE EFFICIENCY AND ACCURACY OF INFORMATION.—

(A) IN GENERAL.—The Secretary of the Treasury, acting through the Director of the Financial Crimes Enforcement Network, shall promote the integrity and timely, efficient collection of information by persons described in section 5312(a)(2)(Z) of title 31, United States Code by exploring the use of technologies to—

(i) effectuate the collection, standardization, transmission, and sharing of such information as required under section 5337 of title 31, United States Code; and

(ii) minimize the burdens associated with the collection, standardization, transmission, and sharing of such information as required under section 5337 of title 31, United States Code.

(B) REPORT.—Not later than 3 years after the date of the enactment of this subsection, the Director of the Financial Crimes Enforcement Network shall submit a report to Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that—

(i) describes any findings of the Director of the Financial Crimes Enforcement with respect to technologies that may effectuate the collection, standardization, transmission, and sharing of such information as required under section 5337 of title 31, United States Code; and

(ii) makes recommendations for implementing such technologies.

(d) GATEKEEPERS STRATEGY.—Section 262 of the Countering America's Adversaries Through Sanctions Act is amended by inserting after paragraph (10) the following:

''(11) GATEKEEPER STRATEGY.—

''(A) IN GENERAL.—A description of efforts to impose sufficient anti-money laundering safeguards on types of persons who serve as gatekeepers.

''(B) UPDATE.—If the updates to the national strategy required under section 261 have been submitted to appropriate congressional committees before the date of the enactment of this paragraph, the President shall submit to the appropriate congressional committees an additional update to the national strategy with respect to the addition of this paragraph not later than 1 year after the date of the enactment of this paragraph.''.

(e) AGENCY COORDINATION AND COLLABORATION.—The Secretary of the Treasury shall, to the greatest extent practicable—

(1) establish relationships with State, local, territorial, and Tribal governmental agencies; and

(2) work collaboratively with such governmental agencies to implement and enforce the regulations prescribed under this section and the amendments made by this section, by—

(A) using the domestic liaisons established in section 310(f) of title 31, United States Code, to share information regarding changes effectuated by this section;

(B) using the domestic liaisons established in section 310(f) of title 31, United States Code, to advise on necessary revisions to State, local, territorial, and Tribal standards with respect to relevant professional licensure;

(C) engaging with various gatekeepers as appropriate, including with respect to information sharing and data sharing; and

(D) working with State, local, territorial, and Tribal governmental agencies to levy professional sanctions on persons who facilitate corruption, money laundering, the financing of terrorist activities, and other related crimes.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available for such purposes, there are authorized to be appropriated to the Secretary of the Treasury, without fiscal year limitation, $53,300,000 to remain available until expended, exclusively for the purpose of carrying out this section and the amendments made by the Act, including for—

(1) the hiring of personnel;

(2) the exploration and adoption of information technology to effectively support enforcement activities or activities described in subsection (c) of this section and the amendments made by such subsection;

(3) audit, investigatory, and review activities, including those described in subsection (c) of this section and the amendments made by such subsection;

(4) agency coordination and collaboration efforts and activities described in subsection (e) of this section;

(5) for voluntary compliance programs;

(6) for conducting the report in subsection (c)(5) of this section; and

(7) for allocating amounts to the State, local, territorial, and Tribal jurisdictions to pay reasonable costs relating to compliance with or enforcement of the requirements of this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to be limited or impeded by any obligations under State, local, territorial, or Tribal laws or rules concerning privilege, ethics, confidentiality, privacy, or related matters.

AMENDMENT NO. 417 OFFERED BY MS. WATERS OF CALIFORNIA

Add at the end of title LIV of division E the following:

SEC. 5403. CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING.

Section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note) is amended—

(1) in subsection (a), by striking ''the National Community Development Initiative, Local Initiatives Support Corporation, The Enterprise Foundation, Habitat for Humanity, and Youthbuild USA'' and inserting ''non-Federal entities, including nonprofit organizations that can provide technical assistance activities to community development corporations, community housing development organizations, community land trusts, nonprofit organizations in insular areas, and other mission-driven and nonprofit organizations that target services to low-income and socially disadvantaged populations, and provide services in neighborhoods having high concentrations of minority, low-income, or socially disadvantaged populations,''; and

(2) in subsection (b)(3), by striking ''National Community Development Initiative, Local Initiatives Support Corporation, The Enterprise Foundation, Habitat for Humanity, and Youthbuild USA'' and inserting ''non-Federal entities through which assistance is provided under this section,''.

SEC. 5404. AFFORDABLE HOUSING CONSTRUCTION AS ELIGIBLE ACTIVITY UNDER COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

(a) ELIGIBLE ACTIVITY.—Subsection (a) of section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (25)(D), by striking ''and'' at the end;

(2) in paragraph (26), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(27) the new construction of affordable housing, within the meaning given such term under section 215 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12745).''.

(b) LOW AND MODERATE INCOME REQUIREMENT.—Paragraph (3) of section 105(c) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(c)(3)) is amended by striking ''or rehabilitation'' and inserting '', rehabilitation, or new construction''.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect only to amounts appropriated after the date of the enactment of this Act.

SEC. 5405. CONSIDERATION OF SMALL HOME MORTGAGE LENDING UNDER COMMUNITY REINVESTMENT ACT.

(a) IN GENERAL.— Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended by adding at the end the following:

''(e) CONSIDERATION OF SMALL HOME MORTGAGE LENDING.—

''(1) IN GENERAL.—As part of assessing a financial institution under subsection (a), the appropriate Federal financial supervisory agency shall evaluate the financial institution's performance in facilitating home mortgage lending targeted to low- and moderate-income borrowers in a safe and sound manner, including—

''(A) mortgages of $100,000 or less in value that facilitate a home purchase or help a borrower to refinance an existing mortgage;

''(B) mortgages of $100,000 or less in value originated in cooperation with a minority depository institution, women's depository institution, low-income credit union, or a community development financial institution certified by the Secretary of the Treasury (as defined under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994).

''(C) mortgages of $100,000 or less in value originated to purchase or refinance a home as part of a special purpose credit program (as defined under section 1002.8(a) of title 12, Code of Federal Regulations).

''(2) DATA COLLECTION AND REPORTING BY LARGE FINANCIAL INSTITUTIONS.—

''(A) IN GENERAL.—Each large financial institution shall collect, maintain, and report to the appropriate Federal financial supervisory agency—

''(i) mortgage loan data needed to calculate retail lending volume and distribution metrics;

''(ii) information related to demographics of borrowers, including the income, disability, gender identity, race, and ethnicity of mortgage applicants;

''(iii) the number of mortgage loans originated with a value of $100,000 or less as well as the demographics of borrowers, including income, race, gender, and ethnicity; and

''(iv) all mortgage loans for the purpose of a home purchase and a refinance originated by the bank through a special purpose credit program, to focus on Black, Latinx, Native American, Asian American, Pacific Islander borrowers.

''(B) TEMPLATE.—The appropriate Federal financial supervisory agencies shall, jointly, issue rules to establish a template that large financial institutions shall use to collect information required to be collected under this paragraph.

''(C) LARGE FINANCIAL INSTITUTION DEFINED.—The appropriate Federal financial supervisory agencies shall, jointly, define the term 'large financial institution' for purposes of this paragraph.''.

(b) DISCRETIONARY SURPLUS FUND.—

(1) IN GENERAL.—Subparagraph (A) of section 7(a)(3) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by reducing the dollar figure described in such subparagraph by $3,000,000.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2022.

SEC. 5406. PROHIBITION ON CONSUMER REPORTS CONTAINING ADVERSE INFORMATION RELATED TO CERTAIN STUDENT LOANS.

(a) CANCELED OR FORGIVEN FEDERAL STUDENT LOANS.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)) is amended by adding at the end the following:

''(9) Any adverse information related to any portion of a loan made, insured, or guaranteed under part B or made under part D of the Higher Education Act of 1965, to the extent the loan was repaid, canceled, or otherwise forgiven by the Secretary of Education.''.

(b) STUDENT LOANS RELATED TO CORINTHIAN COLLEGES.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by subsection (a), is further amended by adding at the end the following

''(10) Any adverse information related to a private education loan (as defined under section 140(a) of the Truth in Lending Act) if such loan was provided to cover expenses related to attending a school owned by Corinthian Colleges, Inc.''.

SEC. 5407. EXTENSION OF THE CENTRAL LIQUIDITY FACILITY.

(a) IN GENERAL.—Section 4016(b) of the CARES Act (12 U.S.C. 1795a note) is amended by adding at the end the following:

''(3) EXTENSION.—During the period beginning on the date of enactment of this Act and ending on December 31, 2023, the provisions of law amended by this subsection shall be applied as such provisions were in effect on the day before the effective date described under paragraph (2).''.

(b) CLF BORROWING AUTHORITY.—Effective on the date of enactment of the CARES Act, section 307(a)(4)(A) of the Federal Credit Union Act (12 U.S.C. 1795f(a)(4)(A)) is amended by striking ''twelve times the subscribed capital stock and surplus of the Facility, provided that, the total face value of such obligations shall not exceed 16 times the subscribed capital stock and surplus of the Facility for the period beginning on the date of enactment of the Coronavirus Economic Stabilization Act of 2020 and ending on December 31, 2021'' and inserting ''16 times the subscribed capital stock and surplus of the Facility''.

SEC. 5408. PROMOTING CAPITAL RAISING OPTIONS FOR TRADITIONALLY UNDERREPRESENTED SMALL BUSINESSES.

Section 4(j)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(j)(4)) is amended—

(1) in subparagraph (G), by striking ''and'' at the end;

(2) in subparagraph (H), by striking the period at the end and insert a semicolon; and

(3) by adding at the end the following:

''(I) provide educational resources and host events to raise awareness of capital raising options for—

''(i) underrepresented small businesses, including women-owned and minority-owned small businesses;

''(ii) businesses located in rural areas; and

''(iii) small businesses affected by hurricanes or other natural disasters; and

''(J) at least annually, meet with representatives of State securities commissions to discuss opportunities for collaboration and coordination with respect to efforts to assist small businesses and small business investors.''.

SEC. 5409. IMPROVEMENTS BY COUNTRIES IN COMBATING NARCOTICS-RELATED MONEY LAUNDERING.

Section 489(a)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(7)) is amended—

(1) in the matter before subparagraph (A), by striking ''paragraph (3)(D)'' and inserting ''paragraph (3)(C)''; and

(2) by inserting after subparagraph (C) the following:

''(D) Where the information is available, examples of improvements in each country related to the findings described in each of clauses (i) through (viii) of subparagraph (C), such as—

''(i) actions taken by the country due to each country's adoption of law and regulations considered essential to prevent narcotics-related money laundering;

''(ii) enhanced enforcement actions taken by the country, such as regulatory penalties, criminal prosecutions and convictions, and asset seizures and forfeitures;

''(iii) status changes in international financial crime-related evaluations;

''(iv) other descriptions that are representative of efforts to enhance the prevention of narcotics-related money laundering; and

''(v) if applicable, bilateral, multilateral, and regional initiatives which have been undertaken to prevent narcotics-related money laundering.''.

SEC. 5410. STUDY ON THE ROLE OF ONLINE PLATFORMS AND TENANT SCREENING COMPANIES IN THE HOUSING MARKET.

(a) STUDY.—The Secretary of Housing and Urban Development and the Director of the Bureau of Consumer Financial Protection shall, jointly, carry out a study to—

(1) assess the role of online platforms and tenant screening companies in the housing market, including purchasing homes and providing housing-related services to landlords and consumers, including tenants, homeowners, and prospective homebuyers;

(2) assess how such entities currently comply with fair housing, fair lending, and consumer financial protection laws and regulations (including the Fair Housing Act, the Equal Credit Opportunity Act, the Fair Credit Reporting Act, and other relevant statutes and regulations determined relevant by the Secretary and the Director), including in their digital advertising, digital listing, and tenant screening practices;

(3) assess how such entities are currently using artificial intelligence, including machine learning, in their services, and how these technologies are being assessed for compliance with appropriate fair housing and fair lending laws; and

(4) assess the impact of how such entities and their use of artificial intelligence technologies, including machine learning, affect low- and moderate-income communities and communities of color in particular, including any impediments to fair housing and fair lending.

(b) REPORTS.—

(1) IN GENERAL.—The Secretary and the Director shall, jointly, issue an initial report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than 1 year after the date of enactment of this Act, and issue a final report to such committees not later than 2 years after the date of enactment of this Act, containing—

(A) all findings and determinations made in carrying out the study required under subsection (a); and

(B) any recommendations on how to improve entities', as described under subsection (a)(1), compliance with fair housing, fair lending, and consumer financial protection laws and regulations, including to affirmatively further fair housing, to prevent algorithmic bias, and to promote greater transparency, explainability, privacy, and fairness in the development and implementation of artificial intelligence technologies, including machine learning, with respect to the products and services they offer.

(2) ADDITIONAL REPORTS.—The Secretary and the Director may, either individually or jointly, issue updates to the final report described under paragraph (1), as the Secretary or the Director determines necessary.

SEC. 5411. UNITED STATES OPPOSITION TO MULTILATERAL DEVELOPMENT BANK PROJECTS THAT PROVIDE A PUBLIC SUBSIDY TO A PRIVATE SECTOR FIRM UNLESS THE SUBSIDY IS AWARDED USING AN OPEN, COMPETITIVE PROCESS OR ON AN OPEN-ACCESS BASIS.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o-262o-4) is amended by adding at the end the following:

''SEC. 1506. UNITED STATES OPPOSITION TO MULTILATERAL DEVELOPMENT BANK PROJECTS THAT PROVIDE A PUBLIC SUBSIDY TO A PRIVATE SECTOR FIRM UNLESS THE SUBSIDY IS AWARDED USING AN OPEN, COMPETITIVE PROCESS OR ON AN OPEN-ACCESS BASIS.

''(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at each multilateral development bank—

''(1) to use voice, vote, and influence of the United States to ensure that private sector subsidies provided by the respective bank, including through the Private Sector Window of the International Development Association, are provided in accordance with the World Bank guidelines; and

''(2) to vote against any project at the respective bank, including through the Private Sector Window of the International Development Association, that provides a public subsidy to a private sector firm unless—

''(A) the subsidy is awarded using an open, competitive process;

''(B) the subsidy is awarded on an open access basis; or

''(C) the United States Executive Director at the respective bank determines that the subsidy falls within an exception provided in the World Bank guidelines for the use of direct contracting.

''(b) PUBLICATION OF DETERMINATION.—Within 60 days after the United States Executive Director at any multilateral development bank makes a determination described in subsection (a)(2)(C), the Secretary of the Treasury shall cause to be posted on the website of the Department of the Treasury a justification for the determination.

''(c) DEFINITIONS.—In this section:

''(1) MULTILATERAL DEVELOPMENT BANK.—The term 'multilateral development bank' has the meaning given in section 1701(c)(4).

''(2) WORLD BANK GUIDELINES.—The term 'World Bank Guidelines' means the July 2014 revised edition of the document, entitled 'Procurement of Goods, Works, and Non-Consulting Services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers', published by the World Bank Group.''.

SEC. 5412. UNITED STATES CONTRIBUTION TO THE CATASTROPHE CONTAINMENT AND RELIEF TRUST AT THE INTERNATIONAL MONETARY FUND.

(a) CONTRIBUTION AUTHORITY.—The Secretary of the Treasury may contribute $200,000,000 on behalf of the United States to the Catastrophe Containment and Relief Trust of the International Monetary Fund.

(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, $200,000,000 for payment by the Secretary of the Treasury.

SEC. 5413. PUBLIC REPORTING OF UNITED STATES VOTES TO SUPPORT, OR ABSTENTION FROM VOTING ON, MULTILATERAL DEVELOPMENT BANK PROJECTS UNDER THE GUIDANCE ON FOSSIL FUEL ENERGY AT THE MULTILATERAL DEVELOPMENT BANKS ISSUED BY THE DEPARTMENT OF THE TREASURY ON AUGUST 16, 2021.

Title XIII of the International Financial Institutions Act (22 U.S.C. 262m-262m-8) is amended by adding at the end the following:

''SEC. 1309. PUBLIC REPORTING OF UNITED STATES VOTES TO SUPPORT, OR ABSTENTION FROM VOTING ON, MULTILATERAL DEVELOPMENT BANK PROJECTS UNDER THE GUIDANCE ON FOSSIL FUEL ENERGY AT THE MULTILATERAL DEVELOPMENT BANKS ISSUED BY THE DEPARTMENT OF THE TREASURY ON AUGUST 16, 2021.

''Within 60 days after the United States votes to support, or abstains from voting on, a multilateral development bank (as defined in section 1701(c)(4)) project under the Guidance on Fossil Fuel Energy at the Multilateral Development Banks issued by the Department of the Treasury on August 16, 2021, the Secretary of Treasury shall cause to be posted on the website of the Department of the Treasury a detailed justification for the vote or abstention.''.

SEC. 5414. UNITED STATES POLICY ON INTERNATIONAL FINANCE CORPORATION DISCLOSURE OF HIGH AND SUBSTANTIAL RISK SUB-PROJECTS OF FINANCIAL INTERMEDIARY CLIENTS.

Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

''SEC. 1632. UNITED STATES POLICY ON INTERNATIONAL FINANCE CORPORATION DISCLOSURE OF HIGH AND SUBSTANTIAL RISK SUB-PROJECTS OF FINANCIAL INTERMEDIARY CLIENTS.

''(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at the International Finance Corporation to use the voice, vote, and influence of the United States to seek the adoption at the institution of a policy to require each financial intermediary client to publicly disclose on the website of the International Finance Corporation, in searchable form, and updated annually, the following information about the Category A and B subprojects of the client, within 6 months after the date of the enactment of this section for existing clients and, for new clients, within 6 months after the date of Board approval for new investments:

''(1) The name, city, and sector for all subprojects.

''(2) The environmental and social risk assessments and mitigation plans that have been completed for each sub-project.

''(3) A summary of the Environmental and Social Management System of the client including a detailed description of policies to

appropriately identify, categorize, assess, and address the environmental and social risks relevant to the activities the client is financing.

''(4) A link to the full Environmental and Social Management System policy on the website of the client.

''(b) REPORTING REQUIREMENT.—Within 6 months after the date of the enactment of this section, the Secretary of the Treasury shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate containing—

''(1) a description of the efforts by the Secretary to achieve the policy outlined in subsection (a); and

''(2) a description of any opposition from management, shareholders, and clients to the adoption of the policy.''.

SEC. 5415. UNITED STATES POLICY ON MULTILATERAL DEVELOPMENT BANK DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o-262o-4) is further amended by adding at the end the following:

''SEC. 1507. UNITED STATES POLICY ON MULTILATERAL DEVELOPMENT BANK DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.

''(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at each multilateral development bank—

''(1) to use voice and vote of the United States to advocate for the adoption of a policy at the respective institution to collect, verify and publish beneficial ownership information for any corporation or limited liability company, other than a publicly listed company, that receives any assistance from the bank; and

''(2) to vote against the provision of any assistance by the bank to any corporation or limited liability company, other than a publicly listed company, unless the bank collects, verifies, and publishes beneficial ownership information for the entity.

''(b) DEFINITIONS.—In this section:

''(1) MULTILATERAL DEVELOPMENT BANK.—The term 'multilateral development bank' has the meaning given in section 1701(c)(4).

''(2) BENEFICIAL OWNER.—The term 'beneficial owner' has the meaning given in section 5336(3) of title 31, United States Code.''.

SEC. 5416. STRENGTHENING THE SEC'S WHISTLEBLOWER FUND.

Section 21F(g)(3)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-6(g)(3)(A)) is amended—

(1) in clause (i), by striking ''$300,000,000'' and inserting ''$600,000,000 (as such amount is indexed for inflation every 5 years by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics)''; and

(2) in clause (ii)—

(A) by striking ''$200,000,000'' and inserting ''$600,000,000 (as such amount is indexed for inflation every 5 years by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics)'';

(B) by striking ''Fund'' and inserting ''fund''; and

(C) by striking ''balance of the disgorgement fund'' and inserting ''balance of the Fund''.

At the end of division E, add the following:

TITLE LIX—PROMOTING AND ADVANCING COMMUNITIES OF COLOR THROUGH INCLUSIVE LENDING ACT

SEC. 5901. SHORT TITLE.

This title may be cited as the ''Promoting and Advancing Communities of Color Through Inclusive Lending Act''.

Subtitle A—Promoting and Advancing Communities of Color Through Inclusive Lending

SEC. 5911. STRENGTHENING DIVERSE AND MISSION-DRIVEN COMMUNITY FINANCIAL INSTITUTIONS.

(a) MINORITY LENDING INSTITUTION SET-ASIDE IN PROVIDING ASSISTANCE.—

(1) IN GENERAL.—Section 108 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4707) is amended by adding at the end the following:

''(i) SUPPORTING MINORITY INSTITUTIONS.—Notwithstanding any other provision of law, in providing any assistance to community development financial institutions, the Fund shall reserve 40 percent of such assistance for minority lending institutions.''.

(2) DEFINITIONS.—Section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702) is amended by adding at the end the following:

''(22) MINORITY LENDING INSTITUTION.—The term 'minority lending institution' has the meaning given that term under section 523(c) of division N of the Consolidated Appropriations Act, 2021.''.

(b) OFFICE OF MINORITY LENDING INSTITUTIONS.—Section 104 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703) is amended by adding at the end the following:

''(l) CDFI OFFICE OF MINORITY LENDING INSTITUTIONS.—There is established within the Fund an Office of Minority Lending Institutions, which shall oversee assistance provided by the Fund to minority lending institutions.''.

(c) REPORTING ON MINORITY LENDING INSTITUTIONS.—Section 117 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4716) is amended by adding at the end the following:

''(g) REPORTING ON MINORITY LENDING INSTITUTIONS.—Each report required under subsection (a) shall include a description of the extent to which assistance from the Fund are provided to minority lending institutions.''.

(d) SUBMISSION OF DEMOGRAPHIC DATA RELATING TO DIVERSITY BY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS.—Section 104 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703), as amended by subsection (b), is further amended by adding at the end the following:

''(m) SUBMISSION OF DEMOGRAPHIC DATA RELATING TO DIVERSITY.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'executive officer' has the meaning given the term in section 230.501(f) of title 17, Code of Federal Regulations, as in effect on the date of enactment of this subsection;

''(B) the term 'gender identity' means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth;

''(C) the term 'sexual orientation' means homosexuality, heterosexuality, or bisexuality; and

''(D) the term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.

''(2) SUBMISSION OF DISCLOSURE.—Each Fund applicant and recipient shall provide data regarding such factors as may be determined by the Fund, which may include the following:

''(A) Demographic data, based on voluntary self-identification, on the racial, ethnic, gender identity, and sexual orientation composition of—

''(i) the board of directors of the institution; and

''(ii) the executive officers of the institution.

''(B) The status of any member of the board of directors of the institution, any nominee for the board of directors of the institution, or any executive officer of the institution, based on voluntary self-identification, as a veteran.

''(C) Whether the board of directors of the institution, or any committee of that board of directors, has, as of the date on which the institution makes a disclosure under this paragraph, adopted any policy, plan, or strategy to promote racial, ethnic, and gender diversity among—

''(i) the board of directors of the institution;

''(ii) nominees for the board of directors of the institution; or

''(iii) the executive officers of the institution.

''(3) REPORT TO CONGRESS.—Not later than 24 months after the date of enactment of this subsection, and every other year thereafter, the Fund shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, and make publicly available on the website of the Fund, a report—

''(A) on the demographic data and trends of the diversity information made available pursuant to paragraph (2), including breakdowns by each State (including the District of Columbia and each territory of the United States) and Tribal government entity; and

''(B) containing any administrative or legislative recommendations of the Fund to enhance the implementation of this title or to promote diversity and inclusion within community development financial institutions.''.

(e) OFFICE OF DIVERSE AND MISSION-DRIVEN COMMUNITY FINANCIAL INSTITUTIONS.—

(1) ESTABLISHMENT.—There is established within the Department of the Treasury the Office of Diverse and Mission-Driven Community Financial Institutions.

(2) LEADERSHIP.—The Office of Diverse and Mission-Driven Community Financial Institutions shall be led by a Deputy Assistant Secretary for Diverse and Mission-Driven Community Financial Institutions, who shall be appointed by the Secretary of the Treasury, in consultation with the Department of the Treasury's Director of Office of Minority and Women Inclusion.

(3) FUNCTIONS.—The Office of Diverse and Mission-Driven Community Financial Institutions, pursuant to the direction of the Secretary, shall seek to provide support for diverse and mission-driven community financial institutions and have the authority—

(A) to monitor and issue reports regarding—

(i) community development financial institutions, minority depository institutions, and minority lending institutions; and

(ii) the role such institutions play in the financial system of the United States, including the impact they have on providing financial access to low- and moderate-income communities, communities of color, and other underserved communities;

(B) to serve as a resource and Federal liaison for current and prospective community development financial institutions, minority depository institutions, and minority lending institutions seeking to engage with the Department of the Treasury, the Community Development Financial Institutions Fund (''CDFI Fund''), other Federal government

agencies, including by providing contact information for other offices of the Department of the Treasury or other Federal Government agencies, resources, technical assistance, or other support for entities wishing—

(i) to become certified as a community development financial institution, and maintain the certification;

(ii) to obtain a banking charter, deposit insurance, or otherwise carry on banking activities in a safe, sound, and responsible manner;

(iii) to obtain financial support through private sector deposits, investments, partnerships, and other means;

(iv) to expand their operations through internal growth and acquisitions;

(v) to develop and upgrade their technology, cybersecurity resilience, compliance systems, data reporting systems, and their capacity to support their communities, including through partnerships with third-party companies;

(vi) to obtain grants, awards, investments and other financial support made available through the CDFI Fund, the Board of Governors of the Federal Reserve System, the Central Liquidity Facility, the Federal Home Loan Banks, and other Federal programs;

(vii) to participate as a financial intermediary with respect to various Federal and State programs and agencies, including the State Small Business Credit Initiative and programs of the Small Business Administration; and

(viii) to participate in Financial Agent Mentor-Protégé Program of the Department of the Treasury and other Federal programs designed to support private sector partnerships;

(C) to provide resources to the public wishing to learn more about minority depository institutions, community development financial institutions, and minority lending institutions, including helping the Secretary implement the requirements under section 334, publishing reports issued by the Office on the website of the Department of the Treasury and providing hyperlinks to other relevant reports and materials from other Federal agencies;

(D) to provide policy recommendations to other relevant Federal agencies and Congress on ways to further strengthen Federal support for community development financial institutions, minority depository institutions, and minority lending institutions;

(E) to assist the Secretary in carrying out the Secretary's responsibilities under section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) to preserve and promote minority depository institutions in consultation with the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Chairman of the National Credit Union Administration, and the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation;

(F) to carry out other duties of the Secretary of the Treasury required by this subtitle and the amendments made by this subtitle, and to perform such other duties and authorities as may be assigned by the Secretary.

(f) STRENGTHENING FEDERAL EFFORTS AND INTERAGENCY COORDINATION TO PROMOTE DIVERSE AND MISSION-DRIVEN COMMUNITY FINANCIAL INSTITUTIONS.—

(1) SENIOR OFFICIALS DESIGNATED.—The Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Chairman of the National Credit Union Administration, the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, and the Director of the Bureau of Consumer Financial Protection shall each, in consultation with their respective Director of Office of Minority and Women Inclusion, designate a senior official to be their respective agency's officer responsible for promoting minority depository institutions, community development financial institutions, and minority lending institutions, including to fulfill obligations under section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) to preserve and promote minority depository institutions.

(2) INTERAGENCY WORKING GROUP.—The Department of the Treasury shall regularly convene meetings, no less than once a quarter, of an interagency working group to be known as the ''Interagency Working Group to Promote Diverse and Mission-Driven Community Financial Institutions'', which shall consist of the senior officials designated by their respective agencies under paragraph (1), along with the Deputy Assistant Secretary for Diverse and Mission-Driven Community Financial Institutions, the Director of the Community Development Financial Institutions Fund, and such other government officials as the Secretary of the Treasury may choose to invite, to examine and discuss the state of minority depository institutions, community development financial institutions, and minority lending institutions, and actions the relevant agencies can take to preserve, promote, and strengthen these institutions.

(3) PROMOTING FAIR HOUSING AND COLLECTIVE OWNERSHIP OPPORTUNITIES.—

(A) INITIAL REPORT.—Not later than 18 months after the date of the enactment of this subsection, the Secretary of Treasury, jointly with the Secretary of Housing and Urban Development, shall issue a report to the covered agencies and the Congress examining different ways financial institutions, including community development financial institutions, can affirmatively further fair housing and be encouraged and incentivized to carry out activities that expand long-term wealth-building opportunities within low-income and minority communities that support collective ownership opportunities, including through investments in worker cooperatives, consumer cooperatives, community land trusts, not-for-profit-led shared equity homeownership, and limited-equity cooperatives, and to provide recommendations to the covered agencies and the Congress in the furtherance of these objectives.

(B) PROGRESS UPDATES.—Beginning not later than three years after the date of the enactment of this subsection, and every five years thereafter, the Secretary of the Treasury and the Secretary of Housing and Urban Development shall, after receiving the necessary updates from the covered agencies, issue a report examining the progress made on implementing relevant recommendations, and providing any additional recommendations to the covered agencies and the Congress in furtherance of the objectives under subparagraph (A).

(C) COVERED AGENCIES.—For purposes of this subsection, the term ''covered agencies'' means the Community Development Financial Institutions Fund, the Department of Housing and Urban Development. the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, and the Federal Housing Finance Agency.

(4) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this subsection, and annually thereafter, the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Chairman of the National Credit Union Administration, the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, and the Director of the Bureau of Consumer Financial Protection shall submit a joint report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the work that has been done the prior year to preserve, promote, and strengthen community development financial institutions, minority depository institutions, and minority lending institutions, along with any policy recommendations on actions various government agencies and Congress should take to preserve, promote, and strengthen community development financial institutions, minority depository institutions, and minority lending institutions.

SEC. 5912. CAPITAL INVESTMENTS, GRANTS, AND TECHNOLOGY SUPPORT FOR MDIS AND CDFIS.

(a) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to the Emergency Capital Investment Fund $4,000,000,000. Such funds may be used for administrative expenses of the Department of the Treasury.

(b) CONFORMING AMENDMENTS TO ALLOW FOR ADDITIONAL PURCHASES OF CAPITAL.—Section 104A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703a) is amended—

(1) in subsection (c), by striking paragraph (2); and

(2) in subsection (e), by striking paragraph (2).

(c) USE OF FUNDS FOR CDFI FINANCIAL AND TECHNICAL ASSISTANCE.—Section 104A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703a) is amended by adding at the end the following:

''(p) USE OF FUNDS FOR CDFI FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary shall transfer no less than $1,000,000,000 in the Emergency Capital Investment Fund to the Fund for the purpose of providing financial and technical assistance grants to community development financial institutions certified by the Secretary. The Fund shall provide such grants using a formula that takes into account criteria such as certification status, financial and compliance performance, portfolio and balance sheet strength, diversity of CDFI business model types, and program capacity.''.

(d) TECHNOLOGY GRANTS FOR MDIS AND CDFIS.—

(1) STUDY AND REPORT ON CERTAIN TECHNOLOGY CHALLENGES.—

(A) STUDY.—The Secretary of the Treasury shall carry out a study on the technology challenges impacting minority depository institutions and community development financial institutions with respect to—

(i) internal technology capabilities and capacity of the institutions to process loan applications and otherwise serve current and potential customers through the internet, mobile phone applications, and other tools;

(ii) technology capabilities and capacity of the institutions, provided in partnership with third party companies, to process loan applications and otherwise serve current and potential customers through the internet, mobile phone applications, and other tools;

(iii) cybersecurity; and

(iv) challenges and solutions related to algorithmic bias in the deployment of technology.

(B) REPORT.—Not later than 18 months after the date of the enactment of this subsection, the Secretary shall submit a report

to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes the results of the study required under subparagraph (A).

(2) TECHNOLOGY GRANT PROGRAM.—

(A) PROGRAM AUTHORIZED.—The Secretary shall carry out a technology grant program to make grants to minority depository institutions and community development financial institutions to address technology challenges impacting such institutions.

(B) APPLICATION.—To be eligible to be awarded a grant under this paragraph, a minority depository institution or community development financial institution shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(C) USE OF FUNDS.—A minority depository institution or community development financial institution that is awarded a grant under this paragraph may use the grant funds to—

(i) enhance or adopt technologies that—

(I) shorten loan approval processes;

(II) improve customer experience;

(III) provide additional services to customers;

(IV) facilitate compliance with applicable laws, regulations, and program requirements, including testing to ensure that the use of technology does not result in discrimination, and helping to satisfy data reporting requirements;

(V) help ensure privacy of customer records and cybersecurity resilience; and

(VI) reduce the unbanked and underbanked population; or

(ii) carry out such other activities as the Secretary determines appropriate.

(3) FUNDING.—The Secretary may use amounts in the Emergency Capital Investment Fund to implement and make grants under paragraph (2), but not to exceed $250,000,000 in the aggregate.

(4) DEFINITIONS.—In this subsection, the terms ''community development financial institution'' and ''minority depository institution'' have the meaning given those terms, respectively, under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702).

(e) PILOT PROGRAM FOR ESTABLISHING DE NOVO CDFIS AND MDIS.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Fund and the appropriate Federal banking agencies, shall establish a pilot program to provide competitive grants to a person for the purpose of providing capital for such person to establish a minority depository institution or a community development financial institution.

(2) APPLICATION.—A person desiring a grant under this subsection shall submit to the Secretary an application in such form and containing such information as the Secretary determines appropriate.

(3) DISBURSEMENT.—Before disbursing grant amounts to a person selected to receive a grant under this subsection, the Secretary shall ensure that such person has received approval from the appropriate Federal banking agency (or such other Federal or State agency from whom approval is required) to establish a minority depository institution or a community development financial institution, as applicable.

(4) FUNDING.—The Secretary may use amounts in the Emergency Capital Investment Fund to implement and make grants under paragraph (2), but not to exceed $100,000,000 in the aggregate.

(5) DEFINITIONS.—In this subsection, the terms ''appropriate Federal banking agency'', ''community development financial institution'', ''Fund'', and ''minority depository institution'' have the meaning given those terms, respectively, under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702).

(f) GUIDANCE FOR SUBCHAPTER S AND MUTUAL BANKS.—Not later than 30 days after the date of enactment of this Act, the Board of Governors of the Federal Reserve System and the Secretary shall issue guidance regarding how Emergency Capital Investment Program investments (whether made before or after the date of enactment of this Act) are considered for purposes of various prudential requirements, including debt to equity, leverage ratio, and double leverage ratio requirements with respect to subchapter S and mutual bank recipients of such investments.

(g) COLLECTION OF DATA.—Section 111 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4710) is amended—

(1) by striking ''The Fund'' and inserting the following:

''(a) IN GENERAL.—The Fund''; and

(2) by adding at the end the following:

''(b) COLLECTION OF CERTAIN DATA BY CDFIS.—Notwithstanding the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.)—

''(1) a community development financial institution may collect data described in section 701(a)(1) of that Act (15 U.S.C. 1691(a)(1)) from borrowers and applicants for credit for the sole purpose and exclusive use to ensure that targeted populations and low-income residents of investment areas are adequately served and to report the level of service provided to such populations and areas to the Fund; and

''(2) a community development financial institution that collects the data described in paragraph (1) shall not be subject to adverse action related to that collection by the Bureau of Consumer Financial Protection or any other Federal agency.''.

SEC. 5913. SUPPORTING YOUNG ENTREPRENEURS PROGRAM.

Section 108 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4707), as amended by section 331(a)(1), is further amended by adding at the end the following:

''(j) SUPPORTING YOUNG ENTREPRENEURS PROGRAM.—

''(1) IN GENERAL.—The Fund shall establish a Supporting Young Entrepreneurs Program under which the Fund may provide financial awards to the community development financial institutions that the Fund determines have the best programs to help young entrepreneurs get the start up capital needed to start a small business, with a focus on supporting young women entrepreneurs, entrepreneurs who are Black, Hispanic, Asian or Pacific Islander, and Native American or Native Alaskan and other historically underrepresented groups or first time business owners.

''(2) NO MATCHING REQUIREMENT.—The matching requirement under subsection (e) shall not apply to awards made under this subsection.

''(3) FUNDING.—In carrying out this subsection, the Fund may use—

''(A) amounts in the Emergency Capital Investment Fund, but not to exceed $100,000,000 in the aggregate; and

''(B) such other funds as may be appropriated by Congress to the Fund to carry out the Supporting Young Entrepreneurs Program.''.

SEC. 5914. MAP OF MINORITY DEPOSITORY INSTITUTIONS AND COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the CDFI Fund and the Federal banking agencies, shall establish an interactive, searchable map showing the geographic locations of the headquarters and branch locations of minority depository institutions, which shall be provided by the Federal banking agencies, and community development financial institutions that have been certified by the Secretary, including breakdowns by each State (including the District of Columbia and each territory of the United States), Tribal government entity, and congressional district. Such map shall also provide a link to the website of each such minority depository institution and community development financial institution.

(b) DEFINITIONS.—In this section:

(1) CDFI FUND.—The term ''CDFI Fund'' means the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994.

(2) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ''community development financial institution'' has the meaning given in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994.

(3) FEDERAL BANKING AGENCY.—The term ''Federal banking agency''—

(A) has the meaning given in section 3 of the Federal Deposit Insurance Act; and

(B) means the National Credit Union Administration.

(4) MINORITY DEPOSITORY INSTITUTION.—The term ''minority depository institution'' has the meaning given in section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

SEC. 5915. REPORT ON CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS.

Section 117(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4716(a)) is amended—

(1) by striking ''The Fund'' and inserting the following:

''(1) IN GENERAL.—The Fund'';

(2) by striking ''and the Congress'' and inserting '', the Congress, and the public''; and

(3) by adding at the end the following:

''(2) REPORT ON CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS.—The annual report required under paragraph (1) shall include a report on community development financial institutions ('CDFIs') that have been certified by the Secretary of the Treasury, including a summary with aggregate data and analysis, to the fullest extent practicable, regarding—

''(A) a list of the types of organizations that are certified as CDFIs, and the number of each type of organization;

''(B) the geographic location and capacity of different types of certified CDFIs, including overall impact breakdowns by each State (including the District of Columbia and each territory of the United States) and Tribal government entity;

''(C) the lines of business for different types of certified CDFIs;

''(D) human resources and staffing information for different types of certified CDFIs, including—

''(E) the types of development services provided by different types of certified CDFIs;

''(F) the target markets of different types of certified CDFIs and the amount of products and services offered by CDFIs to those target markets, including—

''(i) the number and amount of loans and loan guarantees made in those target markets;

''(ii) the number and amount of other investments made in those target markets; and

''(iii) the number and amount of development services offered in those target markets; and

''(G) such other information as the Director of the Fund may determine necessary to promote transparency of the impact of different types of CDFIs, while carrying out this report in a manner that seeks to minimize data reporting requirements from certified CDFIs when feasible, including utilizing information gathered from other regulators under section 104(l).''.

SEC. 5916. CONSULTATION AND MINIMIZATION OF DATA REQUESTS.

Section 104 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703) is amended by adding at the end the following:

''(l) CONSULTATION AND MINIMIZATION OF DATA REQUESTS.—

''(1) IN GENERAL.—In carrying out its duties, the Fund shall—

''(A) periodically, and no less frequent than once a year, consult with the applicable Federal regulator of certified CDFIs and applicants to be a certified CDFI ('applicants)';

''(B) seek to gather any information necessary related to Fund certification and award decisions on certified CDFIs and applicants from the applicable Federal regulator, and such regulators shall use reasonable efforts to provide such information to the Fund, to minimize duplicative data collection requests made by the Fund of certified CDFIs and applicants and to expedite certification, award, or other relevant processes administered by the Fund.

''(2) APPLICABLE FEDERAL REGULATOR DEFINED.—In this subsection, the term 'applicable Federal regulator' means—

''(A) with respect to a certified CDFI or an applicant that is regulated by both an appropriate Federal banking agency and the Bureau of Consumer Financial Protection, the Bureau of Consumer Financial Protection;

''(B) with respect to a certified CDFI or an applicant that is not regulated by the Bureau of Consumer Financial Protection, the appropriate Federal banking agency for such applicant; or

''(C) the Bureau of Consumer Financial Protection, with respect to a certified CDFI or an applicant—

''(i) that is not regulated by an appropriate Federal banking agency; and

''(ii) that offers or provides consumer financial products or services (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).''.

SEC. 5917. ACCESS TO THE DISCOUNT WINDOW OF THE FEDERAL RESERVE SYSTEM FOR MDIS AND CDFIS.

Within 1 year after the date of enactment of this Act, the Board of Governors of the Federal Reserve System shall establish a process under which minority depository institutions and community development financial institutions may have access to the discount window, at the seasonal credit interest rate most recently published on the Federal Reserve Statistical Release on selected interest rates (daily or weekly).

SEC. 5918. STUDY ON SECURITIZATION BY CDFIS.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Community Development Financial Institutions Fund and such other Federal agencies as the Secretary determines appropriate, shall carry out a study on—

(1) the use of securitization by CDFIs;

(2) any barriers to the use of securitization as a source of liquidity by CDFIs; and

(3) any authorities available to the Government to support the use of securitization by CDFIs to the extent it helps serve underserved communities.

(b) REPORT.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Secretary shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) any legislative or administrative recommendations of the Secretary that would promote the responsible use of securitization to help CDFIs in reaching more underserved communities.

(c) CDFI DEFINED.—The term ''CDFI'' has the meaning given the term ''community development financial institution'' under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994.

Subtitle B—Promoting New and Diverse Depository Institutions

SEC. 5921. STUDY AND STRATEGIC PLAN.

(a) IN GENERAL.—The Federal banking regulators shall jointly—

(1) conduct a study about the challenges faced by proposed depository institutions, including proposed minority depository institutions, seeking de novo depository institution charters; and

(2) submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate and publish publically, not later than 18 months after the date of the enactment of this section—

(A) an analysis based on the study conducted pursuant to paragraph (1);

(B) any findings from the study conducted pursuant to paragraph (1); and

(C) any legislative recommendations that the Federal banking regulators developed based on the study conducted pursuant to paragraph (1).

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this section, the Federal banking regulators shall jointly submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate and publish publically a strategic plan based on the study conducted pursuant to subsection (a) and designed to help proposed depository institutions (including proposed minority depository institutions) successfully apply for de novo depository institution charters in a manner that promotes increased availability of banking and financial services, safety and soundness, consumer protection, community reinvestment, financial stability, and a level playing field.

(2) CONTENTS OF STRATEGIC PLAN.—The strategic plan described in paragraph (1) shall—

(A) promote the chartering of de novo depository institutions, including—

(i) proposed minority depository institutions; and

(ii) proposed depository institutions that could be certified as community development financial institutions; and

(B) describe actions the Federal banking regulators may take that would increase the number of depository institutions located in geographic areas where consumers lack access to a branch of a depository institution.

(c) PUBLIC INVOLVEMENT.—When conducting the study and developing the strategic plan required by this section, the Federal banking regulators shall invite comments and other feedback from the public to inform the study and strategic plan.

(d) DEFINITIONS.—In this section:

(1) DEPOSITORY INSTITUTION.—The term ''depository institution'' has the meaning given in section 3 of the Federal Deposit Insurance Act, and includes a ''Federal credit union'' and a ''State credit union'' as such terms are defined, respectively, under section 101 of the Federal Credit Union Act.

(2) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ''community development financial institution'' has the meaning given in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994.

(3) FEDERAL BANKING REGULATORS.—The term ''Federal banking regulators'' means the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Director of the Bureau of Consumer Financial Protection.

(4) MINORITY DEPOSITORY INSTITUTION.—The term ''minority depository institution'' has the meaning given in section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

Subtitle C—Ensuring Diversity in Community Banking

SEC. 5931. SHORT TITLE.

This subtitle may be cited as the ''Ensuring Diversity in Community Banking Act''.

SEC. 5932. SENSE OF CONGRESS ON FUNDING THE LOAN-LOSS RESERVE FUND FOR SMALL DOLLAR LOANS.

The sense of Congress is the following:

(1) The Community Development Financial Institutions Fund (the ''CDFI Fund'') is an agency of the Department of the Treasury, and was established by the Riegle Community Development and Regulatory Improvement Act of 1994. The mission of the CDFI Fund is ''to expand economic opportunity for underserved people and communities by supporting the growth and capacity of a national network of community development lenders, investors, and financial service providers''. A community development financial institution (a ''CDFI'') is a specialized financial institution serving low-income communities and a Community Development Entity (a ''CDE'') is a domestic corporation or partnership that is an intermediary vehicle for the provision of loans, investments, or financial counseling in low-income communities. The CDFI Fund certifies CDFIs and CDEs. Becoming a certified CDFI or CDE allows organizations to participate in various CDFI Fund programs as follows:

(A) The Bank Enterprise Award Program, which provides FDIC-insured depository institutions awards for a demonstrated increase in lending and investments in distressed communities and CDFIs.

(B) The CDFI Program, which provides Financial and Technical Assistance awards to CDFIs to reinvest in the CDFI, and to build the capacity of the CDFI, including financing product development and loan loss reserves.

(C) The Native American CDFI Assistance Program, which provides CDFIs and sponsoring entities Financial and Technical Assistance awards to increase lending and grow the number of CDFIs owned by Native Americans to help build capacity of such CDFIs.

(D) The New Market Tax Credit Program, which provides tax credits for making equity investments in CDEs that stimulate capital investments in low-income communities.

(E) The Capital Magnet Fund, which provides awards to CDFIs and nonprofit affordable housing organizations to finance affordable housing solutions and related economic development activities.

(F) The Bond Guarantee Program, a source of long-term, patient capital for CDFIs to expand lending and investment capacity for community and economic development purposes.

(2) The Department of the Treasury is authorized to create multi-year grant programs

designed to encourage low-to-moderate income individuals to establish accounts at federally insured banks, and to improve low-to-moderate income individuals' access to such accounts on reasonable terms.

(3) Under this authority, grants to participants in CDFI Fund programs may be used for loan-loss reserves and to establish small-dollar loan programs by subsidizing related losses. These grants also allow for the providing recipients with the financial counseling and education necessary to conduct transactions and manage their accounts. These loans provide low-cost alternatives to payday loans and other nontraditional forms of financing that often impose excessive interest rates and fees on borrowers, and lead millions of Americans to fall into debt traps. Small-dollar loans can only be made pursuant to terms, conditions, and practices that are reasonable for the individual consumer obtaining the loan.

(4) Program participation is restricted to eligible institutions, which are limited to organizations listed in section 501(c)(3) of the Internal Revenue Code and exempt from tax under 501(a) of such Code, federally insured depository institutions, community development financial institutions and State, local, or Tribal government entities.

(5) According to the CDFI Fund, some programs attract as much as $10 in private capital for every $1 invested by the CDFI Fund. The Administration and the Congress should prioritize appropriation of funds for the loan loss reserve fund and technical assistance programs administered by the Community Development Financial Institution Fund.

SEC. 5933. DEFINITIONS.

In this subtitle:

(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ''community development financial institution'' has the meaning given under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702).

(2) MINORITY DEPOSITORY INSTITUTION.—The term ''minority depository institution'' has the meaning given under section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note), as amended by this Act.

SEC. 5934. INCLUSION OF WOMEN'S BANKS IN THE DEFINITION OF MINORITY DEPOSITORY INSTITUTION.

Section 308(b)(1) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) by striking ''means any'' and inserting the following: ''means—

''(A) any''; and

(3) in clause (iii) (as so redesignated), by striking the period at the end and inserting ''; or''; and

(4) by inserting at the end the following new subparagraph:

''(B) any bank described in clause (i), (ii), or (iii) of section 19(b)(1)(A) of the Federal Reserve Act—

''(i) more than 50 percent of the outstanding shares of which are held by 1 or more women; and

''(ii) the majority of the directors on the board of directors of which are women.''.

SEC. 5935. ESTABLISHMENT OF IMPACT BANK DESIGNATION.

(a) IN GENERAL.—Each Federal banking agency shall establish a program under which a depository institution with total consolidated assets of less than $10,000,000,000 may elect to be designated as an impact bank if the total dollar value of the loans extended by such depository institution to low-income borrowers is greater than or equal to 50 percent of the assets of such bank.

(b) NOTIFICATION OF ELIGIBILITY.—Based on data obtained through examinations of depository institutions, the appropriate Federal banking agency shall notify a depository institution if the institution is eligible to be designated as an impact bank.

(c) APPLICATION.—Regardless of whether or not it has received a notice of eligibility under subsection (b), a depository institution may submit an application to the appropriate Federal banking agency—

(1) requesting to be designated as an impact bank; and

(2) demonstrating that the depository institution meets the applicable qualifications.

(d) LIMITATION ON ADDITIONAL DATA REQUIREMENTS.—The Federal banking agencies may only impose additional data collection requirements on a depository institution under this section if such data is—

(1) necessary to process an application submitted by the depository institution to be designated an impact bank; or

(2) with respect to a depository institution that is designated as an impact bank, necessary to ensure the depository institution's ongoing qualifications to maintain such designation.

(e) REMOVAL OF DESIGNATION.—If the appropriate Federal banking agency determines that a depository institution designated as an impact bank no longer meets the criteria for such designation, the appropriate Federal banking agency shall rescind the designation and notify the depository institution of such rescission.

(f) RECONSIDERATION OF DESIGNATION; APPEALS.—Under such procedures as the Federal banking agencies may establish, a depository institution may—

(1) submit to the appropriate Federal banking agency a request to reconsider a determination that such depository institution no longer meets the criteria for the designation; or

(2) file an appeal of such determination.

(g) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Federal banking agencies shall jointly issue rules to carry out the requirements of this section, including by providing a definition of a low-income borrower.

(h) REPORTS.—Each Federal banking agency shall submit an annual report to the Congress containing a description of actions taken to carry out this section.

(i) FEDERAL DEPOSIT INSURANCE ACT DEFINITIONS.—In this section, the terms ''depository institution'', ''appropriate Federal banking agency'', and ''Federal banking agency'' have the meanings given such terms, respectively, in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

SEC. 5936. MINORITY DEPOSITORIES ADVISORY COMMITTEES.

(a) ESTABLISHMENT.—Each covered regulator shall establish an advisory committee to be called the ''Minority Depositories Advisory Committee''.

(b) DUTIES.—Each Minority Depositories Advisory Committee shall provide advice to the respective covered regulator on meeting the goals established by section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) to preserve the present number of covered minority institutions, preserve the minority character of minority-owned institutions in cases involving mergers or acquisitions, provide technical assistance, and encourage the creation of new covered minority institutions. The scope of the work of each such Minority Depositories Advisory Committee shall include an assessment of the current condition of covered minority institutions, what regulatory changes or other steps the respective agencies may be able to take to fulfill the requirements of such section 308, and other issues of concern to covered minority institutions.

(c) MEMBERSHIP.—

(1) IN GENERAL.—Each Minority Depositories Advisory Committee shall consist of no more than 10 members, who—

(A) shall serve for one two-year term;

(B) shall serve as a representative of a depository institution or an insured credit union with respect to which the respective covered regulator is the covered regulator of such depository institution or insured credit union; and

(C) shall not receive pay by reason of their service on the advisory committee, but may receive travel or transportation expenses in accordance with section 5703 of title 5, United States Code.

(2) DIVERSITY.—To the extent practicable, each covered regulator shall ensure that the members of the Minority Depositories Advisory Committee of such agency reflect the diversity of covered minority institutions.

(d) MEETINGS.—

(1) IN GENERAL.—Each Minority Depositories Advisory Committee shall meet not less frequently than twice each year.

(2) NOTICE AND INVITATIONS.—Each Minority Depositories Advisory Committee shall—

(A) notify the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate in advance of each meeting of the Minority Depositories Advisory Committee; and

(B) invite the attendance at each meeting of the Minority Depositories Advisory Committee of—

(i) one member of the majority party and one member of the minority party of the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(ii) one member of the majority party and one member of the minority party of any relevant subcommittees of such committees.

(e) NO TERMINATION OF ADVISORY COMMITTEES.—The termination requirements under section 14 of the Federal Advisory Committee Act (5 U.S.C. app.) shall not apply to a Minority Depositories Advisory Committee established pursuant to this section.

(f) DEFINITIONS.—In this section:

(1) COVERED REGULATOR.—The term ''covered regulator'' means the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

(2) COVERED MINORITY INSTITUTION.—The term ''covered minority institution'' means a minority depository institution (as defined in section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note)).

(3) DEPOSITORY INSTITUTION.—The term ''depository institution'' has the meaning given under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(4) INSURED CREDIT UNION.—The term ''insured credit union'' has the meaning given in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

(g) TECHNICAL AMENDMENT.—Section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended by adding at the end the following new paragraph:

''(3) DEPOSITORY INSTITUTION.—The term 'depository institution' means an 'insured depository institution' (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and an insured credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)).''.

SEC. 5937. FEDERAL DEPOSITS IN MINORITY DEPOSITORY INSTITUTIONS.

(a) IN GENERAL.—Section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended—

(1) by adding at the end the following new subsection:

''(d) FEDERAL DEPOSITS.—The Secretary of the Treasury shall ensure that deposits made by Federal agencies in minority depository institutions and impact banks are collateralized or insured, as determined by the Secretary. Such deposits shall include reciprocal deposits as defined in section 337.6(e)(2)(v) of title 12, Code of Federal Regulations (as in effect on March 6, 2019).''; and

(2) in subsection (b), as amended by section 6(g), by adding at the end the following new paragraph:

''(4) IMPACT BANK.—The term 'impact bank' means a depository institution designated by the appropriate Federal banking agency pursuant to section 5935 of the Ensuring Diversity in Community Banking Act.''.

(b) TECHNICAL AMENDMENTS.—Section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''section—'' and inserting ''section:''; and

(2) in the paragraph heading for paragraph (1), by striking ''FINANCIAL'' and inserting ''DEPOSITORY''.

SEC. 5938. MINORITY BANK DEPOSIT PROGRAM.

(a) IN GENERAL.—Section 1204 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) is amended to read as follows:

''SEC. 1204. EXPANSION OF USE OF MINORITY DEPOSITORY INSTITUTIONS.

''(a) MINORITY BANK DEPOSIT PROGRAM.—

''(1) ESTABLISHMENT.—There is established a program to be known as the 'Minority Bank Deposit Program' to expand the use of minority depository institutions.

''(2) ADMINISTRATION.—The Secretary of the Treasury, acting through the Fiscal Service, shall—

''(A) on application by a depository institution or credit union, certify whether such depository institution or credit union is a minority depository institution;

''(B) maintain and publish a list of all depository institutions and credit unions that have been certified pursuant to subparagraph (A); and

''(C) periodically distribute the list described in subparagraph (B) to—

''(i) all Federal departments and agencies;

''(ii) interested State and local governments; and

''(iii) interested private sector companies.

''(3) INCLUSION OF CERTAIN ENTITIES ON LIST.—A depository institution or credit union that, on the date of the enactment of this section, has a current certification from the Secretary of the Treasury stating that such depository institution or credit union is a minority depository institution shall be included on the list described under paragraph (2)(B).

''(b) EXPANDED USE AMONG FEDERAL DEPARTMENTS AND AGENCIES.—

''(1) IN GENERAL.—Not later than 1 year after the establishment of the program described in subsection (a), the head of each Federal department or agency shall develop and implement standards and procedures to prioritize, to the maximum extent possible as permitted by law and consistent with principles of sound financial management, the use of minority depository institutions to hold the deposits of each such department or agency.

''(2) REPORT TO CONGRESS.—Not later than 2 years after the establishment of the program described in subsection (a), and annually thereafter, the head of each Federal department or agency shall submit to Congress a report on the actions taken to increase the use of minority depository institutions to hold the deposits of each such department or agency.

''(c) DEFINITIONS.—For purposes of this section:

''(1) CREDIT UNION.—The term 'credit union' has the meaning given the term 'insured credit union' in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

''(2) DEPOSITORY INSTITUTION.—The term 'depository institution' has the meaning given in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

''(3) MINORITY DEPOSITORY INSTITUTION.—The term 'minority depository institution' has the meaning given that term under section 308 of this Act.''.

(b) CONFORMING AMENDMENTS.—The following provisions are amended by striking ''1204(c)(3)'' and inserting ''1204(c)'':

(1) Section 808(b)(3) of the Community Reinvestment Act of 1977 (12 U.S.C. 2907(b)(3)).

(2) Section 40(g)(1)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(g)(1)(B)).

(3) Section 704B(h)(4) of the Equal Credit Opportunity Act (15 U.S.C. 1691c–2(h)(4)).

SEC. 5939. DIVERSITY REPORT AND BEST PRACTICES.

(a) ANNUAL REPORT.—Each covered regulator shall submit to Congress an annual report on diversity including the following:

(1) Data, based on voluntary self-identification, on the racial, ethnic, and gender composition of the examiners of each covered regulator, disaggregated by length of time served as an examiner.

(2) The status of any examiners of covered regulators, based on voluntary self-identification, as a veteran.

(3) Whether any covered regulator, as of the date on which the report required under this section is submitted, has adopted a policy, plan, or strategy to promote racial, ethnic, and gender diversity among examiners of the covered regulator.

(4) Whether any special training is developed and provided for examiners related specifically to working with depository institutions and credit unions that serve communities that are predominantly minorities, low income, or rural, and the key focus of such training.

(b) BEST PRACTICES.—Each Office of Minority and Women Inclusion of a covered regulator shall develop, provide to the head of the covered regulator, and make publicly available best practices—

(1) for increasing the diversity of candidates applying for examiner positions, including through outreach efforts to recruit diverse candidate to apply for entry-level examiner positions; and

(2) for retaining and providing fair consideration for promotions within the examiner staff for purposes of achieving diversity among examiners.

(c) COVERED REGULATOR DEFINED.—In this section, the term ''covered regulator'' means the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

SEC. 5940. INVESTMENTS IN MINORITY DEPOSITORY INSTITUTIONS AND IMPACT BANKS.

(a) CONTROL FOR CERTAIN INSTITUTIONS.—Section 7(j)(8)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1817(j)(8)(B)) is amended to read as follows:

''(B) 'control' means the power, directly or indirectly—

''(i) to direct the management or policies of an insured depository institution; or

''(ii)(I) with respect to an insured depository institution, of a person to vote 25 per centum or more of any class of voting securities of such institution; or

''(II) with respect to an insured depository institution that is an impact bank (as designated pursuant to section 5935 of the Ensuring Diversity in Community Banking Act) or a minority depository institution (as defined in section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989), of an individual to vote 30 percent or more of any class of voting securities of such an impact bank or a minority depository institution.''.

(b) RULEMAKING.—The Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) shall jointly issue rules for de novo minority depository institutions and de novo impact banks (as designated pursuant to section 5935) to allow 3 years to meet the capital requirements otherwise applicable to minority depository institutions and impact banks.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Federal banking agencies shall jointly submit to Congress a report on—

(1) the principal causes for the low number of de novo minority depository institutions during the 10-year period preceding the date of the report;

(2) the main challenges to the creation of de novo minority depository institutions and de novo impact banks; and

(3) regulatory and legislative considerations to promote the establishment of de novo minority depository institutions and de novo impact banks.

SEC. 5941. REPORT ON COVERED MENTOR-PROTEGE PROGRAMS.

(a) REPORT.—Not later than 6 months after the date of the enactment of this Act and annually thereafter, the Secretary of the Treasury shall submit to Congress a report on participants in a covered mentor-protege program, including—

(1) an analysis of outcomes of such program;

(2) the number of minority depository institutions that are eligible to participate in such program but do not have large financial institution mentors; and

(3) recommendations for how to match such minority depository institutions with large financial institution mentors.

(b) DEFINITIONS.—In this section:

(1) COVERED MENTOR-PROTEGE PROGRAM.—The term ''covered mentor-protege program'' means a mentor-protege program established by the Secretary of the Treasury pursuant to section 45 of the Small Business Act (15 U.S.C. 657r).

(2) LARGE FINANCIAL INSTITUTION.—The term ''large financial institution'' means any entity—

(A) regulated by the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, or the National Credit Union Administration; and

(B) that has total consolidated assets greater than or equal to $50,000,000,000.

SEC. 5942. CUSTODIAL DEPOSIT PROGRAM FOR COVERED MINORITY DEPOSITORY INSTITUTIONS AND IMPACT BANKS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of the Treasury shall issue rules establishing a custodial deposit program under which a covered bank may receive deposits from a qualifying account.

(b) REQUIREMENTS.—In issuing rules under subsection (a), the Secretary of the Treasury shall—

(1) consult with the Federal banking agencies;

(2) ensure each covered bank participating in the program established under this section—

(A) has appropriate policies relating to management of assets, including measures to ensure the safety and soundness of each such covered bank; and

(B) is compliant with applicable law; and

(3) ensure, to the extent practicable that the rules do not conflict with goals described in section 308(a) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note).

(c) LIMITATIONS.—

(1) DEPOSITS.—With respect to the funds of an individual qualifying account, an entity may not deposit an amount greater than the insured amount in a single covered bank.

(2) TOTAL DEPOSITS.—The total amount of funds deposited in a covered bank under the custodial deposit program described under this section may not exceed the lesser of—

(A) 10 percent of the average amount of deposits held by such covered bank in the previous quarter; or

(B) $100,000,000 (as adjusted for inflation).

(d) REPORT.—Each quarter, the Secretary of the Treasury shall submit to Congress a report on the implementation of the program established under this section including information identifying participating covered banks and the total amount of deposits received by covered banks under the program, including breakdowns by each State (including the District of Columbia and each territory of the United States) and Tribal government entity.

(e) DEFINITIONS.—In this section:

(1) COVERED BANK.—The term ''covered bank'' means—

(A) a minority depository institution that is well capitalized, as defined by the appropriate Federal banking agency; or

(B) a depository institution designated pursuant to section 4935 that is well capitalized, as defined by the appropriate Federal banking agency.

(2) INSURED AMOUNT.—The term ''insured amount'' means the amount that is the greater of—

(A) the standard maximum deposit insurance amount (as defined in section 11(a)(1)(E) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(1)(E))); or

(B) such higher amount negotiated between the Secretary of the Treasury and the Federal Deposit Insurance Corporation under which the Corporation will insure all deposits of such higher amount.

(3) FEDERAL BANKING AGENCIES.—The terms ''appropriate Federal banking agency'' and ''Federal banking agencies'' have the meaning given those terms, respectively, under section 3 of the Federal Deposit Insurance Act.

(4) QUALIFYING ACCOUNT.—The term ''qualifying account'' means any account established in the Department of the Treasury that—

(A) is controlled by the Secretary; and

(B) is expected to maintain a balance greater than $200,000,000 for the following 24-month period.

SEC. 5943. STREAMLINED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION APPLICATIONS AND REPORTING.

(a) APPLICATION PROCESSES.—Not later than 12 months after the date of the enactment of this Act and with respect to any person having assets under $3,000,000,000 that submits an application for deposit insurance with the Federal Deposit Insurance Corporation that could also become a community development financial institution, the Federal Deposit Insurance Corporation, in consultation with the Administrator of the Community Development Financial Institutions Fund, shall—

(1) develop systems and procedures to record necessary information to allow the Administrator to conduct preliminary analysis for such person to also become a community development financial institution; and

(2) develop procedures to streamline the application and annual certification processes and to reduce costs for such person to become, and maintain certification as, a community development financial institution.

(b) IMPLEMENTATION REPORT.—Not later than 18 months after the date of the enactment of this Act, the Federal Deposit Insurance Corporation shall submit to Congress a report describing the systems and procedures required under subsection (a).

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Section 17(a)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1827(a)(1)) is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G);

(C) by inserting after subparagraph (E) the following new subparagraph:

''(F) applicants for deposit insurance that could also become a community development financial institution (as defined in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994), a minority depository institution (as defined in section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989), or an impact bank (as designated pursuant to section 5935 of the Ensuring Diversity in Community Banking Act); and''.

(2) APPLICATION.—The amendment made by this subsection shall apply with respect to the first report to be submitted after the date that is 2 years after the date of the enactment of this Act.

SEC. 5944. TASK FORCE ON LENDING TO SMALL BUSINESS CONCERNS.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Small Business Administration shall establish a task force to examine methods for improving relationships between the Small Business Administration and community development financial institutions, minority depository institutions, and impact banks (as designated pursuant to section 5935) to increase the volume of loans provided by such institutions to small business concerns (as defined under section 3 of the Small Business Act (15 U.S.C. 632)).

(b) REPORT TO CONGRESS.—Not later than 18 months after the establishment of the task force described in subsection (a), the Administrator of the Small Business Administration shall submit to Congress a report on the findings of such task force.

SEC. 5945. DISCRETIONARY SURPLUS FUND.

(a) IN GENERAL.—Subparagraph (A) of section 7(a)(3) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by reducing the dollar figure described in such subparagraph by $1,920,000,000.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 30, 2022.

Subtitle D—Expanding Opportunity for Minority Depository Institutions

SEC. 5951. ESTABLISHMENT OF FINANCIAL AGENT MENTOR-PROTÉGÉ PROGRAM.

(a) IN GENERAL.—Section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note) is amended by adding at the end the following new subsection:

''(d) FINANCIAL AGENT MENTOR-PROTÉGÉ PROGRAM.—

''(1) IN GENERAL.—The Secretary of the Treasury shall establish a program to be known as the 'Financial Agent Mentor-Protégé Program' (in this subsection referred to as the 'Program') under which a financial agent designated by the Secretary or a large financial institution may serve as a mentor, under guidance or regulations prescribed by the Secretary, to a small financial institution to allow such small financial institution—

''(A) to be prepared to perform as a financial agent; or

''(B) to improve capacity to provide services to the customers of the small financial institution.

''(2) OUTREACH.—The Secretary shall hold outreach events to promote the participation of financial agents, large financial institutions, and small financial institutions in the Program at least once a year.

''(3) EXCLUSION.—The Secretary shall issue guidance or regulations to establish a process under which a financial agent, large financial institution, or small financial institution may be excluded from participation in the Program.

''(4) REPORT.—The Office of Minority and Women Inclusion of the Department of the Treasury shall include in the report submitted to Congress under section 342(e) of the Dodd-Frank Wall Street Reform and Consumer Protection Act information pertaining to the Program, including—

''(A) the number of financial agents, large financial institutions, and small financial institutions participating in such Program, including breakdowns by each State (including the District of Columbia and each territory of the United States), Tribal government entity, and congressional district; and

''(B) the number of outreach events described in paragraph (2) held during the year covered by such report.

''(5) DEFINITIONS.—In this subsection:

''(A) FINANCIAL AGENT.—The term 'financial agent' means any national banking association designated by the Secretary of the Treasury to be employed as a financial agent of the Government.

''(B) LARGE FINANCIAL INSTITUTION.—The term 'large financial institution' means any entity regulated by the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, or the National Credit Union Administration that has total consolidated assets greater than or equal to $50,000,000,000.

''(C) SMALL FINANCIAL INSTITUTION.—The term 'small financial institution' means—

''(i) any entity regulated by the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, or the National Credit Union Administration that has total consolidated assets lesser than or equal to $2,000,000,000; or

''(ii) a minority depository institution.''.

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 90 days after the date of the enactment of this Act.

Subtitle E—CDFI Bond Guarantee Program Improvement

SEC. 5961. SENSE OF CONGRESS.

It is the sense of Congress that the authority to guarantee bonds under section 114A of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4713a) (commonly referred to as the ''CDFI Bond Guarantee Program'') provides community development financial institutions with a sustainable source of long-term capital and furthers the mission of the Community Development Financial Institutions Fund (established under section 104(a) of such Act (12

U.S.C. 4703(a)) to increase economic opportunity and promote community development investments for underserved populations and distressed communities in the United States.

SEC. 5962. GUARANTEES FOR BONDS AND NOTES ISSUED FOR COMMUNITY OR ECONOMIC DEVELOPMENT PURPOSES.

Section 114A of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4713a) is amended—

(1) in subsection (c)(2), by striking '', multiplied by an amount equal to the outstanding principal balance of issued notes or bonds'';

(2) in subsection (e)(2)(B), by striking ''$100,000,000'' and inserting ''$25,000,000''; and

(3) in subsection (k), by striking ''September 30, 2014'' and inserting ''the date that is 4 years after the date of enactment of the Promoting and Advancing Communities of Color Through Inclusive Lending Act''.

SEC. 5963. REPORT ON THE CDFI BOND GUARANTEE PROGRAM.

Not later than 1 year after the date of enactment of this Act, and not later than 3 years after such date of enactment, the Secretary of the Treasury shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the effectiveness of the CDFI bond guarantee program established under section 114A of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4713a).

AMENDMENT NO. 418 OFFERED BY MS. WATERS OF CALIFORNIA

Page 1262, after line 23, insert the following:

SEC. _____. UNITED STATES POLICY ON WORLD BANK GROUP AND ASIAN DEVELOPMENT BANK ASSISTANCE TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

''SEC. 1632. UNITED STATES POLICY ON WORLD BANK GROUP AND ASIAN DEVELOPMENT BANK ASSISTANCE TO THE PEOPLE'S REPUBLIC OF CHINA.

''(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution of the World Bank Group and at the Asian Development Bank to use the voice and vote of the United States at the respective institution to vote against the provision of any loan, extension of financial assistance, or technical assistance to the People's Republic of China unless the Secretary of the Treasury has certified to the appropriate congressional committees that—

''(1) the Government of the People's Republic of China and any lender owned or controlled by the Government of the People's Republic of China have demonstrated a commitment—

''(A) to the rules and principles of the Paris Club, or of other similar coordinated multilateral initiatives on debt relief and debt restructuring in which the United States participates, including with respect to debt transparency and appropriate burden-sharing among all creditors;

''(B) to the practice of presumptive public disclosure of the terms and conditions on which they extend credit to other governments (without regard to the form of any such extension of credit);

''(C) not to enforce any agreement terms that may impair their own or the borrowers' capacity fully to implement any commitment described in subparagraph (A) or (B); and

''(D) not to enter into any agreement containing terms that may impair their own or the borrowers' capacity fully to implement any commitment described in subparagraph (A) or (B); or

''(2) the loan or assistance is important to the national interest of the United States, as described in a detailed explanation by the Secretary to accompany the certification.

''(b) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate.

''(2) WORLD BANK GROUP DEFINED.—The term 'World Bank Group' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Multilateral Investment Guarantee Agency.''.

(b) SUNSET.—The amendment made by subsection (a) is repealed effective on the date that is 7 years after the effective date of this section.

AMENDMENT NO. 419 OFFERED BY MR. TORRES OF NEW YORK

At the end of title LIII of division E, add the following:

SEC. 5306. SECRETARY OF AGRICULTURE REPORT ON IMPROVING SUPPLY CHAIN SHORTFALLS AND INFRASTRUCTURE NEEDS AT WHOLESALE PRODUCE MARKETS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the appropriate congressional committees a report on—

(1) the 5 largest wholesale produce markets by annual sales and volume over the preceding 4 calendar years; and

(2) a representative sample of 8 wholesale produce markets that are not among the largest wholesale produce markets.

(b) CONTENTS.—The report under subsection (a) shall contain the following:

(1) An analysis of the supply chain shortfalls in each wholesale produce market identified under subsection (a), which shall include an analysis of the following:

(A) State of repair of infrastructure, including roads, food storage units, and refueling stations.

(B) Sustainability infrastructure, including the following:

(i) Carbon emission reduction technology.

(ii) On-site green refueling stations.

(iii) Disaster preparedness.

(C) Disaster preparedness, including with respect to cyber attacks, weather events, and terrorist attacks.

(D) Disaster recovery systems, including coordination with State and Federal agencies.

(2) A description of any actions the Secretary recommends be taken as a result of the analysis under paragraph (1).

(3) Recommendations, as appropriate, for wholesale produce market owners and operators, and State and local entities to improve the supply chain shortfalls identified under paragraph (1).

(4) Proposals, as appropriate, for legislative actions and funding needed to improve the supply chain shortfalls.

(c) CONSULTATION.—In completing the report under subsection (a), the Secretary of Agriculture shall consult with the Secretary of Transportation, the Secretary of Homeland Security, wholesale produce market owners and operators, State and local entities, and other agencies or stakeholders, as determined appropriate by the Secretary.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this section, the term ''appropriate congressional committees'' means the Committee on Agriculture, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Technology, the Committee on Homeland Security and Governmental Affairs, and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

AMENDMENT NO. 420 OFFERED BY MR. THOMPSON OF MISSISSIPPI

Add at the end of division E the following:

TITLE LIX—HOMELAND SECURITY PROVISIONS

Subtitle A—Strengthening Security of Our Communities

SEC. 59101. NONPROFIT SECURITY GRANT PROGRAM IMPROVEMENT.

(a) IN GENERAL.—Section 2009 of the Homeland Security Act of 2002 (6 U.S.C. 609a) is amended—

(1) in subsection (a), by inserting ''and threats'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''this subsection (a)'' and inserting ''this subsection''; and

(B) by amending paragraph (2) to read as follows:

''(2) determined by the Secretary to be at risk of terrorist attacks and threats.'';

(3) in subsection (c)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (E), respectively, and moving such subparagraphs, as so redesignated, two ems to the right;

(B) in the matter preceding subparagraph (A), as so redesignated, by striking ''The recipient'' and inserting the following:

''(1) IN GENERAL.—The recipient'';

(C) in subparagraph (A), as so redesignated, by striking ''equipment and inspection and screening systems'' and inserting ''equipment, inspection and screening systems, and alteration or remodeling of existing buildings or physical facilities'';

(D) by inserting after subparagraph (B), as so redesignated, the following new subparagraphs:

''(C) Facility security personnel costs, including costs associated with contracted security.

''(D) Expenses directly related to the administration of the grant, except that such expenses may not exceed five percent of the amount of the grant.''; and

(E) by adding at the end the following new paragraph:

''(2) RETENTION.—Each State through which a recipient receives a grant under this section may retain up to five percent of each grant for expenses directly related to the administration of the grant.'';

(4) in subsection (e)—

(A) by striking ''2020 through 2024'' and inserting ''2022 through 2028''; and

(B) by adding at the end the following new sentence: ''Each such report shall also include information on the number of applications submitted by eligible nonprofit organizations to each State, the number of applications submitted by each State to the Administrator, and the operations of the Nonprofit Security Grant Program Office, including staffing resources and efforts with respect to subparagraphs (A) through (E) of subsection (c)(1).'';

(5) by redesignating subsection (f) as subsection (j);

(6) by inserting after subsection (e) the following new subsections:

''(f) ADMINISTRATION.—Not later than 120 days after the date of the enactment of this subsection, the Administrator shall establish within the Federal Emergency Management Agency a program office for the Program (in

this section referred to as the 'program office'). The program office shall be headed by a senior official of the Agency. The Administrator shall administer the Program (including, where appropriate, in coordination with States), including relating to the following:

''(1) Outreach, engagement, education, and technical assistance and support to eligible nonprofit organizations described in subsection (b), with particular attention to such organizations in underserved communities, prior to, during, and after the awarding of grants, including web-based training videos for eligible nonprofit organizations that provide guidance on preparing an application and the environmental planning and historic preservation process.

''(2) Establishment of mechanisms to ensure program office processes are conducted in accordance with constitutional, statutory, regulatory, and other legal and agency policy requirements that protect civil rights and civil liberties and, to the maximum extent practicable, advance equity for members of underserved communities.

''(3) Establishment of mechanisms for the Administrator to provide feedback to eligible nonprofit organizations that do not receive grants.

''(4) Establishment of mechanisms to collect data to measure the effectiveness of grants under the Program.

''(5) Establishment and enforcement of standardized baseline operational requirements for States, including requirements for States to eliminate or prevent any administrative or operational obstacles that may impact eligible nonprofit organizations described in subsection (b) from receiving grants under the Program.

''(6) Carrying out efforts to prevent waste, fraud, and abuse, including through audits of grantees.

''(g) GRANT GUIDELINES.—For each fiscal year, prior to awarding grants under this section, the Administrator—

''(1) shall publish guidelines, including a notice of funding opportunity or similar announcement, as the Administrator determines appropriate; and

''(2) may prohibit States from closing application processes prior to the publication of such guidelines.

''(h) ALLOCATION REQUIREMENTS.—

''(1) IN GENERAL.—In awarding grants under this section, the Administrator shall ensure that—

''(A) 50 percent of amounts appropriated pursuant to the authorization of appropriations under subsection (k) is provided to eligible recipients located in high-risk urban areas that receive funding under section 2003 in the current fiscal year or received such funding in any of the preceding ten fiscal years, inclusive of any amounts States may retain pursuant to paragraph (2) of subsection (c); and

''(B) 50 percent of amounts appropriated pursuant to the authorizations of appropriations under subsection (k) is provided to eligible recipients located in jurisdictions not receiving funding under section 2003 in the current fiscal year or have not received such funding in any of the preceding ten fiscal years, inclusive of any amounts States may retain pursuant to paragraph (2) of subsection (c).

''(2) EXCEPTION.—Notwithstanding paragraph (1), the Administrator may allocate a different percentage if the Administrator does not receive a sufficient number of applications from eligible recipients to meet the allocation percentages described in either subparagraph (A) or (B) of such paragraph. If the Administrator exercises the authorization under this paragraph, the Administrator shall, not later than 30 days after such exercise, report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding such exercise.

''(i) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'), shall not apply to any changes to the application materials, Program forms, or other core Program documentation intended to enhance participation by eligible nonprofit organizations in the Program.'';

(7) in subsection (j), as so redesignated—

(A) in paragraph (1), by striking ''$75 million for each of fiscal years 2020 through 2024'' and inserting ''$75,000,000 for fiscal year 2023 and $500,000,000 for each of fiscal years 2024 through 2028''; and

(B) by amending paragraph (2) to read as follows:

''(2) OPERATIONS AND MAINTENANCE.—Of the amounts authorized to be appropriated pursuant to paragraph (1), not more than five percent is authorized—

''(A) to operate the program office; and

''(B) for other costs associated with the management, administration, and evaluation of the Program.''; and

(8) by adding at the end the following new subsection:

''(k) TREATMENT.—Nonprofit organizations determined by the Secretary to be at risk of extremist attacks other than terrorist attacks and threats under subsection (a) are deemed to satisfy the conditions specified in subsection (b) if protecting such organizations against such other extremist attacks would help protect such organizations against such terrorist attacks and threats.''.

(b) PLAN.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan for the administration of the program office for the Nonprofit Security Grant Program established under subsection (f) of section 2009 of the Homeland Security Act 2002 (6 U.S.C. 609a), as amended by subsection (a), including a staffing plan for such program office.

(c) CONFORMING AMENDMENT.—Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (c) by striking ''sections 2003 and 2004'' and inserting ''sections 2003, 2004, and 2009''; and

(2) in subsection (e), by striking ''section 2003 or 2004'' and inserting ''sections 2003, 2004, or 2009''.

SEC. 59102. NATIONAL COMPUTER FORENSICS INSTITUTE REAUTHORIZATION.

(a) IN GENERAL.—Section 822 of the Homeland Security Act of 2002 (6 U.S.C. 383) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''IN GENERAL'' and inserting ''IN GENERAL; MISSION'';

(B) by striking ''2022'' and inserting ''2032''; and

(C) by striking the second sentence and inserting ''The Institute's mission shall be to educate, train, and equip State, local, territorial, and Tribal law enforcement officers, prosecutors, judges, participants in the United States Secret Service's network of cyber fraud task forces, and other appropriate individuals regarding the investigation and prevention of cybersecurity incidents, electronic crimes, and related cybersecurity threats, including through the dissemination of homeland security information, in accordance with relevant Department guidance regarding privacy, civil rights, and civil liberties protections.'';

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by striking subsection (b) and inserting the following new subsections:

''(b) CURRICULUM.—In furtherance of subsection (a), all education and training of the Institute shall be conducted in accordance with relevant Federal law and policy regarding privacy, civil rights, and civil liberties protections, including best practices for safeguarding data privacy and fair information practice principles. Education and training provided pursuant to subsection (a) shall relate to the following:

''(1) Investigating and preventing cybersecurity incidents, electronic crimes, and related cybersecurity threats, including relating to instances involving illicit use of digital assets and emerging trends in cybersecurity and electronic crime.

''(2) Conducting forensic examinations of computers, mobile devices, and other information systems.

''(3) Prosecutorial and judicial considerations related to cybersecurity incidents, electronic crimes, related cybersecurity threats, and forensic examinations of computers, mobile devices, and other information systems.

''(4) Methods to obtain, process, store, and admit digital evidence in court.

''(c) RESEARCH AND DEVELOPMENT.—In furtherance of subsection (a), the Institute shall research, develop, and share information relating to investigating cybersecurity incidents, electronic crimes, and related cybersecurity threats that prioritize best practices for forensic examinations of computers, mobile devices, and other information systems. Such information may include training on methods to investigate ransomware and other threats involving the use of digital assets.'';

(4) in subsection (d), as so redesignated—

(A) by striking ''cyber and electronic crime and related threats is shared with State, local, tribal, and territorial law enforcement officers and prosecutors'' and inserting ''cybersecurity incidents, electronic crimes, and related cybersecurity threats is shared with recipients of education and training provided pursuant to subsection (a)''; and

(B) by adding at the end the following new sentence: ''The Institute shall prioritize providing education and training to individuals from geographically-diverse jurisdictions throughout the United States.'';

(5) in subsection (e), as so redesignated—

(A) by striking ''State, local, tribal, and territorial law enforcement officers'' and inserting ''recipients of education and training provided pursuant to subsection (a)''; and

(B) by striking ''necessary to conduct cyber and electronic crime and related threat investigations and computer and mobile device forensic examinations'' and inserting ''for investigating and preventing cybersecurity incidents, electronic crimes, related cybersecurity threats, and for forensic examinations of computers, mobile devices, and other information systems'';

(6) in subsection (f), as so redesignated—

(A) by amending the heading to read as follows: ''CYBER FRAUD TASK FORCES'';

(B) by striking ''Electronic Crime'' and inserting ''Cyber Fraud'';

(C) by striking ''State, local, tribal, and territorial law enforcement officers'' and inserting ''recipients of education and training provided pursuant to subsection (a)''; and

(D) by striking ''at'' and inserting ''by'';

(7) by redesignating subsection (g), as redesignated pursuant to paragraph (2), as subsection (j); and

(8) by inserting after subsection (f), as so redesignated, the following new subsections:

''(g) EXPENSES.—The Director of the United States Secret Service may pay for all or a part of the education, training, or equipment provided by the Institute, including relating to the travel, transportation, and subsistence expenses of recipients of education and training provided pursuant to subsection (a).

''(h) ANNUAL REPORTS TO CONGRESS.—The Secretary shall include in the annual report required pursuant to section 1116 of title 31, United States Code, information regarding the activities of the Institute, including relating to the following:

''(1) Activities of the Institute, including, where possible, an identification of jurisdictions with recipients of education and training provided pursuant to subsection (a) of this section during such year and information relating to the costs associated with such education and training.

''(2) Any information regarding projected future demand for such education and training.

''(3) Impacts of the Institute's activities on jurisdictions' capability to investigate and prevent cybersecurity incidents, electronic crimes, and related cybersecurity threats.

''(4) A description of the nomination process for State, local, territorial, and Tribal law enforcement officers, prosecutors, judges, participants in the United States Secret Service's network of cyber fraud task forces, and other appropriate individuals to receive the education and training provided pursuant to subsection (a).

''(5) Any other issues determined relevant by the Secretary.

''(i) DEFINITIONS.—In this section—

''(1) CYBERSECURITY THREAT.—The term 'cybersecurity threat' has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501))

''(2) INCIDENT.—The term 'incident' has the meaning given such term in section 2209(a).

''(3) INFORMATION SYSTEM.—The term 'information system' has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(9))).''.

(b) GUIDANCE FROM THE PRIVACY OFFICER AND CIVIL RIGHTS AND CIVIL LIBERTIES OFFICER.—The Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department of Homeland Security shall provide guidance, upon the request of the Director of the United States Secret Service, regarding the functions specified in subsection (b) of section 822 of the Homeland Security Act of 2002 (6 U.S.C. 383), as amended by subsection (a).

(c) TEMPLATE FOR INFORMATION COLLECTION FROM PARTICIPATING JURISDICTIONS.—Not later than 180 days after the date of the enactment of this Act, the Director of the United States Secret Service shall develop and disseminate to jurisdictions that are recipients of education and training provided by the National Computer Forensics Institute pursuant to subsection (a) of section 822 of the Homeland Security Act of 2002 (6 U.S.C. 383), as amended by subsection (a), a template to permit each such jurisdiction to submit to the Director reports on the impacts on such jurisdiction of such education and training, including information on the number of digital forensics exams conducted annually. The Director shall, as appropriate, revise such template and disseminate to jurisdictions described in this subsection any such revised templates.

(d) REQUIREMENTS ANALYSIS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of the United States Secret Service shall carry out a requirements analysis of approaches to expand capacity of the National Computer Forensics Institute to carry out the Institute's mission as set forth in subsection (a) of section 822 of the Homeland Security Act of 2002 (6 U.S.C. 383), as amended by subsection (a).

(2) SUBMISSION.—Not later than 90 days after completing the requirements analysis under paragraph (1), the Director of the United States Secret Service shall submit to Congress such analysis, together with a plan to expand the capacity of the National Computer Forensics Institute to provide education and training described in such subsection. Such analysis and plan shall consider the following:

(A) Expanding the physical operations of the Institute.

(B) Expanding the availability of virtual education and training to all or a subset of potential recipients of education and training from the Institute.

(C) Some combination of the considerations set forth in subparagraphs (A) and (B).

(e) RESEARCH AND DEVELOPMENT.—The Director of the United States Secret Service may coordinate with the Under Secretary for Science and Technology of the Department of Homeland Security to carry out research and development of systems and procedures to enhance the National Computer Forensics Institute's capabilities and capacity to carry out the Institute's mission as set forth in subsection (a) of section 822 of the Homeland Security Act of 2002 (6 U.S.C. 383), as amended by subsection (a).

SEC. 59103. HOMELAND SECURITY CAPABILITIES PRESERVATION.

(a) PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Administrator of the Federal Emergency Management Agency, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan, informed by the survey information collected pursuant to subsection (b), to make Federal assistance available for at least three consecutive fiscal years to certain urban areas that in the current fiscal year did not receive grant funding under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604) and require continued Federal assistance for the purpose of preserving a homeland security capability related to preventing, preparing for, protecting against, and responding to acts of terrorism that had been developed or otherwise supported through prior grant funding under such Initiative and allow for such urban areas to transition to such urban areas costs of preserving such homeland security capabilities.

(2) ADDITIONAL REQUIREMENT.—The plan required under paragraph (1) shall also contain a prohibition on an urban area that in a fiscal year is eligible to receive Federal assistance described in such paragraph from also receiving grant funding under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002. In such a case, such plan shall require such an urban area to promptly notify the Administrator of the Federal Emergency Management Agency regarding the preference of such urban area to retain either—

(A) such eligibility for such Federal assistance; or

(B) such receipt of such grant funding.

(b) SURVEY.—In developing the plan required under subsection (a), the Administrator of the Federal Emergency Management Agency, shall, to ascertain the scope of Federal assistance required, survey urban areas that—

(1) did not receive grant funding under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 in the current fiscal year concerning homeland security capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism that had been developed or otherwise supported through funding under such Initiative that are at risk of being reduced or eliminated without such Federal assistance;

(2) received such funding in the current fiscal year, but did not receive such funding in at least one fiscal year in the six fiscal years immediately preceding the current fiscal year; and

(3) any other urban areas the Secretary determines appropriate.

(c) EXEMPTION.—The Secretary of Homeland Security may exempt the Federal Emergency Management Agency from the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act''), for purposes of carrying out subsection (b) if the Secretary determines that complying with such requirements would delay the development of the plan required under subsection (a).

(d) CONTENTS.—The plan required under subsection (a) shall—

(1) establish eligibility criteria for urban areas to receive Federal assistance pursuant to such plan to provide assistance for the purpose described in such subsection;

(2) identify annual funding levels for such Federal assistance in accordance with the survey required under subsection (b); and

(3) consider a range of approaches to make such Federal assistance available to such urban areas, including—

(A) modifications to the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 in a manner that would not affect the availability of funding to urban areas under such Initiative;

(B) the establishment of a competitive grant program;

(C) the establishment of a formula grant program; and

(D) a timeline for the implementation of any such approach and, if necessary, a legislative proposal to authorize any such approach.

SEC. 59104. SCHOOL AND DAYCARE PROTECTION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

''SEC. 714. SCHOOL SECURITY COORDINATING COUNCIL.

''(a) ESTABLISHMENT.—There is established in the Department a coordinating council to ensure that, to the maximum extent practicable, activities, plans, and policies to enhance the security of early childhood education programs, elementary schools, high schools, and secondary schools against acts of terrorism and other homeland security threats are coordinated.

''(b) COMPOSITION.—The members of the council established pursuant to subsection (a) shall include the following:

''(1) The Under Secretary for Strategy, Policy, and Plans.

''(2) The Director of the Cybersecurity and Infrastructure Security.

''(3) The Administrator of the Federal Emergency Management Agency.

''(4) The Director of the Secret Service.

''(5) The Executive Director of the Office of Academic Engagement.

''(6) The Assistant Secretary for Public Affairs.

''(7) Any other official of the Department the Secretary determines appropriate.

''(c) LEADERSHIP.—The Secretary shall designate a member of the council to serve as chair of the council.

''(d) RESOURCES.—The Secretary shall participate in Federal efforts to maintain and publicize a clearinghouse of resources available to early childhood education programs, elementary schools, high schools, and secondary schools to enhance security against acts of terrorism and other homeland security threats.

''(e) REPORTS.—Not later than January 30, 2023, and annually thereafter, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the following:

''(1) The Department's activities, plans, and policies aimed at enhancing the security of early childhood education programs, elementary schools, high schools, and secondary schools against acts of terrorism and other homeland security threats.

''(2) With respect to the immediately preceding year, information on the following:

''(A) The council's activities during such year.

''(B) The Department's contributions to Federal efforts to maintain and publicize the clearinghouse of resources referred to in subsection (d) during such year.

''(3) Any metrics regarding the efficacy of such activities and contributions, and any engagement with stakeholders outside of the Federal Government.

''(f) DEFINITIONS.—In this section, the terms 'early childhood education program', '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).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 713 the following new item:

''Sec. 714. School security coordinating council.''.

SEC. 59105. REPORTING EFFICIENTLY TO PROPER OFFICIALS IN RESPONSE TO TERRORISM.

(a) IN GENERAL.—Whenever an act of terrorism occurs in the United States, the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, and, as appropriate, the head of the National Counterterrorism Center, shall submit to the appropriate congressional committees, by not later than one year after the completion of the investigation concerning such act by the primary Government agency conducting such investigation, an unclassified report (which may be accompanied by a classified annex) concerning such act.

(b) CONTENT OF REPORTS.—A report under this section shall—

(1) include a statement of the facts of the act of terrorism referred to in subsection (a), as known at the time of the report;

(2) identify any gaps in homeland or national security that could be addressed to prevent future acts of terrorism; and

(3) include any recommendations for additional measures that could be taken to improve homeland or national security, including recommendations relating to potential changes in law enforcement practices or changes in law, with particular attention to changes that could help prevent future acts of terrorism.

(c) EXCEPTION.—

(1) IN GENERAL.—If the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, or, as appropriate, the head of the National Counterterrorism Center determines any information described in subsection (b) required to be reported in accordance with subsection (a) could jeopardize an ongoing investigation or prosecution, the Secretary, Attorney General, Director, or head, as the case may be—

(A) may withhold from reporting such information; and

(B) shall notify the appropriate congressional committees of such determination.

(2) SAVING PROVISION.—Withholding of information pursuant to a determination under paragraph (1) shall not affect in any manner the responsibility to submit a report required under subsection (a) containing other information described in subsection (b) not subject to such determination.

(d) DEFINITIONS.—In this section:

(1) ACT OF TERRORISM.—The term ''act of terrorism'' has the meaning given such term in section 3077 of title 18, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) in the House of Representatives—

(i) the Committee on Homeland Security;

(ii) the Committee on the Judiciary; and

(iii) the Permanent Select Committee on Intelligence; and

(B) in the Senate—

(i) the Committee on Homeland Security and Governmental Affairs;

(ii) the Committee on the Judiciary; and

(iii) the Select Committee on Intelligence.

SEC. 59106. CYBERSECURITY GRANTS FOR SCHOOLS.

(a) IN GENERAL.—Section 2220 of the Homeland Security Act of 2002 (6 U.S.C. 665f) is amended by adding at the end the following new subsection:

''(e) GRANTS AND COOPERATIVE AGREEMENTS.—The Director may award financial assistance in the form of grants or cooperative agreements to States, local governments, institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), nonprofit organizations, and other non-Federal entities as determined appropriate by the Director for the purpose of funding cybersecurity and infrastructure security education and training programs and initiatives to—

''(1) carry out the purposes of CETAP; and

''(2) enhance CETAP to address the national shortfall of cybersecurity professionals.''.

(b) BRIEFINGS.—Paragraph (2) of subsection (c) of section 2220 of the Homeland Security Act of 2002 (6 U.S.C. 665f) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E) respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) information on any grants or cooperative agreements made pursuant to subsection (e), including how any such grants or cooperative agreements are being used to enhance cybersecurity education for underserved populations or communities;''.

Subtitle B—Enhancing DHS Acquisitions and Supply Chain

SEC. 59121. HOMELAND PROCUREMENT REFORM.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

''SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED ITEM.—The term 'covered item' means any of the following:

''(A) Footwear provided as part of a uniform.

''(B) Uniforms.

''(C) Holsters and tactical pouches.

''(D) Patches, insignia, and embellishments.

''(E) Chemical, biological, radiological, and nuclear protective gear.

''(F) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

''(i) Soft ballistic panels.

''(ii) Hard ballistic plates.

''(iii) Concealed armor carriers worn under a uniform.

''(iv) External armor carriers worn over a uniform.

''(G) Any other item of clothing or protective equipment as determined appropriate by the Secretary.

''(2) FRONTLINE OPERATIONAL COMPONENT.—The term 'frontline operational component' means any of the following organizations of the Department:

''(A) U.S. Customs and Border Protection.

''(B) U.S. Immigration and Customs Enforcement.

''(C) The United States Secret Service.

''(D) The Transportation Security Administration.

''(E) The Coast Guard.

''(F) The Federal Protective Service.

''(G) The Federal Emergency Management Agency.

''(H) The Federal Law Enforcement Training Centers.

''(I) The Cybersecurity and Infrastructure Security Agency.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

''(A)(i) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

''(ii) Covered items may only be supplied pursuant to subparagraph (A) to the extent that United States entities that qualify as small business concerns—

''(I) are unable to manufacture covered items in the United States; and

''(II) meet the criteria identified in subparagraph (B).

''(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

''(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

''(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriate by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

''(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

''(i) store such covered item with such insignia or such insignia in a locked area;

''(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

''(iii) destroy any such defective or unusable covered item with insignia or insignia

in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

''(2) WAIVER.—

''(A) IN GENERAL.—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) or a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

''(B) NOTICE.—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include—

''(i) identification of the national emergency or major disaster declared by the President;

''(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

''(iii) a description of the demand for the covered item and corresponding lack of supply from contractors able to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

''(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

''(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a briefing on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

''(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of enactment of this section.''.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of uniform allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention;

(B) assess the adequacy of the most recent increase made to the uniform allowance for first year employees; and

(C) consider increasing by 50 percent, at minimum, the annual allowance for all other employees.

(c) ADDITIONAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide a report with recommendations on how the Department of Homeland Security could procure additional items from domestic sources and bolster the domestic supply chain for items related to national security to—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) A review of the compliance of the Department of Homeland Security with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States.

(B) An assessment of the capacity of the Department of Homeland Security to procure the following items from domestic sources:

(i) Personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID–19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(d) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

''Sec. 836. Requirements to buy certain items related to national security interests.''.

SEC. 59122. DHS SOFTWARE SUPPLY CHAIN RISK MANAGEMENT.

(a) GUIDANCE.—The Secretary of Homeland Security, acting through the Under Secretary, shall issue guidance with respect to new and existing covered contracts.

(b) NEW COVERED CONTRACTS.—In developing guidance under subsection (a), with respect to each new covered contract, as a condition on the award of such a contract, each contractor responding to a solicitation for such a contract shall submit to the covered officer—

(1) a planned bill of materials when submitting a bid proposal; and

(2) the certification and notifications described in subsection (e).

(c) EXISTING COVERED CONTRACTS.—In developing guidance under subsection (a), with respect to each existing covered contract, each contractor with an existing covered contract shall submit to the covered officer—

(1) the bill of materials used for such contract, upon the request of such officer; and

(2) the certification and notifications described in subsection (e).

(d) UPDATING BILL OF MATERIALS.—With respect to a covered contract, in the case of a change to the information included in a bill of materials submitted pursuant to subsections (b)(1) and (c)(1), each contractor shall submit to the covered officer the update to such bill of materials, in a timely manner.

(e) CERTIFICATION AND NOTIFICATIONS.—The certification and notifications referred to in subsections (b)(2) and (c)(2), with respect to a covered contract, are the following:

(1) A certification that each item listed on the submitted bill of materials is free from all known vulnerabilities or defects affecting the security of the end product or service identified in—

(A) the National Institute of Standards and Technology National Vulnerability Database; and

(B) any database designated by the Under Secretary, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, that tracks security vulnerabilities and defects in open source or third-party developed software.

(2) A notification of each vulnerability or defect affecting the security of the end product or service, if identified, through—

(A) the certification of such submitted bill of materials required under paragraph (1); or

(B) any other manner of identification.

(3) A notification relating to the plan to mitigate, repair, or resolve each security vulnerability or defect listed in the notification required under paragraph (2).

(f) ENFORCEMENT.—In developing guidance under subsection (a), the Secretary shall instruct covered officers with respect to—

(1) the processes available to such officers enforcing subsections (b) and (c); and

(2) when such processes should be used.

(g) EFFECTIVE DATE.—The guidance required under subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this section.

(h) GAO REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Secretary, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes—

(1) a review of the implementation of this section;

(2) information relating to the engagement of the Department of Homeland Security with industry;

(3) an assessment of how the guidance issued pursuant to subsection (a) complies with Executive Order 14208 (86 Fed. Reg. 26633; relating to improving the nation's cybersecurity); and

(4) any recommendations relating to improving the supply chain with respect to covered contracts.

(i) DEFINITIONS.—In this section:

(1) BILL OF MATERIALS.—The term ''bill of materials'' means a list of the parts and components (whether new or reused) of an end product or service, including, with respect to each part and component, information relating to the origin, composition, integrity, and any other information as determined appropriate by the Under Secretary.

(2) COVERED CONTRACT.—The term ''covered contract'' means a contract relating to the procurement of covered information and communications technology or services for the Department of Homeland Security.

(3) COVERED INFORMATION AND COMMUNICATIONS TECHNOLOGY OR SERVICES.—The term ''covered information and communications technology or services'' means the terms—

(A) ''information technology'' (as such term is defined in section 11101(6) of title 40, United States Code);

(B) ''information system'' (as such term is defined in section 3502(8) of title 44, United States Code);

(C) ''telecommunications equipment'' (as such term is defined in section 3(52) of the Communications Act of 1934 (47 U.S.C. 153(52))); and

(D) ''telecommunications service'' (as such term is defined in section 3(53) of the Communications Act of 1934 (47 U.S.C. 153(53))).

(4) COVERED OFFICER.—The term ''covered officer'' means—

(A) a contracting officer of the Department; and

(B) any other official of the Department as determined appropriate by the Under Secretary.

(5) SOFTWARE.—The term ''software'' means computer programs and associated data that may be dynamically written or modified during execution.

(6) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Management of the Department of Homeland Security.

SEC. 59123. DEPARTMENT OF HOMELAND SECURITY MENTOR-PROTÉGÉ PROGRAM.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following new section:

''SEC. 890C. MENTOR-PROTÉGÉ PROGRAM.

''(a) ESTABLISHMENT.—There is established in the Department a mentor-protégé program (in this section referred to as the 'Program') under which a mentor firm enters into an agreement with a protégé firm for the purpose of assisting the protégé firm to compete for prime contracts and subcontracts of the Department.

''(b) ELIGIBILITY.—The Secretary shall establish criteria for mentor firms and protégé firms to be eligible to participate in the Program, including a requirement that a firm is not included on any list maintained by the Federal Government of contractors that have been suspended or debarred.

''(c) PROGRAM APPLICATION AND APPROVAL.—

''(1) APPLICATION.—The Secretary, acting through the Office of Small and Disadvantaged Business Utilization of the Department, shall establish a process for submission of an application jointly by a mentor firm and the protégé firm selected by the mentor firm. The application shall include each of the following:

''(A) A description of the assistance to be provided by the mentor firm, including, to the extent available, the number and a brief description of each anticipated subcontract to be awarded to the protégé firm.

''(B) A schedule with milestones for achieving the assistance to be provided over the period of participation in the Program.

''(C) An estimate of the costs to be incurred by the mentor firm for providing assistance under the Program.

''(D) Attestations that Program participants will submit to the Secretary reports at times specified by the Secretary to assist the Secretary in evaluating the protégé firm's developmental progress.

''(E) Attestations that Program participants will inform the Secretary in the event of a change in eligibility or voluntary withdrawal from the Program.

''(2) APPROVAL.—Not later than 60 days after receipt of an application pursuant to paragraph (1), the head of the Office of Small and Disadvantaged Business Utilization shall notify applicants of approval or, in the case of disapproval, the process for resubmitting an application for reconsideration.

''(3) RESCISSION.—The head of the Office of Small and Disadvantaged Business Utilization may rescind the approval of an application under this subsection if it determines that such action is in the best interest of the Department.

''(d) PROGRAM DURATION.—A mentor firm and protégé firm approved under subsection (c) shall enter into an agreement to participate in the Program for a period of not less than 36 months.

''(e) PROGRAM BENEFITS.—A mentor firm and protégé firm that enter into an agreement under subsection (d) may receive the following Program benefits:

''(1) With respect to an award of a contract that requires a subcontracting plan, a mentor firm may receive evaluation credit for participating in the Program.

''(2) With respect to an award of a contract that requires a subcontracting plan, a mentor firm may receive credit for a protégé firm performing as a first tier subcontractor or a subcontractor at any tier in an amount equal to the total dollar value of any subcontracts awarded to such protégé firm.

''(3) A protégé firm may receive technical, managerial, financial, or any other mutually agreed upon benefit from a mentor firm, including a subcontract award.

''(f) REPORTING.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the head of the Office of Small and Disadvantaged Business Utilization shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Homeland Security and the Committee on Small Business of the House of Representatives a report that—

''(1) identifies each agreement between a mentor firm and a protégé firm entered into under this section, including the number of protégé firm participants that are—

''(A) small business concerns;

''(B) small business concerns owned and controlled by veterans;

''(C) small business concerns owned and controlled by service-disabled veterans;

''(D) qualified HUBZone small business concerns;

''(E) small business concerns owned and controlled by socially and economically disadvantaged individuals;

''(F) small business concerns owned and controlled by women;

''(G) historically Black colleges and universities; and

''(H) minority-serving institutions;

''(2) describes the type of assistance provided by mentor firms to protégé firms;

''(3) identifies contracts within the Department in which a mentor firm serving as the prime contractor provided subcontracts to a protégé firm under the Program; and

''(4) assesses the degree to which there has been—

''(A) an increase in the technical capabilities of protégé firms; and

''(B) an increase in the quantity and estimated value of prime contract and subcontract awards to protégé firms for the period covered by the report.

''(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit, diminish, impair, or otherwise affect the authority of the Department to participate in any program carried out by or requiring approval of the Small Business Administration or adopt or follow any regulation or policy that the Administrator of the Small Business Administration may promulgate, except that, to the extent that any provision of this section (including subsection (h)) conflicts with any other provision of law, regulation, or policy, this section shall control.

''(h) DEFINITIONS.—In this section:

''(1) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically Black college or university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(2) MENTOR FIRM.—The term 'mentor firm' means a for-profit business concern that is not a small business concern that—

''(A) has the ability to assist and commits to assisting a protégé to compete for Federal prime contracts and subcontracts; and

''(B) satisfies any other requirements imposed by the Secretary.

''(3) MINORITY-SERVING INSTITUTION.—The term 'minority-serving institution' means an institution of higher education described in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(4) PROTÉGÉ FIRM.—The term 'protégé firm' means a small business concern, a historically Black college or university, or a minority-serving institution that—

''(A) is eligible to enter into a prime contract or subcontract with the Department; and

''(B) satisfies any other requirements imposed by the Secretary.

''(5) SMALL BUSINESS ACT DEFINITIONS.—The terms 'small business concern', 'small business concern owned and controlled by veterans', 'small business concern owned and controlled by service-disabled veterans', 'qualified HUBZone small business concern', 'and small business concern owned and controlled by women' have the meanings given such terms, respectively, under section 3 of the Small Business Act (15 U.S.C. 632). The term 'small business concern owned and controlled by socially and economically disadvantaged individuals' has the meaning given such term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 890B the following new item:

''Sec. 890C. Mentor-protégé program.''.

SEC. 59124. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

(a) DHS TRADE AND ECONOMIC SECURITY COUNCIL.—

(1) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is further amended by adding at the end the following new section:

''SEC. 890D. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

''(a) ESTABLISHMENT.—There is established in the Department the DHS Trade and Economic Security Council (referred to in this section as the 'Council').

''(b) DUTIES OF THE COUNCIL.—The Council shall provide to the Secretary advice and recommendations on matters of trade and economic security, including—

''(1) identifying concentrated risks for trade and economic security;

''(2) setting priorities for securing the Nation's trade and economic security;

''(3) coordinating Department-wide activity on trade and economic security matters;

''(4) with respect to the President's continuity of the economy plan under section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021;

''(5) proposing statutory and regulatory changes impacting trade and economic security; and

''(6) any other matters the Secretary considers appropriate.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Assistant Secretary for Trade and Economic Security of the Office of Strategy, Policy, and Plans of the Department.

''(B) An officer or an employee, selected by the Secretary, from each of the following components and offices of the Department:

''(i) The Cybersecurity and Infrastructure Security Agency.

''(ii) The Federal Emergency Management Agency.

''(iii) The Office of Intelligence and Analysis.

''(iv) The Science and Technology Directorate.

''(v) United States Citizenship and Immigration Services.

''(vi) The Coast Guard.

''(vii) U.S. Customs and Border Protection.

''(viii) U.S. Immigration and Customs Enforcement.

''(ix) The Transportation Security Administration.

''(2) CHAIR AND VICE CHAIR.—The Assistant Secretary for Trade and Economic Security shall serve as Chair of the Council. The Assistant Secretary for Trade and Economic Security may designate a Council member as a Vice Chair.

''(d) MEETINGS.—The Council shall meet not less frequently than quarterly, as well as—

''(1) at the call of the Chair; or

''(2) at the direction of the Secretary.

''(e) BRIEFINGS.—Not later than 180 days after the date of the enactment of this section and every six months thereafter for four years, the Council shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the actions and activities of the Council.

''(f) DEFINITION.—In this section, the term 'economic security' means the condition of having secure and resilient domestic production capacity combined with reliable access to the global resources necessary to maintain an acceptable standard of living and protect core national values.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 890C the following new item:

''Sec. 890D. DHS Trade and Economic Security Council.''.

(b) ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.—Section 709 of the Homeland Security Act of 2002 (6 U.S.C. 349) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

''(g) ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.—

''(1) IN GENERAL.—There is within the Office of Strategy, Policy, and Plans an Assistant Secretary for Trade and Economic Security.

''(2) DUTIES.—The Assistant Secretary for Trade and Economic Security shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and the operations of the Department.

''(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Assistant Secretary for Trade and Economic Security shall—

''(A) oversee—

''(i) the activities and enhancements of requirements for supply chain mapping not otherwise assigned by law or by the Secretary to another officer; and

''(ii) assessments and reports to Congress related to critical economic security domains;

''(B) serve as the executive for the Department on the Committee on Foreign Investment in the United States (CFIUS), the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, and the Federal Acquisition Security Council (in addition to any position on such Council occupied by a representative of the Cybersecurity and Infrastructure Security Agency of the Department);

''(C) coordinate with stakeholders in other Federal departments and agencies and nongovernmental entities with trade and economic security interests, authorities, and responsibilities; and

''(D) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

''(4) DEFINITIONS.—In this subsection:

''(A) CRITICAL ECONOMIC SECURITY DOMAIN.—The term 'critical economic security domain' means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

''(B) ECONOMIC SECURITY.—The term 'economic security' has the meaning given such term in section 890B.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Homeland Security $3,000,000 for each of fiscal years 2023 through 2027 to carry out section 890B and subsection (g) of section 709 of the Homeland Security Act of 2002, as added and inserted, respectively, by subsections (a) and (b) of this Act.

SEC. 59125. DHS ACQUISITION REFORM.

(a) ACQUISITION AUTHORITIES FOR THE UNDER SECRETARY OF MANAGEMENT OF THE DEPARTMENT OF HOMELAND SECURITY.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''and acquisition management'' after ''Procurement''; and

(B) in paragraph (6), by inserting ''(including firearms and other sensitive assets)'' after ''equipment'';

(2) by redesignating subsections (d), the first subsection (e) (relating to the system for award management consultation), and the second subsection (e) (relating to the definition of interoperable communications) as subsections (e), (f), and (g), respectively; and

(3) by inserting after subsection (c) the following new subsection:

''(d) ACQUISITION AND RELATED RESPONSIBILITIES.—

''(1) IN GENERAL.—Notwithstanding section 1702(a) of title 41, United States Code, the Under Secretary for Management is the Chief Acquisition Officer of the Department. As Chief Acquisition Officer, the Under Secretary shall have the authorities and perform the functions specified in section 1702(b) of such title, and perform all other functions and responsibilities delegated by the Secretary or described in this subsection.

''(2) FUNCTIONS AND RESPONSIBILITIES.—In addition to the authorities and functions specified in section 1702(b) of title 41, United States Code, the functions and responsibilities of the Under Secretary for Management related to acquisition (as such term is defined in section 131 of such title) include the following:

''(A) Advising the Secretary regarding acquisition management activities, considering risks of failure to achieve cost, schedule, or performance parameters, to ensure that the Department achieves its mission through the adoption of widely accepted program management best practices (as such term is defined in section 837) and standards and, where appropriate, acquisition innovation best practices.

''(B) Leading the Department's acquisition oversight body, the Acquisition Review Board.

''(C) Synchronizing interagency coordination relating to acquisition programs and acquisition management efforts of the Department.

''(D) Exercising the acquisition decision authority (as such term is defined in section 837) to approve, pause, modify (including the rescission of approvals of program milestones), or cancel major acquisition programs (as such term is defined in section 837), unless the Under Secretary delegates such authority to a Component Acquisition Executive (as such term is defined in section 837) pursuant to paragraph (3).

''(E) Providing additional scrutiny and oversight for an acquisition that is not a major acquisition if—

''(i) the acquisition is for a program that is important to the strategic and performance plans of the Department;

''(ii) the acquisition is for a program with significant program or policy implications; and

''(iii) the Secretary determines that such scrutiny and oversight for the acquisition is proper and necessary.

''(F) Establishing policies for managing acquisitions across the Department that promote best practices (as such term is defined in section 837).

''(G) Establishing policies for acquisition that implement an approach that considers risks of failure to achieve cost, schedule, or performance parameters that all components of the Department shall comply with, including outlining relevant authorities for program managers to effectively manage acquisition programs (as such term is defined in section 837).

''(H) Ensuring that each major acquisition program has a Department-approved acquisition program baseline (as such term is defined in section 837), pursuant to the Department's acquisition management policy that is traceable to the life-cycle cost estimate of the program, integrated master schedule, and operational requirements.

''(I) Assisting the heads of components and Component Acquisition Executives in efforts to comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives.

''(J) Ensuring that grants and financial assistance are provided only to individuals and organizations that are not suspended or debarred.

''(K) Distributing guidance throughout the Department to ensure that contractors involved in acquisitions, particularly contractors that access the Department's information systems and technologies, adhere to relevant Department policies related to physical and information security as identified by the Under Secretary.

''(L) Overseeing the Component Acquisition Executive organizational structure to ensure Component Acquisition Executives have sufficient capabilities and comply with Department acquisition policies.

''(M) Developing and managing a professional acquisition workforce to ensure the goods and services acquired by the Department meet the needs of the mission and are at the best value for the expenditure of public resources.

''(3) DELEGATION OF CERTAIN ACQUISITION DECISION AUTHORITY.—The Under Secretary for Management may delegate acquisition decision authority, in writing, to the relevant Component Acquisition Executive for a major capital asset, service, or hybrid acquisition program that has a life-cycle cost estimate of at least $300,000,000 but not more than $1,000,000,000, based on fiscal year 2022 constant dollars, if—

''(A) the component concerned possesses working policies, processes, and procedures that are consistent with Department acquisition policy;

''(B) the Component Acquisition Executive concerned has adequate, experienced, and

dedicated professional employees with program management training; and

''(C) each major acquisition program has a Department-approved acquisition program baseline, and it is meeting agreed-upon cost, schedule, and performance thresholds.''.

(b) OFFICE OF TEST AND EVALUATION OF THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following new section:

''SEC. 323. OFFICE OF TEST AND EVALUATION.

''(a) ESTABLISHMENT OF OFFICE.—There is established in the Directorate of Science and Technology of the Department an Office of Test and Evaluation (in this section referred to as the 'Office'). The Office shall—

''(1) serve as the principal advisory office for test and evaluation support across the Department; and

''(2) serve as the test and evaluation liaison with—

''(A) Federal agencies and foreign, State, local, Tribal, and territorial governments;

''(B) the private sector;

''(C) institutions of higher education; and

''(D) other relevant entities.

''(b) DIRECTOR.—The Office shall be led by a Director. The Director shall oversee the duties specified in subsection (a) and carry out the following responsibilities:

''(1) Serve as a member of the Department's Acquisition Review Board.

''(2) Establish and update, as necessary, test and evaluation policies, procedures, and guidance for the Department.

''(3) Ensure, in coordination with the Chief Acquisition Officer, the Joint Requirements Council, the Under Secretary for Science and Technology, and relevant component heads, that acquisition programs (as such term is defined in section 837)—

''(A) complete reviews of operational requirements to ensure such requirements—

''(i) are informed by threats, including physical and cybersecurity threats;

''(ii) are operationally relevant; and

''(iii) are measurable, testable, and achievable within the constraints of cost and schedule;

''(B) complete independent testing and evaluation of a system or service throughout development of such system or service;

''(C) complete operational testing and evaluation that includes all system components and incorporates operators into such testing and evaluation to ensure that a system or service satisfies the mission requirements in the operational environment of such system or service as intended in the acquisition program baseline;

''(D) use independent verification and validation of test and evaluation implementation and results, as appropriate; and

''(E) document whether such programs meet all operational requirements.

''(4) Provide oversight of test and evaluation activities for major acquisition programs throughout the acquisition life cycle by—

''(A) approving program test and evaluation master plans, plans for individual test and evaluation events, and other related documentation, determined appropriate by the Director;

''(B) approving which independent test and evaluation agent or third-party tester is selected for each program; and

''(C) providing an independent assessment to the acquisition decision authority (as such term is defined in section 837) that assesses a program's progress in meeting operational requirements and operational effectiveness, suitability, and resilience to inform production and deployment decisions.

''(5) Determine if testing of a system or service conducted by other Federal agencies, entities, or institutions of higher education are relevant and sufficient in determining whether such system or service performs as intended.

''(c) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section and annually thereafter, the Director of the Office shall submit to the Secretary, the Under Secretary for Management, component heads, and the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs a report relating to the test and evaluation activities of the major acquisition programs of the Department for the previous fiscal year.

''(2) ELEMENTS.—Each report required under paragraph (1) shall include the following:

''(A) An assessment of—

''(i) test and evaluation activities conducted for each major acquisition program with respect to demonstrating operational requirements and operational effectiveness, suitability, and resilience for each such program;

''(ii) any waivers of, or deviations from, approved program test and evaluation master plans referred to in subsection (b)(3)(A);

''(iii) any concerns raised by the independent test and evaluation agent or third-party tester selected and approved under subsection (b)(3)(B) relating to such waivers or deviations; and

''(iv) any actions that have been taken or are planned to be taken to address such concerns.

''(B) Recommendations with respect to resources, facilities, and levels of funding made available for test and evaluation activities referred to in subparagraph (A).

''(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

''(d) RELATIONSHIP TO UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY.—

''(1) IN GENERAL.—The Under Secretary for Management and the Under Secretary for Science and Technology shall coordinate in matters related to Department-wide acquisitions so that investments of the Directorate of Science and Technology are able to support current and future requirements of the components of the Department.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as affecting or diminishing the authority of the Under Secretary for Science and Technology.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 322 the following new item:

''Sec. 323. Office of Test and Evaluation.''.

(c) ACQUISITION AUTHORITIES FOR CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.—Paragraph (2) of section 702(b) of the Homeland Security Act of 2002 (6 U.S.C. 342(b)) is amended by—

(1) redesignating subparagraph (I) as subparagraph (J); and

(2) inserting after subparagraph (H) the following new subparagraph:

''(I) Oversee the costs of acquisition programs (as such term is defined in section 837) and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable, or can be adequately funded, over the life cycle of such programs and activities.''.

(d) ACQUISITION AUTHORITIES FOR CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

''(b) ACQUISITION RESPONSIBILITIES.—In addition to the responsibilities specified in section 11315 of title 40, United States Code, the acquisition responsibilities of the Chief Information Officer, in consultation with the Under Secretary for Management, shall include the following:

''(1) Overseeing the management of the Homeland Security Enterprise Architecture and ensuring that, before each acquisition decision event (as such term is defined in section 837), approved information technology acquisitions comply with any departmental information technology management requirements, security protocols, and the Homeland Security Enterprise Architecture, and in any case in which information technology acquisitions do not so comply, making recommendations to the Department's Acquisition Review Board regarding such noncompliance.

''(2) Providing recommendations to the Acquisition Review Board regarding information technology programs and developing information technology acquisition strategic guidance.''.

(e) ACQUISITION AUTHORITIES FOR UNDER SECRETARY OF STRATEGY, POLICY, AND PLANS OF THE DEPARTMENT OF HOMELAND SECURITY.—Subsection (c) of section 709 of the Homeland Security Act of 2002 (6 U.S.C. 349) is amended by—

(1) redesignating paragraphs (4) through (7) as (5) through (8), respectively; and

(2) inserting after paragraph (3) the following new paragraph:

''(4) ensure acquisition programs (as such term is defined in section 837) support the DHS Quadrennial Homeland Security Review Report, the DHS Strategic Plan, the DHS Strategic Priorities, and other appropriate successor documents;''.

(f) ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT (PARM) OF THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

''SEC. 715. PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT OFFICE.

''(a) ESTABLISHMENT OF OFFICE.—There is established in the Management Directorate of the Department a Program Accountability and Risk Management office. Such office shall—

''(1) provide consistent accountability, standardization, and transparency of major acquisition programs of the Department;

''(2) serve as the central oversight function for all Department major acquisition programs; and

''(3) provide review and analysis of Department acquisition programs, as appropriate.

''(b) EXECUTIVE DIRECTOR.—The Program Accountability and Risk Management office shall be led by an Executive Director. The Executive Director shall oversee the duties specified in subsection (a), report directly to the Under Secretary for Management, and carry out the following responsibilities:

''(1) Regularly monitor the performance of Department major acquisition programs between acquisition decision events to identify problems with cost, performance, or schedule that components may need to address to prevent cost overruns, performance issues, or schedule delays.

''(2) Assist the Under Secretary for Management in managing the Department's acquisition programs, acquisition workforce, and related activities of the Department.

''(3) Conduct oversight of individual acquisition programs to implement Department

acquisition program policy, procedures, and guidance, with a priority on ensuring the data the office collects and maintains from Department components is accurate and reliable.

''(4) Serve as the focal point and coordinator for the acquisition life-cycle review process and as the executive secretariat for the Department's Acquisition Review Board.

''(5) Advise the persons having acquisition decision authority to—

''(A) make acquisition decisions consistent with all applicable laws; and

''(B) establish clear lines of authority, accountability, and responsibility for acquisition decision-making within the Department.

''(6) Develop standardized certification standards, in consultation with the Component Acquisition Executives, for all acquisition program managers.

''(7) Assess the results of major acquisition programs' post-implementation reviews, and identify opportunities to improve performance throughout the acquisition process.

''(8) Provide technical support and assistance to Department acquisition programs and acquisition personnel, and coordinate with the Chief Procurement Officer regarding workforce training and development activities.

''(9) Assist, as appropriate, with the preparation of the Future Years Homeland Security Program, and make such information available to the congressional homeland security committees.

''(10) In coordination with the Component Acquisition Executives, maintain the Master Acquisition Oversight List, updated quarterly, that shall serve as an inventory of all major acquisition programs and non-major acquisition programs within the Department, including for each such program—

''(A) the component sponsoring the acquisition;

''(B) the name of the acquisition;

''(C) the acquisition level as determined by the anticipated life-cycle cost of the program and other criteria pursuant to the Department-level acquisition policy;

''(D) the acquisition decision authority for the acquisition; and

''(E) the current acquisition phase.

''(c) RESPONSIBILITIES OF COMPONENTS.—Each head of a component shall comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management. For each major acquisition program, each head of a component shall—

''(1) establish an organizational structure for conducting acquisitions within the component, to be managed by a Component Acquisition Executive;

''(2) obtain the resources necessary to operate such an organizational structure that are aligned with the number, type, size, and complexity of the acquisition programs of the component; and

''(3) oversee sustainment of capabilities deployed by major acquisition programs and non-major acquisition programs after all planned deployments are completed until such capabilities are retired or replaced.

''(d) RESPONSIBILITIES OF COMPONENT ACQUISITION EXECUTIVES.—Each Component Acquisition Executive shall—

''(1) establish and implement policies and guidance for managing and conducting oversight for major acquisition programs and non-major acquisition programs within the component at issue that comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management;

''(2) for each major acquisition program—

''(A) define baseline requirements and document changes to such requirements, as appropriate;

''(B) establish a complete life cycle cost estimate with supporting documentation that is consistent with cost estimating best practices as identified by the Comptroller General of the United States;

''(C) verify each life cycle cost estimate against independent cost estimates or assessments, as appropriate, and reconcile any differences;

''(D) complete a cost-benefit analysis with supporting documentation; and

''(E) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule;

''(3) ensure that all acquisition program documentation provided by the component demonstrates the knowledge required for successful program execution prior to final approval and is complete, accurate, timely, and valid;

''(4) in such cases where it is appropriate, exercise the acquisition decision authority to approve, pause, modify (including the rescission of approvals of program milestones), or cancel major acquisition programs or non-major acquisition programs when delegated by the Under Secretary for Management pursuant to section 701(d)(3); and

''(5) review, oversee, and direct activities between acquisition decision events for major acquisition programs within the component for which the Under Secretary for Management is the acquisition decision authority.

''(e) DEFINITIONS.—In this section:

''(1) ACQUISITION.—The term 'acquisition' has the meaning given such term in section 131 of title 41, United States Code.

''(2) ACQUISITION DECISION AUTHORITY.—The term 'acquisition decision authority' means the authority, in addition to the authorities and functions specified in subsection (b) of section 1702 of title 41, United States Code, held by the Secretary acting through the Under Secretary for Management to—

''(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

''(B) review (including approving, pausing, modifying, or canceling) an acquisition program throughout the life cycle of such program;

''(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

''(D) ensure appropriate acquisition program management of cost, schedule, risk, and system or service performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches;

''(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life-cycle of such program; and

''(F) establish policies and procedures for major acquisition programs of the Department.

''(3) ACQUISITION DECISION EVENT.—The term 'acquisition decision event', with respect to an acquisition program, means a predetermined point within the acquisition life-cycle at which the acquisition decision authority determines whether such acquisition program shall proceed to the next acquisition phase.

''(4) ACQUISITION PROGRAM.—The term 'acquisition program' means the conceptualization, initiation, design, development, test, contracting, production, deployment, logistics support, modification, or disposal of systems, supplies, or services (including construction) to satisfy the Department's needs.

''(5) ACQUISITION PROGRAM BASELINE.—The term 'acquisition program baseline', with respect to an acquisition program, means the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met to accomplish the goals of such program.

''(6) BEST PRACTICES.—The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development, procurement, and support that includes the following:

''(A) Identifying and validating needs.

''(B) Assessing alternatives to select the most appropriate solution.

''(C) Establishing well-defined requirements.

''(D) Developing realistic cost assessments and schedules that account for the entire life-cycle of an acquisition.

''(E) Demonstrating technology, design, and manufacturing maturity before initiating production.

''(F) Using milestones and exit criteria or specific accomplishments that demonstrate the attainment of knowledge to support progress throughout the acquisition phases.

''(G) Regularly assessing and managing risks to achieve requirements and cost and schedule goals.

''(H) To the maximum extent possible, adopting and executing standardized processes.

''(I) Establishing a workforce that is qualified to perform necessary acquisition roles.

''(J) Integrating into the Department's mission and business operations the capabilities described in subparagraphs (A) through (I).

''(7) BREACH.—The term 'breach', with respect to a major acquisition program, means a failure to meet any cost, schedule, or performance threshold specified in the most recently approved acquisition program baseline.

''(8) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term 'congressional homeland security committees' means—

''(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

''(9) COMPONENT ACQUISITION EXECUTIVE.—The term 'Component Acquisition Executive' means the senior acquisition official within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary.

''(10) LIFE-CYCLE COST.—The term 'life-cycle cost' means the total cost to the Government of acquiring, operating, supporting, and (if applicable) disposing of the items being acquired.

''(11) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' means a Department capital asset, services, or hybrid acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least $300,000,000 (based on fiscal year 2022 constant dollars) over its life

cycle or a program identified by the Chief Acquisition Officer as a program of special interest.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 714 the following new item:

''Sec. 715. Program Accountability and Risk Management office.''.

(g) ACQUISITION DOCUMENTATION.—

(1) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

''SEC. 837. ACQUISITION DOCUMENTATION.

''For each major acquisition program (as such term is defined in section 714), the Secretary, acting through the Under Secretary for Management, shall require the head of each relevant component or office of the Department to—

''(1) maintain acquisition documentation that is complete, accurate, timely, and valid, and that includes—

''(A) operational requirements that are validated consistent with departmental policy;

''(B) a complete life-cycle cost estimate with supporting documentation;

''(C) verification of such life-cycle cost estimate against independent cost estimates, and reconciliation of any differences;

''(D) a cost-benefit analysis with supporting documentation;

''(E) an integrated master schedule with supporting documentation;

''(F) plans for conducting systems engineering reviews and test and evaluation activities throughout development to support production and deployment decisions;

''(G) an acquisition plan that outlines the procurement approach, including planned contracting vehicles;

''(H) a logistics and support plan for operating and maintaining deployed capabilities until such capabilities are disposed of or retired; and

''(I) an acquisition program baseline that is traceable to the operational requirements of the program required under subparagraphs (A), (B), and (E);

''(2) prepare cost estimates and schedules for major acquisition programs pursuant to subparagraphs (B) and (E) of paragraph (1) in a manner consistent with best practices as identified by the Comptroller General of the United States; and

''(3) ensure any revisions to the acquisition documentation maintained pursuant to paragraph (1) are reviewed and approved in accordance with departmental policy.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 836 the following new item:

''Sec. 837. Acquisition documentation.''.

SEC. 59126. DHS ACQUISITION REVIEW BOARD.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

''SEC. 838. ACQUISITION REVIEW BOARD.

''(a) IN GENERAL.—There is established in the Department an Acquisition Review Board (in this section referred to as the 'Board') to support the Under Secretary for Management in managing the Department's acquisitions.

''(b) COMPOSITION.—

''(1) CHAIR.—The Under Secretary for Management shall serve as chair of the Board.

''(2) OVERSIGHT.—The Under Secretary for Management may designate an employee of the Department to oversee the operations of the Board.

''(3) PARTICIPATION.— The Under Secretary for Management shall ensure participation by other relevant Department officials with responsibilities related to acquisitions as permanent members of the Board, including the following:

''(A) The Chair of the Joint Requirements Council.

''(B) The Chief Financial Officer.

''(C) The Chief Human Capital Officer.

''(D) The Chief Information Officer.

''(E) The Chief Procurement Officer.

''(F) The Chief Readiness Support Officer.

''(G) The Chief Security Officer.

''(H) The Director of the Office of Test and Evaluation.

''(I) Other relevant senior Department officials, as designated by the Under Secretary for Management.

''(c) MEETINGS.—The Board shall meet regularly for purposes of evaluating the progress and status of an acquisition program. The Board shall convene at the Under Secretary for Management's discretion, and at such time as—

''(1) a new acquisition program is initiated;

''(2) a major acquisition program—

''(A) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life-cycle;

''(B) is in breach of its approved acquisition program baseline; or

''(C) requires additional review, as determined by the Under Secretary for Management; or

''(3) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

''(d) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

''(1) Determine the appropriate acquisition level and acquisition decision authority for new acquisition programs based on the estimated eventual total expenditure of each such program to satisfy the mission need of the Department over the life-cycle of such acquisition regardless of funding source.

''(2) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life-cycle framework and is able to proceed to the next phase and eventual full production and deployment.

''(3) Oversee whether a proposed acquisition's business strategy, resources, management, and accountability is executable and is aligned with the mission and strategic goals of the Department.

''(4) Support the person with acquisition decision authority for an acquisition in determining the appropriate direction for such acquisition at key acquisition decision events.

''(5) Conduct systematic reviews of acquisitions to ensure that such acquisitions are progressing in accordance with best practices and in compliance with the most recently approved documents for such acquisitions' current acquisition phases.

''(6) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

''(7) Ensure that practices are adopted and implemented to require consideration of trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

''(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule concerns before performance objectives are established for capabilities when feasible.

''(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

''(e) DOCUMENTATION.—

''(1) IN GENERAL.—The chair of the Board shall ensure that all actions and decisions made pursuant to the responsibilities of the Board under subsection (d) are documented in an acquisition decision memorandum that includes—

''(A) a summary of the action at issue or purpose for convening a meeting under subsection (c);

''(B) the decision with respect to actions discussed during such meeting;

''(C) the rationale for such a decision, including justifications for any such decision made to allow acquisition programs to deviate from the acquisition management policy of the Department;

''(D) any assigned items for further action; and

''(E) the signature of the chair verifying the contents of such memorandum.

''(2) SUBMISSION OF MEMORANDUM.—Not later than seven days after the date on which the acquisition decision memorandum is signed by the chair pursuant to paragraph (1)(E), the chair shall submit to the Secretary, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a copy of such memorandum.

''(f) DEFINITIONS.—In this section:

''(1) ACQUISITION.—The term 'acquisition' has the meaning given such term in section 131 of title 41, United States Code.

''(2) ACQUISITION DECISION AUTHORITY.—The term 'acquisition decision authority' means the authority, held by the Secretary to—

''(A) ensure acquisition programs are in compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

''(B) review (including approving, pausing, modifying, or cancelling) an acquisition program through the life-cycle of such program;

''(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

''(D) ensure appropriate acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

''(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life-cycle of such program to avoid and mitigate acquisition program baseline breaches.

''(3) ACQUISITION DECISION EVENT.—The term 'acquisition decision event', with respect to an acquisition program, means a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether such acquisition program shall proceed to the next acquisition phase.

''(4) ACQUISITION DECISION MEMORANDUM.—The term 'acquisition decision memorandum' means the official documented record of decisions, including the rationale for such decisions and any assigned actions, for the acquisition at issue, as determined by the person exercising acquisition decision authority for such acquisition.

''(5) ACQUISITION PROGRAM BASELINE.—The term 'acquisition program baseline', with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be satisfied to accomplish the goals of such program.

''(6) BEST PRACTICES.—The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes—

''(A) identifying and validating needs;

''(B) assessing alternatives to select the most appropriate solution;

''(C) clearly establishing well-defined requirements;

''(D) developing realistic cost estimates and schedules that account for the entire life-cycle of such an acquisition;

''(E) securing stable funding that matches resources to requirements before initiating such development;

''(F) demonstrating technology, design, and manufacturing maturity before initiating production of the item that is the subject of such acquisition;

''(G) using milestones and exit criteria or specific accomplishments that demonstrate the attainment of knowledge to support progress;

''(H) regularly assessing and managing risks to achieving requirements and cost and schedule goals;

''(I) adopting and executing standardized processes with known success across programs;

''(J) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

''(K) integrating the capabilities described in subparagraphs (A) through (J).

''(7) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' means—

''(A) a Department capital asset, service, or hybrid acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least $300 million (based on fiscal year 2022 constant dollars) over its life-cycle cost; or

''(B) a program identified by the Under Secretary for Management as a program of special interest.

''(8) NON-MAJOR ACQUISITION PROGRAM.—The term 'non-major acquisition program' means a Department capital asset, service, or hybrid acquisition program that is estimated by the Secretary to require an eventual total expenditure of less than $300,000,000 (based on fiscal year 2022 constant dollars) over its life-cycle.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 837 the following new item:

''Sec. 838. Acquisition Review Board.''.

SEC. 59127. DHS CONTRACT REPORTING.

(a) DAILY PUBLIC REPORT OF COVERED CONTRACT AWARDS.—

(1) IN GENERAL.—The Secretary shall post, maintain, and update in accordance with paragraph (2), on a publicly available website of the Department, a daily report of all covered contract awards. Each reported covered contract award shall include information relating to—

(A) the contract number, modification number, or delivery order number;

(B) the contract type;

(C) the amount obligated for such award;

(D) the total contract value for such award, including all options;

(E) the description of the purpose for such award;

(F) the number of proposals or bids received;

(G) the name and address of the vendor, and whether such vendor is considered a small business;

(H) the period and each place of performance for such award;

(I) whether such award is multiyear;

(J) whether such award requires a small business subcontracting plan; and

(K) the contracting office and the point of contact for such office.

(2) UPDATE.—Updates referred to in paragraph (1) shall occur not later than two business days after the date on which the covered contract is authorized or modified.

(3) SUBSCRIBING TO ALERTS.—The website referred to in paragraph (1) shall provide the option to subscribe to an automatic notification of the publication of each report required under such paragraph.

(4) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this section.

(b) UNDEFINITIZED CONTRACT ACTION OR DEFINITIZED AMOUNT.—If a covered contract award reported pursuant to subsection (a) includes an undefinitized contract action, the Secretary shall—

(1) report the estimated total contract value for such award and the amount obligated upon award; and

(2) once such award is definitized, update the total contract value and amount obligated.

(c) EXEMPTION.—Each report required under subsection (a) shall not include covered contract awards relating to classified products, programs, or services.

(d) DEFINITIONS.—In this section:

(1) COVERED CONTRACT AWARD.—The term ''covered contract award''—

(A) means a contract action of the Department with the total authorized dollar amount of $4,000,000 or greater, including unexercised options; and

(B) includes—

(i) contract awards governed by the Federal Acquisition Regulation;

(ii) modifications to a contract award that increase the total value, expand the scope of work, or extend the period of performance;

(iii) orders placed on a multiple award or multiple-agency contract that includes delivery or quantity terms that are indefinite;

(iv) other transaction authority agreements; and

(v) contract awards made with other than full and open competition.

(2) DEFINITIZED AMOUNT.—The term ''definitized amount'' means the final amount of a covered contract award after agreement between the Department and the contractor at issue.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(5) SMALL BUSINESS.—The term ''small business'' means an entity that qualifies as a small business concern, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

(6) TOTAL CONTRACT VALUE.—The term ''total contract value'' means the total amount of funds expected to be provided to the contractor at issue under the terms of the contract through the full period of performance.

(7) UNDEFINITIZED CONTRACT ACTION.—The term ''undefinitized contract action'' means any contract action for which the contract terms, specifications, or price is not established prior to the start of the performance of a covered contract award.

SEC. 59128. UNMANNED AERIAL SECURITY.

(a) PROHIBITION ON AGENCY OPERATION OR PROCUREMENT.—Except as provided in subsection (b) and subsection (c)(3), the Secretary of Homeland Security may not operate, provide financial assistance for, or enter into or renew a contract for the procurement of—

(1) an unmanned aircraft system (UAS) that—

(A) is manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country;

(B) uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country;

(C) uses a ground control system or operating software developed in a covered foreign country or by a corporation domiciled in a covered foreign country; or

(D) uses network connectivity or data storage located in a covered foreign country or administered by a corporation domiciled in a covered foreign country;

(2) a software operating system associated with a UAS that uses network connectivity or data storage located in a covered foreign country or administered by a corporation domiciled in a covered foreign country; or

(3) a system for the detection or identification of a UAS, which system is manufactured in a covered foreign country or by a corporation domiciled in a covered foreign country.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Homeland Security is authorized to waive the prohibition under subsection (a) if the Secretary certifies in writing to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS referred to in any of subparagraphs (A) through (C) of such subsection that is the subject of such a waiver is required—

(A) in the national interest of the United States;

(B) for counter-UAS surrogate research, testing, development, evaluation, or training; or

(C) for intelligence, electronic warfare, or information warfare operations, testing, analysis, and or training.

(2) NOTICE.—The certification described in paragraph (1) shall be submitted to the Committees specified in such paragraph by not later than the date that is 14 days after the date on which a waiver is issued under such paragraph.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—This Act shall take effect on the date that is 120 days after the date of the enactment of this Act.

(2) WAIVER PROCESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish a process by which the head of an office or component of the Department of Homeland Security may request a waiver under subsection (b).

(3) EXCEPTION.—Notwithstanding the prohibition under subsection (a), the head of an office or component of the Department of Homeland Security may continue to operate a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS described in any of subparagraphs (1) through (3) of such subsection that was in the inventory of such office or component on the day before the effective date of this Act until—

(A) such time as the Secretary of Homeland Security has—

(i) granted a waiver relating thereto under subsection (b); or

(ii) declined to grant such a waiver; or

(B) one year after the date of the enactment of this Act,
whichever is later.

(d) DRONE ORIGIN SECURITY REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a terrorism threat assessment and report that contains information relating to the following:

(1) The extent to which the Department of Homeland Security has previously analyzed the threat that a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS from a covered foreign country operating in the United States poses, and the results of such analysis.

(2) The number of UAS, software operating systems associated with a UAS, or systems for the detection or identification of a UAS from a covered foreign country in operation by the Department, including an identification of the component or office of the Department at issue, as of such date.

(3) The extent to which information gathered by such a UAS, a software operating system associated with a UAS, or a system for the detection or identification of a UAS from a covered foreign country could be employed to harm the national or economic security of the United States.

(e) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means a country that—

(A) the intelligence community has identified as a foreign adversary in its most recent Annual Threat Assessment; or

(B) the Secretary of Homeland Security, in coordination with the Director of National Intelligence, has identified as a foreign adversary that is not included in such Annual Threat Assessment.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(3) UNMANNED AIRCRAFT SYSTEM; UAS.—The terms ''unmanned aircraft system'' and ''UAS'' have the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

Subtitle C—Enhancing DHS Operations

SEC. 59131. QUADRENNIAL HOMELAND SECURITY REVIEW TECHNICAL CORRECTIONS.

(a) IN GENERAL.—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) representatives from appropriate advisory committees established pursuant to section 871, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, or otherwise established, including the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code; and'';

(2) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon at the end the following: ''based on the risk assessment required pursuant to subsection (c)(2)(B)'';

(B) in paragraph (3)—

(i) by inserting '', to the extent practicable,'' after ''describe''; and

(ii) by striking ''budget plan'' and inserting ''resources required'';

(C) in paragraph (4)—

(i) by inserting '', to the extent practicable,'' after ''identify'';

(ii) by striking ''budget plan required to provide sufficient resources to successfully'' and inserting ''resources required to''; and

(iii) by striking the semicolon at the end and inserting the following: '', including any resources identified from redundant, wasteful, or unnecessary capabilities or capacities that may be redirected to better support other existing capabilities or capacities, as the case may be; and'';

(D) in paragraph (5), by striking ''; and'' and inserting a period; and

(E) by striking paragraph (6);

(3) in subsection (c)—

(A) in paragraph (1), by striking ''December 31 of the year'' and inserting ''60 days after the date of the submission of the President's budget for the fiscal year after the fiscal year'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''description of the threats to'' and inserting ''risk assessment of'';

(ii) in subparagraph (C), by inserting '', as required under subsection (b)(2)'' before the semicolon at the end;

(iii) in subparagraph (D)—

(I) by inserting ''to the extent practicable,'' before ''a description''; and

(II) by striking ''budget plan'' and inserting ''resources required'';

(iv) in subparagraph (F)—

(I) by inserting ''to the extent practicable,'' before ''a discussion''; and

(II) by striking ''the status of'';

(v) in subparagraph (G)—

(I) by inserting ''to the extent practicable,'' before ''a discussion'';

(II) by striking ''the status of'';

(III) by inserting ''and risks'' before ''to national homeland''; and

(IV) by inserting ''and'' after the semicolon at the end;

(vi) by striking subparagraph (H); and

(vii) by redesignating subparagraph (I) as subparagraph (H);

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph:

''(3) DOCUMENTATION.—The Secretary shall retain and, upon request, provide to Congress the following documentation regarding each quadrennial homeland security review:

''(A) Records regarding the consultation carried out pursuant to subsection (a)(3), including the following:

''(i) All written communications, including communications sent out by the Secretary and feedback submitted to the Secretary through technology, online communications tools, in-person discussions, and the interagency process.

''(ii) Information on how feedback received by the Secretary informed each such quadrennial homeland security review.

''(B) Information regarding the risk assessment required pursuant to subsection (c)(2)(B), including the following:

''(i) The risk model utilized to generate such risk assessment.

''(ii) Information, including data used in the risk model, utilized to generate such risk assessment.

''(iii) Sources of information, including other risk assessments, utilized to generate such risk assessment.

''(iv) Information on assumptions, weighing factors, and subjective judgments utilized to generate such risk assessment, together with information on the rationale or basis thereof.'';

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following new subsection:

''(d) REVIEW.—Not later than 90 days after the submission of each report required under subsection (c)(1), the Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the degree to which the findings and recommendations developed in the quadrennial homeland security review that is the subject of such report were integrated into the acquisition strategy and expenditure plans for the Department.''.

(b) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to a quadrennial homeland security review conducted after December 31, 2021.

SEC. 59132. BOMBING PREVENTION.

(a) OFFICE FOR BOMBING PREVENTION.—

(1) IN GENERAL.—Title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle E—Bombing Prevention

''SEC. 2251. OFFICE FOR BOMBING PREVENTION.

''(a) ESTABLISHMENT.—There is established within the Department an Office for Bombing Prevention (in this section referred to as the 'Office').

''(b) ACTIVITIES.—The Office shall have the primary responsibility within the Department for enhancing the ability and coordinating the efforts of the United States to deter, detect, prevent, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States, including by carrying out the following:

''(1) Advising the Secretary on matters related to terrorist explosive threats and attacks in the United States.

''(2) Coordinating the efforts of the Department to counter terrorist explosive threats and attacks in the United States, including by carrying out the following:

''(A) Developing, in coordination with the Under Secretary for Strategy, Policy, and Plans, the Department's strategy against terrorist explosives threats and attacks, including efforts to support the security and preparedness of critical infrastructure and the public sector and private sector.

''(B) Leading the prioritization of the Department's efforts against terrorist explosive threats and attacks, including preparedness and operational requirements.

''(C) Ensuring, in coordination with the Under Secretary for Science and Technology and the Administrator of the Federal Emergency Management Agency, the identification, evaluation, and availability of effective technology applications through field pilot testing and acquisition of such technology applications by the public sector to deter, detect, prevent, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States.

''(D) Providing advice and recommendations to the Administrator of the Federal Emergency Management Agency regarding the effective use of grants authorized under section 2002.

''(E) In coordination with the Assistant Secretary for Countering Weapons of Mass Destruction, aligning Department efforts related to terrorist explosive threats and attacks in the United States and weapons of mass destruction.

''(3) Engaging other Federal departments and agencies, including Sector Risk Management Agencies, regarding terrorist explosive threats and attacks in the United States.

''(4) Facilitating information sharing and decision support of the public and private sector involved in deterrence, detection, prevention, protection against, mitigation of,

and response to terrorist explosive threats and attacks in the United States. Such sharing and support may include the following:

''(A) Operating and maintaining a secure information sharing system that allows the sharing of critical information and data relating to terrorist explosive attack tactics, techniques, procedures, and security capabilities, including information and data described in paragraph (6) and section 2242.

''(B) Working with international partners, in coordination with the Office for International Affairs of the Department, to develop and share effective practices to deter, prevent, detect, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States.

''(5) Promoting security awareness among the public and private sector and the general public regarding the risks posed by the misuse of explosive precursor chemicals and other bomb-making materials.

''(6) Providing training, guidance, assessments, and planning assistance to the public and private sector, as appropriate, to help counter the risk of terrorist explosive threats and attacks in the United States.

''(7) Conducting analysis and planning for the capabilities and requirements necessary for the public and private sector, as appropriate, to deter, detect, prevent, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States by carrying out the following:

''(A) Maintaining a database on capabilities and requirements, including capabilities and requirements of public safety bomb squads, explosive detection canine teams, special tactics teams, public safety dive teams, and recipients of services described in section 2242.

''(B) Applying the analysis derived from the database described in subparagraph (A) with respect to the following:

''(i) Evaluating progress toward closing identified gaps relating to national strategic goals and standards related to deterring, detecting, preventing, protecting against, mitigating, and responding to terrorist explosive threats and attacks in the United States.

''(ii) Informing decisions relating to homeland security policy, assistance, training, research, development efforts, testing and evaluation, and related requirements regarding deterring, detecting, preventing, protecting against, mitigating, and responding to terrorist explosive threats and attacks in the United States.

''(8) Promoting secure information sharing of sensitive material and promoting security awareness, including by carrying out the following:

''(A) Operating and maintaining a secure information sharing system that allows the sharing among and between the public and private sector of critical information relating to explosive attack tactics, techniques, and procedures.

''(B) Educating the public and private sectors about explosive precursor chemicals.

''(C) Working with international partners, in coordination with the Office for International Affairs of the Department, to develop and share effective practices to deter, detect, prevent, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States.

''(D) Executing national public awareness and vigilance campaigns relating to terrorist explosive threats and attacks in the United States, preventing explosive attacks, and activities and measures underway to safeguard the United States.

''(E) Working with relevant stakeholder organizations.

''(9) Providing any other assistance the Secretary determines necessary.

''SEC. 2252. COUNTERING EXPLOSIVE DEVICES TECHNICAL ASSISTANCE.

''(a) ESTABLISHMENT.—Upon request, the Secretary shall, to the extent practicable, provide to the public and private sector technical assistance services to support the security and preparedness of such sectors, as appropriate, to counter terrorist explosive threats and attacks that pose a risk in certain jurisdictions, including vulnerable and disadvantaged communities, to critical infrastructure facilities, or to special events, as appropriate.

''(b) ELEMENTS.—Technical assistance services provided pursuant to subsection (a) shall—

''(1) support the planning and implementation of effective measures to deter, detect, prevent, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States, including effective strategic risk management and emergency operations plans;

''(2) support the security of explosive precursor chemicals and other bomb-making materials outside of regulatory control;

''(3) support efforts to prepare for and respond to bomb threats or other acts involving the malicious conveyance of false information concerning terrorist explosive threats and attacks in the United States;

''(4) make available resources to enhance deterrence, prevention, detection, protection, mitigation, and response capabilities for terrorist explosive threats and attacks in the United States, including coordination and communication, to better integrate State, local, Tribal, and territorial and private sector capabilities and assets, as appropriate, with Federal operations;

''(5) make available augmenting resources, as appropriate, to enable State, local, Tribal, and territorial governments to sustain and refresh their capabilities;

''(6) track performance in meeting the goals and associated plans of the provision of such technical assistance; and

''(7) include any other assistance the Secretary determines necessary.

''SEC. 2253. RELATIONSHIP TO OTHER DEPARTMENT COMPONENTS AND FEDERAL AGENCIES.

''(a) IN GENERAL.—The authority of the Secretary under this subtitle shall not affect or diminish the authority or the responsibility of any officer of any other Federal agency with respect to the command, control, or direction of the functions, personnel, funds, assets, or liabilities of any other such Federal agency.

''(b) DEPARTMENT COMPONENTS.—Nothing in this subtitle or any other provision of law may be construed to affect or reduce the responsibilities of—

''(1) the Countering Weapons of Mass Destruction Office or the Assistant Secretary of the Office, including with respect to any asset, function, or mission of the Office or the Assistant Secretary, as the case may be;

''(2) the Federal Emergency Management Agency or the Administrator of the Agency, including the diversion of any asset, function, or mission of the Agency or the Administrator as the case may be; or

''(3) the Transportation Security Administration or the Administrator of the Administration, including the diversion of any asset, function, or mission of the Administration or the Administrator, as the case may be.''.

(2) STRATEGY AND REPORTS.—

(A) STRATEGY.—Not later than one year after the date of the enactment of this section, the head of the Office for Bombing Prevention of the Department of Homeland Security (established pursuant to section 2241 of the Homeland Security Act of 2002, as added by paragraph (1)), in consultation with the heads of other components of the Department and the heads of other Federal agencies, as appropriate, shall develop a strategy to align the Office's activities with the threat environment and stakeholder needs, and make the public and private sector aware of the Office's capabilities. Such strategy shall include the following elements:

(i) Information on terrorist explosive threats, tactics, and attacks in the United States.

(ii) Information, by region of the United States, regarding public and private sector entities likely to be targeted by terrorist explosive threats and attacks in the United States, including historically black colleges and universities and minority serving institutions, places of worship, health care facilities, transportation systems, commercial facilities, and government facilities.

(iii) Guidance on how outreach to owners and operators of critical infrastructure (as such term is defined in section 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e))) in a region should be prioritized.

(iv) A catalogue of the services and training currently offered by the Office, and a description of how such services and trainings assist the public and private sector to deter, detect, prevent, protect against, mitigate, and respond to terrorist explosive threats and attacks in the United States.

(v) Long-term objectives of the Office, including future service and training offerings.

(vi) Metrics for measuring the effectiveness of services and trainings offered by the Office.

(vii) An assessment of resource requirements necessary to implement such strategy.

(viii) A description of how the Office partners with other components of the Department and other Federal agencies to carry out its mission.

(B) REPORTS.—Not later than one year after the date of the enactment of this section and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report describing the activities of the Office for Bombing Prevention of the Department of Homeland Security (established pursuant to section 2241 of the Homeland Security Act of 2002, as added by paragraph (1)). Each such report shall include information on the following:

(i) Changes to terrorist explosive threats, tactics, and attacks in the United States.

(ii) Changes to the types of public and private sector entities likely to be targeted by terrorist explosive threats and attacks in the United States.

(iii) The number of trainings, assessments, and other engagements carried out by the Office within each region of the United States, including a description of the critical infrastructure sector or stakeholder served.

(iv) The number of trainings, assessments, or other engagements the Office was asked to conduct but did not, and an explanation relating thereto.

(v) The effectiveness of the trainings, assessments, or other engagements provided by the Office based on the metrics described in subparagraph (A)(vi).

(vi) Any changes or anticipated changes in the trainings, assessments, and other engagements, or any other services, offered by the Office, and an explanation relating thereto.

(3) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2246 the following new items:

''Subtitle E—Bombing Prevention

''Sec. 2251. Office for Bombing Prevention.

''Sec. 2252. Countering explosive devices technical assistance.
''Sec. 2253. Relationship to other Department components and Federal agencies.''.

(b) EXPLOSIVES TECHNOLOGY DEVELOPMENT.—

(1) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is further amended by adding at the end the following new section:

''SEC. 324. EXPLOSIVES RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, and in coordination with the head of the Office for Bombing Prevention and the Assistant Secretary for the Countering Weapons of Mass Destruction Office, and in consultation with the Attorney General, the Secretary of Defense, and the head of any other relevant Federal department or agency, including Sector Risk Management Agencies, shall ensure coordination and information sharing regarding nonmilitary research, development, testing, and evaluation activities of the Federal Government relating to the deterrence, detection, prevention, protection against, mitigation of, and response to terrorist explosive threats and attacks in the United States.

''(b) LEVERAGING MILITARY RESEARCH.—The Secretary, acting through the Under Secretary for Science and Technology, and in coordination with the head of the Office for Bombing Prevention and the Assistant Secretary for the Countering of Weapons of Mass Destruction Office, shall consult with the Secretary of Defense and the head of any other relevant Federal department or agency, including Sector Risk Management Agencies, to ensure that, to the maximum extent possible, military policies and procedures, and research, development, testing, and evaluation activities relating to the deterrence, detection, prevention, protection against, mitigation of, and response to terrorist explosive threats and attacks in the United States are adapted to nonmilitary uses.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 323 the following new item:

''Sec. 324. Explosives research and development.''.

SEC. 59133. DHS BASIC TRAINING ACCREDITATION IMPROVEMENT.

(a) REPORTING ON BASIC TRAINING PROGRAMS OF THE DEPARTMENT OF HOMELAND SECURITY.—

(1) ANNUAL REPORTING.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of Homeland Security shall report to the relevant congressional committees on the accreditation status for each basic training program within the Department of Homeland Security, including information relating to the following:

(i) The date on which each such program achieved initial accreditation, or in the case of a program that is not currently accredited, the reasons for not obtaining or maintaining accreditation, the activities, if any, taken to achieve accreditation, and an anticipated timeline for accreditation of such program.

(ii) The date each such program most recently received accreditation or reaccreditation, if applicable.

(iii) Each such program's anticipated accreditation or next reaccreditation date.

(iv) The name of the accreditation manager for each such program.

(B) TERMINATION OF REPORTING REQUIREMENT.—Annual reports under subparagraph (A) shall terminate when all basic training programs of the Department of Homeland Security are accredited.

(2) LAPSE IN ACCREDITATION.—

(A) IN GENERAL.—If a basic training program of the Department of Homeland Security loses accreditation, the head of the relevant component of the Department shall notify the Secretary of Homeland Security not later than 30 days after such loss.

(B) NOTICE TO CONGRESS.—Not later than 30 days after receiving a notification pursuant to subparagraph (A), the Secretary of Homeland Security shall notify the relevant congressional committees of the lapse in accreditation at issue, the reason for such lapse, and the activities underway and planned to regain accreditation.

(3) DEFINITIONS.—In this section:

(A) ACCREDITATION.—The term ''accreditation'' means the recognition by a board that a basic training program is administered, developed, and delivered according to an applicable set of standards.

(B) ACCREDITATION MANAGER.—The term ''accreditation manager'' means the individual assigned by the component of the Department of Homeland Security to manage accreditation activities for a basic training program.

(C) BASIC TRAINING PROGRAM.—The term ''basic training program'' means an entry level program of the Department of Homeland Security that is transitional to law enforcement service, provides training on critical competencies and responsibilities, and is typically a requirement for appointment to a law enforcement service job or job series.

(D) REACCREDITATION.—The term ''reaccreditation'' means the assessment of a basic training program after initial accreditation to ensure the continued compliance with an applicable set of standards.

(E) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee of the Judiciary of the Senate.

(b) RESEARCH AND DEVELOPMENT.—The Under Secretary for Science and Technology of the Department of Homeland Security shall carry out research and development of systems and technologies to enhance access to training offered by the Federal Law Enforcement Training Centers to State, local, Tribal, and territorial law enforcement, with particular attention to law enforcement in rural and remote communities, for the purpose of enhancing domestic preparedness for and collective response to terrorism and other homeland security threats.

SEC. 59134. DEPARTMENT OF HOMELAND SECURITY INSPECTOR GENERAL TRANSPARENCY.

(a) IN GENERAL.—Subtitle B of title VIII of the Homeland Security Act of 2002 is amended by inserting before section 812 the following new section:

''SEC. 811. OFFICE OF INSPECTOR GENERAL.

''(a) PUBLICATION OF REPORTS.—

''(1) IN GENERAL.—Beginning not later than 30 days after the date of the enactment of this section, the Inspector General of the Department shall submit to the appropriate congressional committees any report finalized on and after such date that substantiates—

''(A) a violation of paragraph (8) or (9) of section 2302(b) of title 5, United States Code, section 1034 of title 10, United States Code, or Presidential Personnel Directive-19; or

''(B) an allegation of misconduct, waste, fraud, abuse, or violation of policy within the Department involving a member of the Senior Executive Service or politically appointed official of the Department.

''(2) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—Concurrent with the submission to the appropriate congressional committees of reports pursuant to paragraph (1), the Inspector General shall, consistent with privacy, civil rights, and civil liberties protections, publish on a publicly available website of the Inspector General each such report.

''(B) EXCEPTION.—The requirement pursuant to subparagraph (A) to publish reports does not apply if section (5)(e)(1) of the Inspector General Act of 1978 applies to any such report.

''(3) REQUIREMENT.—

''(A) IN GENERAL.—The Inspector General of the Department may not redact any portion of a report submitted pursuant to paragraph (1).

''(B) EXCEPTION.—The requirement under subparagraph (A) shall not apply with respect to the name or any other identifying information, including any contextual details not relevant to the audit, inspection, or evaluation at issue that may be used by other employees or officers of the Department to determine the identity of a whistleblower complainant, of a whistleblower complainant who does not consent to the inclusion of such in a report of the Inspector General.

''(b) SEMIANNUAL REPORTING.—Beginning with the first semiannual report transmitted to the appropriate committees or subcommittees of the Congress pursuant to section 5(b) of the Inspector General Act of 1978 that is transmitted after the date of the enactment of this section, each such report shall be accompanied by a list of ongoing audits, inspections, and evaluations of the Department, together with a narrative description relating to each such audit, inspection, or evaluation that identifies the scope of such audit, inspection, or evaluation, as the case may be, as well as the subject office, component, or directorate of the Department. For each such ongoing audit, inspection, or evaluation such narrative description shall include the following:

''(1) Information relating to the source of each such audit, inspection, or evaluation.

''(2) Information regarding whether each such audit, inspection, or evaluation is being conducted independently, jointly, concurrently, or in some other manner.

''(3) In the event each such audit, inspection, or evaluation was initiated due to a referral, the date on which the Inspector General notified the originator of a referral of the Inspector General's intention to carry out such audit, inspection, or evaluation.

''(4) Information relating to the dates on which—

''(A) each such audit, inspection, or evaluation was initiated;

''(B) a draft report relating to each such audit, inspection, or evaluation is scheduled to be submitted to the Secretary for review; and

''(C) a final report relating to each such audit, inspection, or evaluation is scheduled to be submitted to the appropriate congressional committees and published on the website of the Inspector General in accordance with paragraphs (1) and (2), respectively, of subsection (a).

''(5) An explanation for—

''(A) any significant changes to the narrative description of each such audit, inspection, or evaluation, including the identification of the subject office, component, or directorate of the Department; or

''(B) a delay of more than 30 days in the scheduled date for submitting to the Secretary a draft report for review or publishing

on the website of the Inspector General of the Department the final report relating to each such audit, inspection, or evaluation.

''(6) Data regarding tips and complaints made to the Inspector General Hotline of the Department or otherwise referred to the Department, including—

''(A) the number and type of tips and complaints regarding fraud, waste, abuse, corruption, financial crimes, civil rights and civil liberty abuse, or other complaints regarding criminal or non-criminal activity associated with fraud, waste, or abuse;

''(B) actions taken by the Department to address or resolve each substantiated tip or complaint;

''(C) the total amount of time it took the Department to so address or resolve each such substantiated tip or complaint;

''(D) the total number of tips and complaints that are substantiated compared with the number of tips and complaints that are unsubstantiated; and

''(E) the percentage of audits, inspections, and evaluations that are initiated as a result of tips and complaints made to the Inspector General Hotline.

''(c) NOTIFICATION TO CONGRESS.—The Inspector General of the Department shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate if the head of an office or component of the Department does not provide in a timely manner to the Inspector General information or assistance that is requested by the Inspector General to conduct an audit, inspection, or evaluation.

''(d) DEFINITION.—In this section, the term 'appropriate congressional committees' means the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and any committee of the House of Representatives or the Senate, respectively, having legislative or oversight jurisdiction under the Rules of the House of Representatives or the Senate, respectively, over the matter concerned.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by amending the item relating to section 811 to read as follows:

''Sec. 811. Office of Inspector General.''.

(c) REPORTS.—

(1) INSPECTOR GENERAL OF DHS.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Comptroller General of the United States a report on the policies, procedures, and internal controls established that ensure compliance with the Quality Standards for Federal Offices of Inspector General from the Council of Inspectors General on Integrity and Efficiency.

(2) COMPTROLLER GENERAL.—Not later than one year after receipt of the report required under paragraph (1), the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an evaluation of such report.

SEC. 59135. PRESIDENT'S CUP CYBERSECURITY COMPETITION.

(a) IN GENERAL.—The Director of the Cybersecurity and Infrastructure Security Agency (in this section referred to as the ''Director'') of the Department of Homeland Security is authorized to hold an annual cybersecurity competition to be known as the ''Department of Homeland Security Cybersecurity and Infrastructure Security Agency's President's Cup Cybersecurity Competition'' (in this section referred to as the ''competition'') for the purpose of identifying, challenging, and competitively awarding prizes, including cash prizes, to the United States Government's best cybersecurity practitioners and teams across offensive and defensive cybersecurity disciplines.

(b) COMPETITION DESIGN.—

(1) IN GENERAL.—Notwithstanding section 1342 of title 31, United States Code, the Director, in carrying out the competition, may consult with, and consider advice from, any person who has experience or expertise in the development, design, or execution of cybersecurity competitions.

(2) LIMITATION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations pursuant to this section.

(3) PROHIBITION.—A person with whom the Director consults under paragraph (1) may not—

(A) receive pay by reason of being so consulted; or

(B) be considered an employee of the Federal Government by reason of so consulting.

(c) ELIGIBILITY.—To be eligible to participate in the competition, an individual shall be a Federal civilian employee or member of the uniformed services (as such term is defined in section 2101(3) of title 5, United States Code) and shall comply with any rules promulgated by the Director regarding the competition.

(d) COMPETITION ADMINISTRATION.—The Director may enter into a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity or State or local government agency to administer the competition.

(e) COMPETITION PARAMETERS.—Each competition shall incorporate the following elements:

(1) Cybersecurity skills outlined in the National Initiative for Cybersecurity Education Framework, or any successor framework.

(2) Individual and team events.

(3) Categories demonstrating offensive and defensive cyber operations, such as software reverse engineering and exploitation, network operations, forensics, big data analysis, cyber analysis, cyber defense, cyber exploitation, secure programming, obfuscated coding, or cyber-physical systems.

(4) Any other elements related to paragraphs (1), (2), or (3) as determined necessary by the Director.

(f) USE OF FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Director may use amounts made available to the Director for the competition for the following:

(A) Advertising, marketing, and promoting the competition.

(B) Meals for participants and organizers of the competition if attendance at the meal during the competition is necessary to maintain the integrity of the competition.

(C) Promotional items, including merchandise and apparel.

(D) Monetary and nonmonetary awards for competition participants, including members of the uniformed services.

(E) Necessary expenses for the honorary recognition of competition participants, including members of the uniformed services.

(F) Any other appropriate activity necessary to carry out the competition, as determined by the Director.

(2) APPLICATION.—This subsection shall apply to amounts appropriated on or after the date of the enactment of this Act.

(g) PRIZE LIMITATION.—The Director may make one or more awards per competition, except that the amount or value of each shall not exceed $10,000. The Secretary of Homeland Security may make one or more awards per competition, except the amount or the value of each shall not to exceed $25,000. A monetary award under this section shall be in addition to the regular pay of the recipient.

(h) REPORTING REQUIREMENTS.—The Director shall annually provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

(1) A description of available funds under subsection (f) for each competition conducted in the preceding year.

(2) A description of expenditures authorized in subsection (g) for each competition.

(3) Information relating to the participation of each competition.

(4) Information relating to lessons learned from each competition and how such lessons may be applied to improve cybersecurity operations and recruitment of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

SEC. 59136. INDUSTRIAL CONTROL SYSTEMS CYBERSECURITY TRAINING.

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following new section:

''SEC. 2220E. INDUSTRIAL CONTROL SYSTEMS CYBERSECURITY TRAINING INITIATIVE.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Industrial Control Systems Cybersecurity Training Initiative (in this section referred to as the 'Initiative') is established within the Agency.

''(2) PURPOSE.—The purpose of the Initiative is to develop and strengthen the skills of the cybersecurity workforce related to securing industrial control systems.

''(b) REQUIREMENTS.—In carrying out the Initiative, the Director shall—

''(1) ensure the Initiative includes—

''(A) virtual and in-person trainings and courses provided at no cost to participants;

''(B) trainings and courses available at different skill levels, including introductory level courses;

''(C) trainings and courses that cover cyber defense strategies for industrial control systems, including an understanding of the unique cyber threats facing industrial control systems and the mitigation of security vulnerabilities in industrial control systems technology; and

''(D) appropriate consideration regarding the availability of trainings and courses in different regions of the United States; and

''(2) engage in—

''(A) collaboration with the National Laboratories of the Department of Energy in accordance with section 309;

''(B) consultation with Sector Risk Management Agencies; and

''(C) as appropriate, consultation with private sector entities with relevant expertise, such as vendors of industrial control systems technologies.

''(c) REPORTS.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section and annually thereafter, the Director shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the Initiative.

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

''(A) A description of the courses provided under the Initiative.

''(B) A description of outreach efforts to raise awareness of the availability of such courses.

''(C) Information on the number and demographics of participants in such courses, including by gender, race, and place of residence.

''(D) Information on the participation in such courses of workers from each critical infrastructure sector.

''(E) Plans for expanding access to industrial control systems education and training, including expanding access to women and underrepresented populations, and expanding access to different regions of the United States.

''(F) Recommendations on how to strengthen the state of industrial control systems cybersecurity education and training.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2220D the following new item:

''Sec. 2220E. Industrial Control Systems Cybersecurity Training Initiative.''.

SEC. 59137. TSA REACHING ACROSS NATIONALITIES, SOCIETIES, AND LANGUAGES TO ADVANCE TRAVELER EDUCATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration (TSA) shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to ensure that TSA material disseminated in major airports can be better understood by more people accessing such airports.

(b) CONTENTS.—The plan required under subsection (a) shall include the following:

(1) An identification of the most common languages other than English that are the primary languages of individuals that travel through or work in each major airport.

(2) A plan to improve—

(A) TSA materials to communicate information in languages identified pursuant to paragraph (1); and

(B) the communication of TSA material to individuals with vision or hearing impairments or other possible barriers to understanding such material.

(c) CONSIDERATIONS.—In developing the plan required under subsection (a), the Administrator of the TSA, acting through the Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement of the TSA, shall take into consideration data regarding the following:

(1) International enplanements.

(2) Local populations surrounding major airports.

(3) Languages spoken by members of Indian Tribes within each service area population in which a major airport is located.

(d) IMPLEMENTATION.—Not later than 180 days after the submission of the plan required under subsection (a), the Administrator of the TSA, in consultation with the owner or operator of each major airport, shall implement such plan.

(e) GAO REVIEW.—Not later than one year after the implementation pursuant to subsection (d) of the plan required under subsection (a), the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a review of such implementation.

(f) DEFINITIONS.—In this section:

(1) AIRPORT.—The term ''airport'' has the meaning given such term in section 40102 of title 49, United States Code.

(2) INDIAN TRIBE.—The term ''Indian Tribe'' means an Indian Tribe, as such term is defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130), individually identified (including parenthetically) in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of that Act (25 U.S.C. 5131).

(3) MAJOR AIRPORTS.—The term ''major airports'' means Category X and Category I airports.

(4) NON-TRAVELING INDIVIDUAL.—The term ''non-traveling individual'' has the meaning given such term in section 1560.3 of title 49, Code of Federal Regulations.

(5) TSA MATERIAL.—The term ''TSA material'' means signs, videos, audio messages, websites, press releases, social media postings, and other communications published and disseminated by the Administrator of the TSA in Category X and Category I airports for use by both traveling and non-traveling individuals.

SEC. 59138. BEST PRACTICES RELATED TO CERTAIN INFORMATION COLLECTED BY RENTAL COMPANIES AND DEALERS (DARREN DRAKE).

(a) DEVELOPMENT AND DISSEMINATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall develop and disseminate best practices for rental companies and dealers to report suspicious behavior to law enforcement agencies at the point of sale of a covered rental vehicle.

(2) CONSULTATION; UPDATES.—The Secretary shall develop and, as necessary, update the best practices described in paragraph (1) after consultation with Federal, State, local, and Tribal law enforcement agencies and relevant transportation security stakeholders.

(3) GUIDANCE ON SUSPICIOUS BEHAVIOR.—The Secretary shall include, in the best practices developed under paragraph (1), guidance on defining and identifying suspicious behavior in a manner that protects civil rights and civil liberties.

(b) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report on the implementation of this section, including an assessment of—

(1) the impact of the best practices described in subsection (a) on efforts to protect the United States against terrorist attacks; and

(2) ways to improve and expand cooperation and engagement between—

(A) the Department of Homeland Security;

(B) Federal, State, local, and Tribal law enforcement agencies; and

(C) rental companies, dealers, and other relevant rental industry stakeholders.

(c) DEFINITIONS.—In this section:

(1) The terms ''dealer'' and ''rental company'' have the meanings given those terms in section 30102 of title 49, United States Code.

(2) The term ''covered rental vehicle'' means a motor vehicle that—

(A) is rented without a driver for an initial term of less than 4 months; and

(B) is part of a motor vehicle fleet of 35 or more motor vehicles that are used for rental purposes by a rental company.

SEC. 59139. ONE-STOP PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate.

(3) TSA.—The term ''TSA'' means the Transportation Security Administration of the Department of Homeland Security.

(b) ESTABLISHMENT.—Notwithstanding 44901(a) of title 49, United States Code, the Administrator, in coordination with the Commissioner of U.S. Customs and Border Protection, may establish a pilot program at not more than six foreign last point of departure airports to permit passengers and their accessible property arriving on direct flights or flight segments originating at such participating foreign airports to continue on additional flights or flight segments originating in the United States without additional security re-screening if—

(1) the initial screening was conducted in accordance with an aviation security screening agreement described in subsection (e);

(2) passengers arriving from participating foreign airports are unable to access their checked baggage until the arrival at their final destination; and

(3) upon arrival in the United States, passengers arriving from participating foreign airports do not come into contact with other arriving international passengers, those passengers' property, or other persons who have not been screened or subjected to other appropriate security controls required for entry into the airport's sterile area.

(c) REQUIREMENTS FOR PILOT PROGRAM.—In carrying out this section, the Administrator shall ensure that there is no reduction in the level of security or specific TSA aviation security standards or requirements for screening passengers and their property prior to boarding an international flight bound for the United States, including specific aviation security standards and requirements regarding—

(1) high risk passengers and their property;

(2) weapons, explosives, and incendiaries;

(3) screening passengers and property transferring at a foreign last point of departure airport from another airport and bound for the United States, and addressing any commingling of such passengers and property with passengers and property screened under the pilot program described in subsection (b); and

(4) insider risk at foreign last point of departure airports.

(d) RE-SCREENING OF CHECKED BAGGAGE.—Subject to subsection (f), the Administrator may determine whether checked baggage arriving from participating foreign airports referenced in subsection (b) that screen using an explosives detection system must be re-screened in the United States by an explosives detection system before such baggage continues on any additional flight or flight segment.

(e) AVIATION SECURITY SCREENING AGREEMENT.—An aviation security screening agreement described in this subsection is a treaty, executive agreement, or other international arrangement that—

(1)(A) in the case of a treaty or executive agreement, is signed by the President; and

(B) in the case of an international agreement, is signed by only the President, Secretary of Homeland Security, or Administrator, without delegating such authority; and

(2) is entered into with a foreign country that delineates and implements security standards and protocols utilized at a foreign last point of departure airport that are determined by the Administrator—

(A) to be comparable to those of the United States; and

(B) sufficiently effective to enable passengers and their accessible property to deplane into sterile areas of airports in the United States without the need for re-screening.

(f) RE-SCREENING REQUIREMENT.—

(1) IN GENERAL.—If the Administrator determines that a foreign country participating in the aviation security screening agreement has not maintained and implemented security standards and protocols comparable to those of the United States at foreign last point of departure airports at which a pilot program has been established in accordance with this section, the Administrator shall ensure that passengers and their property arriving from such airports are re-screened in the United States, including by using explosives detection systems in accordance with section 44901(d)(1) of title 49, United States Code, and implementing regulations and directives, before such passengers and their property are permitted into sterile areas of airports in the United States.

(2) CONSULTATION.—If the Administrator has reasonable grounds to believe that the other party to an aviation security screening agreement has not complied with such agreement, the Administrator shall request immediate consultation with such party.

(3) SUSPENSION OR TERMINATION OF AGREEMENT.—If a satisfactory resolution between TSA and a foreign country is not reached within 45 days after a consultation request under paragraph (2) or in the case of the foreign country's continued or egregious failure to maintain the security standards and protocols described in paragraph (1), the President, Secretary of Homeland Security, or Administrator, as appropriate, shall suspend or terminate the aviation security screening agreement with such country, as determined appropriate by the President, Secretary of Homeland Security, or Administrator. The Administrator shall notify the appropriate congressional committees of such consultation and suspension or termination, as the case may be, not later than seven days after such consultation and suspension or termination.

(g) BRIEFINGS TO CONGRESS.—Not later than 45 days before an aviation security screening agreement described in subsection (e) enters into force, the Administrator shall submit to the appropriate congressional committees—

(1) an aviation security threat assessment for the country in which such foreign last point of departure airport is located;

(2) information regarding any corresponding mitigation efforts to address any security issues identified in such threat assessment, including any plans for joint covert testing;

(3) information on potential security vulnerabilities associated with commencing a pilot program at such foreign last point of departure airport pursuant to subsection (b) and mitigation plans to address such potential security vulnerabilities;

(4) an assessment of the impacts such pilot program will have on aviation security;

(5) an assessment of the screening performed at such foreign last point of departure airport, including the feasibility of TSA personnel monitoring screening, security protocols, and standards;

(6) information regarding identifying the entity or entities responsible for screening passengers and property at such foreign last point of departure airport;

(7) the name of the entity or local authority and any contractor or subcontractor;

(8) information regarding the screening requirements relating to such aviation security screening agreement;

(9) details regarding information sharing mechanisms between the TSA and such foreign last point of departure airport, screening authority, or entity responsible for screening provided for under such aviation security screening agreement; and

(10) a copy of the aviation security screening agreement, which shall identify the foreign last point of departure airport or airports at which a pilot program under this section is to be established.

(h) CERTIFICATIONS RELATING TO THE PILOT PROGRAM FOR ONE-STOP SECURITY.—For each aviation security screening agreement described in subsection (e), the Administrator shall submit to the appropriate congressional committees—

(1)(A) a certification that such agreement satisfies all of the requirements specified in subsection (c); or

(B) in the event that one or more of such requirements are not so satisfied, a description of the unsatisfied requirement and information on what actions the Administrator will take to ensure that such remaining requirements are satisfied before such agreement enters into force;

(2) a certification that TSA and U.S. Customs and Border Protection have ensured that any necessary physical modifications or appropriate mitigations exist in the domestic one-stop security pilot program airport prior to receiving international passengers from a last point of departure airport under the aviation security screening agreement;

(3) a certification that a foreign last point of departure airport covered by an aviation security screening agreement has an operation to screen all checked bags as required by law, regulation, or international agreement, including the full utilization of explosives detection systems to the extent applicable; and

(4) a certification that the Administrator consulted with stakeholders, including air carriers, aviation nonprofit labor organizations, airport operators, relevant interagency partners, and other stakeholders that the Administrator determines appropriate.

(i) REPORT TO CONGRESS.—Not later than five years after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the Administrator, shall submit a report to the appropriate congressional committees regarding the implementation of the pilot program authorized under this section, including information relating to—

(1) the impact of such program on homeland security and international aviation security, including any benefits and challenges of such program;

(2) the impact of such program on passengers, airports, and air carriers, including any benefits and challenges of such program; and

(3) the impact and feasibility of continuing such program or expanding it into a more permanent program, including any benefits and challenges of such continuation or expansion.

(j) RULE OF CONSTRUCTION.—Nothing in this section may be construed as limiting the authority of U.S. Customs and Border Protection to inspect persons and baggage arriving in the United States in accordance with applicable law.

(k) SUNSET.—The pilot program authorized under this section shall terminate on the date that is six years after the date of the enactment of this Act.

SEC. 59140. DHS ILLICIT CROSS-BORDER TUNNEL DEFENSE.

(a) COUNTER ILLICIT CROSS-BORDER TUNNEL OPERATIONS STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection, in coordination with the Under Secretary for Science and Technology, and, as appropriate, other officials of the Department of Homeland Security, shall develop a counter illicit cross-border tunnel operations strategic plan (in this section referred to as the ''strategic plan'') to address the following:

(A) Risk-based criteria to be used to prioritize the identification, breach, assessment, and remediation of illicit cross-border tunnels.

(B) Promote the use of innovative technologies to identify, breach, assess, and remediate illicit cross-border tunnels in a manner that, among other considerations, reduces the impact of such activities on surrounding communities.

(C) Processes to share relevant illicit cross-border tunnel location, operations, and technical information.

(D) Indicators of specific types of illicit cross-border tunnels found in each U.S. Border Patrol sector identified through operations to be periodically disseminated to U.S. Border Patrol sector chiefs to educate field personnel.

(E) A counter illicit cross-border tunnel operations resource needs assessment that includes consideration of the following:

(i) Technology needs.

(ii) Staffing needs, including the following:

(I) A position description for counter illicit cross-border tunnel operations personnel.

(II) Any specialized skills required of such personnel.

(III) The number of such full time personnel, disaggregated by U.S. Border Patrol sector.

(2) REPORT TO CONGRESS ON STRATEGIC PLAN.—Not later than one year after the development of the strategic plan, the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of the strategic plan.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection $1,000,000 for each of fiscal years 2023 and 2024 to carry out—

(1) the development of the strategic plan; and

(2) remediation operations of illicit cross-border tunnels in accordance with the strategic plan to the maximum extent practicable.

SEC. 59141. PREVENT EXPOSURE TO NARCOTICS AND TOXICS.

(a) TRAINING FOR U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL ON THE USE OF CONTAINMENT DEVICES TO PREVENT SECONDARY EXPOSURE TO FENTANYL AND OTHER POTENTIALLY LETHAL SUBSTANCES.—Paragraph (1) of section 416(b) of the Homeland Security Act of 2002 (6 U.S.C. 216(b)) is amended by adding at the end the following new subparagraph:

''(C) How to use containment devices to prevent secondary exposure to fentanyl and other potentially lethal substances.''.

(b) AVAILABILITY OF CONTAINMENT DEVICES.—Section 416(c) of the Homeland Security Act of 2002 (6 U.S.C. 216(c)) is amended—

(1) by striking ''and'' after ''equipment'' and inserting a comma; and

(2) by inserting ''and containment devices'' after ''naloxone,''.

Subtitle D—Technical, Conforming, and Clerical Amendments

SEC. 59151. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by—

(1) amending the items relating to sections 435 and 436 to read as follows:

''Sec. 435. Maritime operations coordination plan.

''Sec. 436. Maritime security capabilities assessments.'';

(2) amending the item relating to section 1617 to read as follows:

''Sec. 1617. Diversified security technology industry marketplace.'';

(3) amending the item relating to section 1621 to read as follows:

''Sec. 1621. Maintenance validation and oversight.''; and

(4) amending the item relating to section 2103 to read as follows:

''Sec. 2103. Protection and sharing of information.''.

AMENDMENT NO. 421 OFFERED BY MR. COURTNEY OF CONNECTICUT

At the end of title LIV of division E, add the following:

SEC. 54___. ADDITION OF UNITED KINGDOM AND AUSTRALIA AS DPA DOMESTIC SOURCES.

Section 702(7)(A) of the Defense Production Act of 1950 (50 U.S.C. 4552(7)(A)) is amended by striking ''United States or Canada'' and inserting ''United States, the United Kingdom of Great Britain and Northern Ireland, Australia, or Canada''.

AMENDMENT NO. 422 OFFERED BY MR. TENNEY OF NEW YORK

At the end of subtitle E of title XII of division A, add the following:

SEC. _____. RESTRICTION OF ENTITIES FROM USING FEDERAL FUNDS FROM ENGAGING, ENTERING INTO, AND AWARDING PUBLIC WORKS CONTRACTS.

(a) IN GENERAL.—Chapter 33 of title 40, United States Code, is amended by adding at the end the following:

''§ 3320. Restriction of entities from using Federal funds to engage, enter into, and award public works contracts

''(a) IN GENERAL.—Notwithstanding any other provision of law, Federal funds may not be provided to any covered entity for any covered public works project.

''(b) REQUIREMENTS.—Any entity receiving funds for any covered public works project shall be free from any obligations, influences, or connections to any covered entity.

''(c) EXCEPTION.—This section shall only apply to projects that are located in the United States.

''(d) DEFINITIONS.—In this section:

''(1) COVERED ENTITY.—The term 'covered entity' means any entity that—

''(A) is headquartered in China;

''(B) is owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People's Republic of China, the CCP, or the Chinese military, including any entity for which the Government of the People's Republic of China, the CCP, or the Chinese military have the ability, through ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide for an entity in an important manner; or

''(C) is a parent, subsidiary, or affiliate of any entity described in subparagraph (B).

''(2) COVERED PUBLIC WORKS PROJECT.—The term 'covered public works project' means any project of the construction, repair, renovation, or maintenance of public buildings, structures, sewers, water works, roads, bridges, docks, underpasses and viaducts, as well as any other improvement to be constructed, repaired or renovated or maintained on public property to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 33 of title 40, United States Code, is amended by adding at the end the following:

''3320. Restriction of entities from using Federal funds to engage, enter into, and award public works contracts.''.

(c) NON-FEDERAL PUBLIC WORKS.—Chapter 35 of title 40, United States Code, is amended by adding at the end the following:

''§ 3506. Restriction of States and local governments from using Federal funds to engage, enter into, and award public works contracts

''(a) IN GENERAL.—A State or local government receiving Federal funds may not provide such funds to any covered entity for any covered public works project.

''(b) REQUIREMENTS.—A State or local government shall verify that any entity receiving funds for any covered public works project is free from any obligations, influences, or connections to any covered entity.

''(c) EXCEPTION.—This section shall only apply to projects that are located in a State.

''(d) DEFINITIONS.—In this section:

''(1) COVERED ENTITY.—The term 'covered entity' means any entity that—

''(A) is headquartered in China;

''(B) is owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People's Republic of China, the CCP, or the Chinese military, including any entity for which the Government of the People's Republic of China, the CCP, or the Chinese military have the ability, through ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide for an entity in an important manner; or

''(C) is a parent, subsidiary, or affiliate of any entity described in subparagraph (B).

''(2) COVERED PUBLIC WORKS PROJECT.—The term 'covered public works project' means any project of the construction, repair, renovation, or maintenance of public buildings, structures, sewers, water works, roads, bridges, docks, underpasses and viaducts, as well as any other improvement to be constructed, repaired or renovated or maintained on public property to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.''.

(d) CLERICAL AMENDMENT.—The analysis for chapter 35 of title 40, United States Code, is amended by adding at the end the following:

''3506. Restriction of States and local governments from using Federal funds to engage, enter into, and award public works contracts.''.

(e) UPDATING REGULATIONS.—The Federal Acquisition Regulation and the Defense Federal Acquisition Regulation shall be revised to implement the provisions of this Act.

(f) RULE OF APPLICABILITY.—The amendments made by this section shall take effect, and shall apply to projects beginning on or after, 180 days after the date of enactment of this Act.

AMENDMENT NO. 423 OFFERED BY MS. GARCIA OF TEXAS

Add at the end of subtitle B of title VII the following:

SEC. _____ AFFILIATES SHARING PILOT PROGRAM.

Section 5318(g)(8)(B)(iii) of title 31, United States Code, is amended by striking ''3 years after the date of enactment of this paragraph'' and inserting ''3 years after the date that the Secretary of the Treasury issues rules pursuant to subparagraph (A)''.

AMENDMENT NO. 424 OFFERED BY MRS. DEMINGS OF FLORIDA

At the end of title LVIII, add the following:

SEC. 58__. OPEN TECHNOLOGY FUND GRANTS.

(a) IN GENERAL.—In addition to grants made to the Open Technology Fund of the United States Agency for Global Media pursuant to section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) to make grants for the purposes specified in section 309A of such Act (22 U.S.C. 6208a), the Open Technology Fund may make grants to eligible entities to surge and sustain support for internet freedom technologies to counter acute escalations in censorship in closed countries.

(b) METHODOLOGY.—Grants under this section shall be made competitively, and shall be subject to audits by the Open Technology Fund to ensure that technologies described in subsection (a) are secure and have not been compromised in a manner detrimental to the interests of the United States or to individuals or organizations benefitting from programs supported by such grants.

(c) REPORTING.—The Open Technology Fund shall annually submit to the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate a report on grants made and activities carried out pursuant to such grants during the immediately preceding fiscal year.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $5,000,000 for each of fiscal years 2023 through 2027 to carry out this section.

(2) AVAILABILITY.—Amounts authorized to be appropriated pursuant to this subsection are authorized to remain available until expended.

(e) DEFINITIONS.—In this section:

(1) CLOSED COUNTRIES.—The term ''closed countries'' means countries in which democratic participation, free expression, freedom of movement, or access to information is suppressed or explicitly prohibited through political, judicial, social, or technical means, or as otherwise determined by the Secretary of State, the Chief Executive Officer for the United States Agency for Global Media, or the President of the Open Technology Fund.

(2) ELIGIBLE ENTITIES.—The term ''eligible entities'' means public or private sector entities with proven and already-deployed technology relating to surging and sustaining support for internet freedom technologies to counter acute escalations in censorship in closed countries.

AMENDMENT NO. 425 OFFERED BY MR. TORRES OF NEW YORK

Add at the end of title LII of division E the following:

SEC. 5206. BUILDING CYBER RESILIENCE AFTER SOLARWINDS.

(a) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

(2) DIRECTOR.—The term ''Director'' shall refer to the Director of the Cybersecurity and Infrastructure Security Agency.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given such term in section 2240 of the Homeland Security Act of 2002 (6 U.S.C. 681).

(4) SIGNIFICANT CYBER INCIDENT.—The term ''significant cyber incident'' has the meaning given such term in section 2240 of the Homeland Security Act of 2002.

(5) SOLARWINDS INCIDENT.—The term ''SolarWinds incident'' refers to the significant cyber incident that prompted the establishment of a Unified Cyber Coordination Group, as provided by section V(B)(2) of Presidential Policy Directive 41, in December 2020.

(b) SOLARWINDS INVESTIGATION AND REPORT.—

(1) INVESTIGATION.—The Director, in consultation with the National Cyber Director and the heads of other relevant Federal departments and agencies, shall carry out an investigation to evaluate the impact of the SolarWinds incident on information systems owned and operated by Federal departments and agencies, and, to the extent practicable, other critical infrastructure.

(2) ELEMENTS.—In carrying out subsection (b), the Director shall review the following:

(A) The extent to which Federal information systems were accessed, compromised, or otherwise impacted by the SolarWinds incident, and any potential ongoing security concerns or consequences arising from such incident.

(B) The extent to which information systems that support other critical infrastructure were accessed, compromised, or otherwise impacted by the SolarWinds incident, where such information is available to the Director.

(C) Any ongoing security concerns or consequences arising from the SolarWinds incident, including any sensitive information that may have been accessed or exploited in a manner that poses a threat to national security.

(D) Implementation of Executive Order 14028 (Improving the Nation's Cybersecurity (May 12, 2021)).

(E) Efforts taken by the Director, the heads of Federal departments and agencies, and critical infrastructure owners and operators to address cybersecurity vulnerabilities and mitigate risks associated with the SolarWinds incident.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the Committee on Homeland Security in the House of Representatives and Committee on Homeland Security and Government Affairs in the Senate a report that includes the following:

(1) Findings for each of the elements specified in subsection (b).

(2) Recommendations to address security gaps, improve incident response efforts, and prevent similar cyber incidents.

(3) Any areas where the Director lacked the information necessary to fully review and assessment such elements, the reason the information necessary was unavailable, and recommendations to close such informational gaps.

(d) GAO REPORT ON CYBER SAFETY REVIEW BOARD.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall evaluate the activities of the Cyber Safety Review Board established pursuant to Executive Order 14028 (Improving the Nation's Cybersecurity (May 12, 2021)), with a focus on the Board's inaugural review announced in February 2022, and assess whether the Board has the authorities, resources, and expertise necessary to carry out its mission of reviewing and assessing significant cyber incidents.

AMENDMENT NO. 427 OFFERED BY MR. GARBARINO OF NEW YORK

Add at the end of title LII of division E the following:

SEC. 5206. CISA DIRECTOR APPOINTMENT AND TERM.

Subsection (b) of section 2202 of the Homeland Security Act of 2002 (6 U.S.C. 652) is amended—

(1) in paragraph (1), by adding at the end the following new sentence: ''The Director shall be appointed by the President, by and with the advice and consent of the Senate.'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) TERM.—Effective with respect to an individual appointed pursuant to paragraph (1) after the date of the enactment of this paragraph, the term of office of such an individual so appointed shall be five years. The term of office of the individual serving as the Director on the day before such date of enactment shall be five years beginning from the date on which such Director began serving.''.

AMENDMENT NO. 428 OFFERED BY MR. LAMB OF PENNSYLVANIA

At the end of title LVIII of division E, insert the following:

SEC. ___. STRATEGIC TRANSFORMER RESERVE AND RESILIENCE.

(a) PLAN AND REPORT.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing—

(1) a plan for reducing the vulnerability of the electric grid to physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, climate change, and seismic events, including by—

(A) establishing a strategic transformer reserve that ensures that large power transformers, generator step-up transformers, power conversion equipment, and other critical electric grid equipment are strategically located to ensure timely replacement of such equipment as may be necessary to restore electric grid function rapidly in the event of severe damage to the electric grid due to physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, climate change, or seismic events; and

(B) establishing a coordinated plan to facilitate transportation of large power transformers, generator step-up transformers, power conversion equipment, and other critical electric grid equipment; and

(2) an evaluation of the benefits of establishing such a strategic transformer reserve, including the benefits of purchasing critical electric grid equipment that is made of iron and steel products produced in the United States.

(b) TRANSFORMER RESILIENCE.—The Secretary shall—

(1) improve large power transformers, generator step-up transformers, power conversion equipment, and other critical electric grid equipment by reducing their vulnerabilities;

(2) develop, test, and deploy innovative equipment designs that are more flexible and offer greater resiliency of electric grid functions;

(3) coordinate with industry and manufacturers to standardize large power transformers, generator step-up transformers, power conversion equipment, and other critical electric grid equipment;

(4) monitor and test large power transformers, generator step-up transformers, power conversion equipment, and other critical electric grid equipment that the Secretary determines may pose a risk to the bulk-power system or national security; and

(5) facilitate the domestic manufacturing of large power transformers, generator step-up transformers, power conversion equipment, and other critical electric grid equipment through the issuance of grants and loans, and through the provision of technical support.

(c) CONSULTATION.—In carrying out this section, the Secretary shall consult with the Federal Energy Regulatory Commission, the Electricity Subsector Coordinating Council, the Electric Reliability Organization, manufacturers, and owners and operators of critical electric infrastructure and defense and military installations.

(d) PREVAILING WAGES.—Any laborer or mechanic employed by any contractor or subcontractor in the performance of work funded directly, or assisted in whole or in part, by the Federal Government pursuant to this section shall be paid wages at rates not less than those prevailing on work of a similar character in the locality, as determined by the Secretary of Labor under subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act). With respect to the labor standards in this subsection, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2022 through 2026, and such amounts shall remain available until expended.

(f) DEFINITIONS.—In this section:

(1) The terms ''bulk-power system'' and ''Electric Reliability Organization'' have the meaning given such terms in section 215 of the Federal Power Act (16 U.S.C. 824o).

(2) The term ''critical electric infrastructure'' has the meaning given such term in section 215A of the Federal Power Act (16 U.S.C. 824o–1).

(3) The term ''iron and steel products'' includes electrical steel used in the manufacture of—

(A) transformers; and

(B) laminations, cores, and other transformer components.

(4) The term ''produced in the United States'' means, with respect to iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(1) The terms ''Regional Transmission Organization'', ''Independent System Operator'', and ''State regulatory authority'' have the meaning given such terms in section 3 of the Federal Power Act (16 U.S.C. 796).

(2) The term ''Secretary'' means the Secretary of Energy.

AMENDMENT NO. 429 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

At the end of division E, insert the following:

SEC. 5806. AI IN COUNTERTERRORISM OVERSIGHT ENHANCEMENT.

(a) SHORT TITLE.—This section may be cited as the ''AI in Counterterrorism Oversight Enhancement Act''.

(b) OVERSIGHT OF USE OF ARTIFICIAL INTELLIGENCE-ENABLED TECHNOLOGIES BY EXECUTIVE BRANCH FOR COUNTERTERRORISM PURPOSES.—

(1) AMENDMENTS TO AUTHORITIES AND RESPONSIBILITIES OF PRIVACY AND CIVIL LIBERTIES OFFICERS.—Section 1062 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–1) is amended—

(A) in subsection (a)—

(i) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5);

(ii) by inserting after paragraph (2) the following new paragraph:

''(3) provide to the Privacy and Civil Liberties Oversight Board, with respect to covered artificial intelligence-enabled technologies—

''(A) not later than 180 days after the date on which this paragraph takes effect, and every 6 months thereafter, written notice of the use of such technologies or the planned evaluation, use, development, acquisition, retention of services for, or repurposing of such technologies;

''(B) access to associated impact statements, including system of record notices, privacy impact assessments, and civil liberties impact assessments;

''(C) access to associated information and materials documenting—

''(i) the processes for data collection related to such technologies, for obtaining consent related to the use of such technologies, or for the disclosure of the use of such technologies;

''(ii) the algorithms and models of such technologies;

''(iii) the data resources used, or to be used, in the training of such technologies, including a comprehensive listing of any data assets or public data assets (or any combination thereof) used, or to be used, in the training of such technologies;

''(iv) data governance processes and procedures, including acquisition, protection, retention, sharing, and access, related to data resources associated with such technologies; and

''(v) processes for training and testing, evaluating, validating, and modifying such technologies; and

''(D) access to all other associated information and materials.'';

(B) in subsection (d)(1), by inserting ''(including as described under subsection (a)(3))'' after ''officer''; and

(C) by adding at the end the following:

''(i) DEFINITIONS.—In this section:

''(1) ARTIFICIAL INTELLIGENCE.—The term 'artificial intelligence' has the meaning given that term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358 note).

''(2) COVERED ARTIFICIAL INTELLIGENCE-ENABLED TECHNOLOGY.—The term 'covered artificial intelligence-enabled technology' means an artificial intelligence-enabled technology (including a classified technology)—

''(A) in use by the applicable department, agency, or element to protect the Nation from terrorism; or

''(B) that the applicable department, agency, or element plans to evaluate, develop, acquire, retain, or repurpose to protect the Nation from terrorism.

''(3) DATA ASSET; PUBLIC DATA ASSET.—The terms 'data asset' and 'public data asset' have the meaning given those terms in section 3502 of title 44, United States Code.''.

(2) SELF-ASSESSMENT BY PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Not later than one year after the date of the enactment of this Act, the Privacy and Civil Liberties Oversight Board under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) shall provide to the appropriate committees (as described in subsection (e) of such section) a self-assessment of any change in authorities, resources, or organizational structure that may be necessary to carry out the functions described in subsection (d) of such section related to artificial intelligence-enabled technologies.

(3) DEFINITION.—In this section, the term ''artificial intelligence'' has the meaning given that term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358 note).

(4) EFFECTIVE DATE.—Paragraphs (1) and (2), and the amendments made by such paragraphs, shall take effect on the date that is one year after the date of the enactment of this Act.

AMENDMENT NO. 430 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Insert in the appropriate place in title LVIII the following:

SEC. ___. ELIMINATION OF TERMINATION CLAUSE FOR GLOBAL ENGAGEMENT CENTER.

Section 1287 of Public Law 114–328 is amended by striking subsection (j).

AMENDMENT NO. 431 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of title LVIII of division E, add the following:

SEC. 58____. RESOLUTION OF CONTROVERSIES UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 102 of the Servicemembers Civil Relief Act (50 U.S.C. 3912) is amended by adding at the end the following new subsection:

''(d) WRITTEN CONSENT REQUIRED FOR ARBITRATION.—Notwithstanding any other provision of law, whenever a contract with a servicemember, or a servicemember and the servicemember's spouse jointly, provides for the use of arbitration to resolve a controversy subject to a provision of this Act and arising out of or relating to such contract, arbitration may be used to settle such controversy only if, after such controversy arises, all parties to such controversy consent in writing to use arbitration to settle such controversy.''.

(b) APPLICABILITY.—Subsection (d) of such section, as added by subsection (a), shall apply with respect to contracts entered into, amended, altered, modified, renewed, or extended after the date of the enactment of this Act.

SEC. 58____. LIMITATION ON WAIVER OF RIGHTS AND PROTECTIONS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3918(a)) is amended—

(1) in the second sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' after ''to which it applies''; and

(2) in the third sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' after ''period of military service''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to waivers made on or after the date of the enactment of this Act.

SEC. 58____. CLARIFICATION OF PRIVATE RIGHT OF ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. 4042(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting '', notwithstanding any previous agreement to the contrary,'' after ''may''; and

(2) in paragraph (3), by striking '', notwithstanding any previous agreement to the contrary''.

AMENDMENT NO. 432 OFFERED BY MS. TLAIB OF MICHIGAN

Add at the end of title LIV of division E the following:

SEC. 5403. SERVICEMEMBER PROTECTIONS FOR MEDICAL DEBT COLLECTIONS.

(a) AMENDMENTS TO THE FAIR DEBT COLLECTION PRACTICES ACT.—

(1) DEFINITION.—Section 803 of the Fair Debt Collection Practices Act (15 U.S.C. 1692a) is amended by adding at the end the following:

''(9) The term 'medical debt' means a debt arising from the receipt of medical services, products, or devices.''.

(2) 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) Engaging in activities to collect or attempting to collect a medical debt owed or due or asserted to be owed or due by a consumer who was a member of the Armed Forces at the time such debt was incurred, before the end of the 2-year period beginning on the date that the first payment with respect to such medical debt is due.''.

(b) PROHIBITION ON CONSUMER REPORTING AGENCIES REPORTING CERTAIN MEDICAL DEBT WITH RESPECT TO MEMBERS OF THE ARMED FORCES.—

(1) DEFINITION.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a) is amended by adding at the end the following:

''(bb) MEDICAL DEBT.—The term 'medical debt' means a debt arising from the receipt of medical services, products, or devices.

''(cc) MEDICALLY NECESSARY PROCEDURE.—The term 'medically necessary procedure' means—

''(1) health care services or supplies needed to diagnose or treat an illness, injury, condition, disease, or its symptoms and that meet accepted standards of medicine; and

''(2) health care to prevent illness or detect illness at an early stage, when treatment is likely to work best (including preventive services such as pap tests, flu shots, and screening mammograms).''.

(2) IN GENERAL.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)) is amended—

(A) in paragraph (7), by adding at the end the following: ''This paragraph shall not be subject to section 625(b)(1)(E).'';

(B) in paragraph (8), by adding at the end the following: ''This paragraph shall not be subject to section 625(b)(1)(E).''; and

(C) by adding at the end the following new paragraphs:

''(9) Any information related to a debt arising from a medically necessary procedure that occurred when the consumer was a member of the Armed Forces. This paragraph shall not be subject to section 625(b)(1)(E).

''(10) Any information related to a medical debt of a consumer that was incurred when the consumer was a member of the Armed Forces, if the date on which such debt was placed for collection, charged to profit or loss, or subjected to any similar action antedates the report by less than 365 calendar days. This paragraph shall not be subject to section 625(b)(1)(E).''.

(c) REQUIREMENTS FOR FURNISHERS OF MEDICAL DEBT INFORMATION WITH RESPECT TO MEMBERS OF THE ARMED FORCES.—

(1) ADDITIONAL NOTICE REQUIREMENTS FOR MEDICAL DEBT OF MEMBERS OF THE ARMED FORCES.—Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2) is amended by adding at the end the following:

''(f) ADDITIONAL NOTICE REQUIREMENTS FOR MEDICAL DEBT OF MEMBERS OF THE ARMED FORCES.—Before furnishing information regarding a medical debt of a consumer that

was incurred when the consumer was a member of the Armed Forces to a consumer reporting agency, the person furnishing the information shall send a statement to the consumer that includes the following:

''(1) A notification that the medical debt—

''(A) may not be included on a consumer report made by a consumer reporting agency until the later of the date that is 365 days after—

''(i) the date on which the person sends the statement;

''(ii) with respect to the medical debt of a borrower demonstrating hardship, a date determined by the Director of the Bureau; or

''(iii) the date described under section 605(a)(10); and

''(B) may not ever be included on a consumer report made by a consumer reporting agency, if the medical debt arises from a medically necessary procedure.

''(2) A notification that, if the debt is settled or paid by the consumer or an insurance company before the end of the period described under paragraph (1)(A), the debt may not be reported to a consumer reporting agency.

''(3) A notification that the consumer may—

''(A) communicate with an insurance company to determine coverage for the debt; or

''(B) apply for financial assistance.''.

(2) FURNISHING OF MEDICAL DEBT INFORMATION WITH RESPECT TO MEMBERS OF THE ARMED FORCES.—Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2), as amended by paragraph (1), is further amended by adding at the end the following:

''(g) FURNISHING OF MEDICAL DEBT INFORMATION WITH RESPECT TO MEMBERS OF THE ARMED FORCES.—

''(1) PROHIBITION ON REPORTING DEBT RELATED TO MEDICALLY NECESSARY PROCEDURES.—No person shall furnish any information to a consumer reporting agency regarding a debt arising from a medically necessary procedure that occurred when the consumer was a member of the Armed Forces.

''(2) TREATMENT OF OTHER MEDICAL DEBT INFORMATION.—With respect to a medical debt of a consumer that was incurred when the consumer was a member of the Armed Forces and that is not described under paragraph (1), no person shall furnish any information to a consumer reporting agency regarding such debt before the end of the 365-day period beginning on the later of—

''(A) the date on which the person sends the statement described under subsection (f) to the consumer;

''(B) with respect to the medical debt of a borrower demonstrating hardship, a date determined by the Director of the Bureau; or

''(C) the date described in section 605(a)(10).

''(3) TREATMENT OF SETTLED OR PAID MEDICAL DEBT.—With respect to a medical debt of a consumer that was incurred when the consumer was a member of the Armed Forces and that is not described under paragraph (1), no person shall furnish any information to a consumer reporting agency regarding such debt if the debt is settled or paid by the consumer or an insurance company before the end of the 365-day period described under paragraph (2).

''(4) BORROWER DEMONSTRATING HARDSHIP DEFINED.—In this subsection, and with respect to a medical debt, the term 'borrower demonstrating hardship' means a borrower or a class of borrowers who, as determined by the Director of the Bureau, is facing or has experienced unusual extenuating life circumstances or events that result in severe financial or personal barriers such that the borrower or class of borrowers does not have the capacity to repay the medical debt.''.

(d) EFFECTIVE DATE.—Except as otherwise provided under subsection (e), this section and the amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

(e) DISCRETIONARY SURPLUS FUNDS.—

(1) IN GENERAL.—The dollar amount specified under section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is reduced by $1,000,000.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2032.

AMENDMENT NO. 433 OFFERED BY MS. SÁNCHEZ OF CALIFORNIA

At the end of title LIV of division E, add the following:

SEC. 54___. PROTECTIONS FOR ACTIVE DUTY UNIFORMED CONSUMER.

(a) DEFINITIONS.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a) is amended—

(1) in subsection (q), by amending paragraph (1) to read as follows:

''(1) UNIFORMED CONSUMER.—The term 'uniformed consumer' means a consumer who is—

''(A) a member of the—

''(i) uniformed services (as such term is defined in section 101(a)(5) of title 10, United States Code); or

''(ii) National Guard (as such term is defined in section 101(c)(1) of title 10, United States Code); and

''(B) in active service (as such term is defined in section 101(d)(3) of title 10, United States Code), including full-time duty in the commissioned corps of the Public Health Service or the National Oceanic and Atmospheric Administration.''; and

(2) by adding at the end the following:

''(bb) DEPLOYED UNIFORMED CONSUMER.—The term 'deployed uniformed consumer' means an uniformed consumer who—

''(1) serves—

''(A) in a combat zone (as such term is defined in section 112(c)(2) of title 26, United States Code); or

''(B) aboard a United States combatant, support, or auxiliary vessel (as such terms are defined in section 231(f) of title 10, United States Code); or

''(C) in a deployment (as such term is defined in section 991(b) of title 10, United States Code); and

''(2) is on active duty (as such term is defined in section 101(d)(2) of title 10, United States Code) for not less than 30 days during the type of service described in paragraph (1).''.

(b) PROHIBITION ON INCLUDING CERTAIN ADVERSE INFORMATION IN CONSUMER REPORTS.—Section 605 of the Fair Credit Reporting Act (15 U.S.C. 1681c) is amended—

(1) in subsection (a), by adding at the end the following:

''(9) Any item of adverse information about a uniformed consumer, if the action or inaction that gave rise to the item occurred while the consumer was a deployed uniformed consumer.''; and

(2) by adding at the end the following:

''(i) NOTICE OF STATUS AS A UNIFORMED CONSUMER.—With respect to an item of adverse information about a consumer, if the action or inaction that gave rise to the item occurred while the consumer was a uniformed consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was a deployed uniformed consumer at the time such action or inaction occurred. The consumer reporting agency shall promptly delete that item of adverse information from the file of the uniformed consumer and notify the consumer and the furnisher of the information of the deletion.''.

(c) COMMUNICATIONS BETWEEN THE CONSUMER AND CONSUMER REPORTING AGENCIES.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in subsection (c)—

(A) by striking ''Upon'' and inserting the following:

''(1) IN GENERAL.—Upon'';

(B) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), and moving such redesignated subparagraphs 2 ems to the right; and

(C) by adding at the end the following:

''(2) NEGATIVE INFORMATION ALERT.—Any time a consumer reporting agency receives an item of adverse information about a consumer, if the consumer has provided appropriate proof that the consumer is a uniformed consumer, the consumer reporting agency shall promptly notify the consumer—

''(A) that the agency has received such item of adverse information, along with a description of the item; and

''(B) the method by which the consumer can dispute the validity of the item.

''(3) CONTACT INFORMATION FOR UNIFORMED CONSUMERS.—With respect to any consumer that has provided appropriate proof to a consumer reporting agency that the consumer is a deployed uniformed consumer, if the consumer provides the consumer reporting agency with separate contact information to be used when communicating with the consumer while the consumer is a deployed uniformed consumer, the consumer reporting agency shall use such contact information for all communications while the consumer is a deployed uniformed consumer.''; and

(2) in subsection (e), by amending paragraph (3) to read as follows:

''(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).''.

(d) CONFORMING AMENDMENT.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking ''active duty military'' each place such term appears and inserting ''uniformed consumer''.

(e) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report containing an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was a uniformed consumer, take such fact into account when evaluating the creditworthiness of the consumer.

AMENDMENT NO. 434 OFFERED BY MS. DEAN OF PENNSYLVANIA

Add at the end of title LIV of division E the following:

SEC. 54___. FAIR DEBT COLLECTION PRACTICES FOR SERVICEMEMBERS.

(a) ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF SERVICEMEMBERS.—

(1) 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).''.

(2) 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).''.

(b) GAO STUDY.—The Comptroller General of the United States shall conduct a study and submit a report to Congress on the impact of this section 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 section);

(2) military readiness; and

(3) national security, including the extent to which covered members with security clearances would be impacted by uncollected debt.

(c) 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 section, 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.

AMENDMENT NO. 435 OFFERED BY MRS. BEATTY OF OHIO

At the end title LIV add the following:

SEC. 54___. FAIR HIRING IN BANKING.

(a) FEDERAL DEPOSIT INSURANCE ACT.—Section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829) is amended—

(1) by inserting after subsection (b) the following:

''(c) EXCEPTIONS.—

''(1) CERTAIN OLDER OFFENSES.—

''(A) IN GENERAL.—With respect to an individual, subsection (a) shall not apply to an offense if—

''(i) it has been 7 years or more since the offense occurred; or

''(ii) the individual was incarcerated with respect to the offense and it has been 5 years or more since the individual was released from incarceration.

''(B) OFFENSES COMMITTED BY INDIVIDUALS 21 OR YOUNGER.—For individuals who committed an offense when they were 21 years of age or younger, subsection (a) shall not apply to the offense if it has been more than 30 months since the sentencing occurred.

''(C) LIMITATION.—This paragraph shall not apply to an offense described under subsection (a)(2).

''(2) EXPUNGEMENT AND SEALING.—With respect to an individual, subsection (a) shall not apply to an offense if—

''(A) there is an order of expungement, sealing, or dismissal that has been issued in regard to the conviction in connection with such offense; and

''(B) it is intended by the language in the order itself, or in the legislative provisions under which the order was issued, that the conviction shall be destroyed or sealed from the individual's State or Federal record, even if exceptions allow the record to be considered for certain character and fitness evaluation purposes.

''(3) DE MINIMIS EXEMPTION.—

''(A) IN GENERAL.—Subsection (a) shall not apply to such de minimis offenses as the Corporation determines, by rule.

''(B) CONFINEMENT CRITERIA.—In issuing rules under subparagraph (A), the Corporation shall include a requirement that the offense was punishable by a term of three years or less confined in a correctional facility, where such confinement—

''(i) is calculated based on the time an individual spent incarcerated as a punishment or a sanction, not as pretrial detention; and

''(ii) does not include probation or parole where an individual was restricted to a particular jurisdiction or was required to report occasionally to an individual or a specific location.

''(C) BAD CHECK CRITERIA.—In setting the criteria for de minimis offenses under subparagraph (A), if the Corporation establishes criteria with respect to insufficient funds checks, the Corporation shall require that the aggregate total face value of all insufficient funds checks across all convictions or program entries related to insufficient funds checks is $2,000 or less.

''(D) DESIGNATED LESSER OFFENSES.—Subsection (a) shall not apply to certain lesser offenses (including the use of a fake ID, shoplifting, trespass, fare evasion, driving with an expired license or tag, and such other low-risk offenses as the Corporation may designate) if 1 year or more has passed since the applicable conviction or program entry.''; and

(2) by adding at the end the following:

''(f) CONSENT APPLICATIONS.—

''(1) IN GENERAL.—The Corporation shall accept consent applications from an individual and from an insured depository institution or depository institution holding company on behalf of an individual that are filed separately or contemporaneously with a regional office of the Corporation.

''(2) SPONSORED APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office of the Corporation by an insured depository institution or depository institution holding company on behalf of an individual—

''(A) shall be reviewed by such office;

''(B) may be approved or denied by such office, if such authority has been delegated to such office by the Corporation; and

''(C) may only be denied by such office if the general counsel of the Corporation (or a designee) certifies that the denial is consistent with this section.

''(3) INDIVIDUAL APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office by an individual—

''(A) shall be reviewed by such office; and

''(B) may be approved or denied by such office, if such authority has been delegated to such office by the Corporation, except with respect to—

''(i) cases involving an offense described under subsection (a)(2); and

''(ii) such other high-level security cases as may be designated by the Corporation.

''(4) NATIONAL OFFICE REVIEW.—The national office of the Corporation shall—

''(A) review any consent application with respect to which a regional office is not authorized to approve or deny the application; and

''(B) review any consent application that is denied by a regional office, if the individual requests a review by the national office.

''(5) FORMS AND INSTRUCTIONS.—

''(A) AVAILABILITY.—The Corporation shall make all forms and instructions related to consent applications available to the public, including on the website of the Corporation.

''(B) CONTENTS.—The forms and instructions described under subparagraph (A) shall provide a sample cover letter and a comprehensive list of items that may accompany the application, including clear guidance on evidence that may support a finding of rehabilitation.

''(6) CONSIDERATION OF CRIMINAL HISTORY.—

''(A) REGIONAL OFFICE CONSIDERATION.—In reviewing a consent application, a regional office shall—

''(i) primarily rely on the criminal history record of the Federal Bureau of Investigation; and

''(ii) provide such record to the applicant to review for accuracy.

''(B) CERTIFIED COPIES.—The Corporation may not require an applicant to provide certified copies of criminal history records unless the Corporation determines that there is a clear and compelling justification to require additional information to verify the accuracy of the criminal history record of the Federal Bureau of Investigation.

''(7) CONSIDERATION OF REHABILITATION.—Consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Corporation shall—

''(A) conduct an individualized assessment when evaluating consent applications that takes into account evidence of rehabilitation, the applicant's age at the time of the conviction or program entry, the time that has elapsed since conviction or program entry, and the relationship of individual's offense to the responsibilities of the applicable position;

''(B) consider the individual's employment history, letters of recommendation, certificates documenting participation in substance abuse programs, successful participating in job preparation and educational programs, and other relevant mitigating evidence; and

''(C) consider any additional information the Corporation determines necessary for safety and soundness.

''(8) SCOPE OF EMPLOYMENT.—With respect to an approved consent application filed by an insured depository institution or depository institution holding company on behalf of an individual, if the Corporation determines it appropriate, such approved consent application shall allow the individual to work for the same employer (without restrictions on the location) and across positions, except that the prior consent of the Corporation (which may require a new application) shall be required for any proposed significant changes in the individual's security-related duties or responsibilities, such as promotion to an officer or other positions that the employer determines will require higher security screening credentials.

''(9) COORDINATION WITH THE NCUA.—In carrying out this section, the Corporation shall consult and coordinate with the National Credit Union Administration as needed to promote consistent implementation where appropriate.

''(g) DEFINITIONS.—In this section:

''(1) CONSENT APPLICATION.—The term 'consent application' means an application filed with Corporation by an individual (or by an insured depository institution or depository institution holding company on behalf of an individual) seeking the written consent of the Corporation under subsection (a)(1).

''(2) CRIMINAL OFFENSE INVOLVING DISHONESTY.—The term 'criminal offense involving dishonesty'—

''(A) means an offense under which an individual, directly or indirectly—

''(i) cheats or defrauds; or

''(ii) wrongfully takes property belonging to another in violation of a criminal statute;

''(B) includes an offense that Federal, State, or local law defines as dishonest, or for which dishonesty is an element of the offense; and

''(C) does not include—

''(i) a misdemeanor criminal offense committed more than one year before the date on which an individual files a consent application, excluding any period of incarceration; or

''(ii) an offense involving the possession of controlled substances.

''(3) PRETRIAL DIVERSION OR SIMILAR PROGRAM.—The term 'pretrial diversion or similar program' means a program characterized by a suspension or eventual dismissal or reversal of charges or criminal prosecution upon agreement by the accused to restitution, drug or alcohol rehabilitation, anger management, or community service.''.

(b) FEDERAL CREDIT UNION ACT.—Section 205(d) of the Federal Credit Union Act (12 U.S.C. 1785(d)) is amended by adding at the end the following:

''(4) EXCEPTIONS.—

''(A) CERTAIN OLDER OFFENSES.—

''(i) IN GENERAL.—With respect to an individual, paragraph (1) shall not apply to an offense if—

''(I) it has been 7 years or more since the offense occurred; or

''(II) the individual was incarcerated with respect to the offense and it has been 5 years or more since the individual was released from incarceration.

''(ii) OFFENSES COMMITTED BY INDIVIDUALS 21 OR YOUNGER.—For individuals who committed an offense when they were 21 years of age or younger, paragraph (1) shall not apply to the offense if it has been more than 30 months since the sentencing occurred.

''(iii) LIMITATION.—This subparagraph shall not apply to an offense described under paragraph (1)(B).

''(B) EXPUNGEMENT AND SEALING.—With respect to an individual, paragraph (1) shall not apply to an offense if—

''(i) there is an order of expungement, sealing, or dismissal that has been issued in regard to the conviction in connection with such offense; and

''(ii) it is intended by the language in the order itself, or in the legislative provisions under which the order was issued, that the conviction shall be destroyed or sealed from the individual's State or Federal record, even if exceptions allow the record to be considered for certain character and fitness evaluation purposes.

''(C) DE MINIMIS EXEMPTION.—

''(i) IN GENERAL.—Paragraph (1) shall not apply to such de minimis offenses as the Board determines, by rule.

''(ii) CONFINEMENT CRITERIA.—In issuing rules under clause (i), the Board shall include a requirement that the offense was punishable by a term of three years or less confined in a correctional facility, where such confinement—

''(I) is calculated based on the time an individual spent incarcerated as a punishment or a sanction, not as pretrial detention; and

''(II) does not include probation or parole where an individual was restricted to a particular jurisdiction or was required to report occasionally to an individual or a specific location.

''(iii) BAD CHECK CRITERIA.—In setting the criteria for de minimis offenses under clause (i), if the Board establishes criteria with respect to insufficient funds checks, the Board shall require that the aggregate total face value of all insufficient funds checks across all convictions or program entries related to insufficient funds checks is $2,000 or less.

''(iv) DESIGNATED LESSER OFFENSES.—Paragraph (1) shall not apply to certain lesser offenses (including the use of a fake ID, shoplifting, trespass, fare evasion, driving with an expired license or tag, and such other low-risk offenses as the Board may designate) if 1 year or more has passed since the applicable conviction or program entry.

''(5) CONSENT APPLICATIONS.—

''(A) IN GENERAL.—The Board shall accept consent applications from an individual and from an insured credit union on behalf of an individual that are filed separately or contemporaneously with a regional office of the Board.

''(B) SPONSORED APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office of the Board by an insured credit union on behalf of an individual—

''(i) shall be reviewed by such office;

''(ii) may be approved or denied by such office, if such authority has been delegated to such office by the Board; and

''(iii) may only be denied by such office if the general counsel of the Board (or a designee) certifies that the denial is consistent with this section.

''(C) INDIVIDUAL APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office by an individual—

''(i) shall be reviewed by such office; and

''(ii) may be approved or denied by such office, if such authority has been delegated to such office by the Board, except with respect to—

''(I) cases involving an offense described under paragraph (1)(B); and

''(II) such other high-level security cases as may be designated by the Board.

''(D) NATIONAL OFFICE REVIEW.—The national office of the Board shall—

''(i) review any consent application with respect to which a regional office is not authorized to approve or deny the application; and

''(ii) review any consent application that is denied by a regional office, if the individual requests a review by the national office.

''(E) FORMS AND INSTRUCTIONS.—

''(i) AVAILABILITY.—The Board shall make all forms and instructions related to consent applications available to the public, including on the website of the Board.

''(ii) CONTENTS.—The forms and instructions described under clause (i) shall provide a sample cover letter and a comprehensive list of items that may accompany the application, including clear guidance on evidence that may support a finding of rehabilitation.

''(F) CONSIDERATION OF CRIMINAL HISTORY.—

''(i) REGIONAL OFFICE CONSIDERATION.—In reviewing a consent application, a regional office shall—

''(I) primarily rely on the criminal history record of the Federal Bureau of Investigation; and

''(II) provide such record to the applicant to review for accuracy.

''(ii) CERTIFIED COPIES.—The Board may not require an applicant to provide certified copies of criminal history records unless the Board determines that there is a clear and compelling justification to require additional information to verify the accuracy of the criminal history record of the Federal Bureau of Investigation.

''(G) CONSIDERATION OF REHABILITATION.—Consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Board shall—

''(i) conduct an individualized assessment when evaluating consent applications that takes into account evidence of rehabilitation, the applicant's age at the time of the conviction or program entry, the time that has elapsed since conviction or program entry, and the relationship of individual's offense to the responsibilities of the applicable position;

''(ii) consider the individual's employment history, letters of recommendation, certificates documenting participation in substance abuse programs, successful participating in job preparation and educational programs, and other relevant mitigating evidence; and

''(iii) consider any additional information the Board determines necessary for safety and soundness.

''(H) SCOPE OF EMPLOYMENT.—With respect to an approved consent application filed by an insured credit union on behalf of an individual, if the Board determines it appropriate, such approved consent application shall allow the individual to work for the same employer (without restrictions on the location) and across positions, except that the prior consent of the Board (which may require a new application) shall be required for any proposed significant changes in the individual's security-related duties or responsibilities, such as promotion to an officer or other positions that the employer determines will require higher security screening credentials.

''(I) COORDINATION WITH FDIC.—In carrying out this subsection, the Board shall consult and coordinate with the Federal Deposit Insurance Corporation as needed to promote consistent implementation where appropriate.

''(6) DEFINITIONS.—In this subsection:

''(A) CONSENT APPLICATION.—The term 'consent application' means an application filed with Board by an individual (or by an insured credit union on behalf of an individual) seeking the written consent of the Board under paragraph (1)(A).

''(B) CRIMINAL OFFENSE INVOLVING DISHONESTY.—The term 'criminal offense involving dishonesty'—

''(i) means an offense under which an individual, directly or indirectly—

''(I) cheats or defrauds; or

''(II) wrongfully takes property belonging to another in violation of a criminal statute;

''(ii) includes an offense that Federal, State, or local law defines as dishonest, or for which dishonesty is an element of the offense; and

''(iii) does not include—

''(I) a misdemeanor criminal offense committed more than one year before the date on which an individual files a consent application, excluding any period of incarceration; or

''(II) an offense involving the possession of controlled substances.

''(C) PRETRIAL DIVERSION OR SIMILAR PROGRAM.—The term 'pretrial diversion or similar program' means a program characterized by a suspension or eventual dismissal or reversal of charges or criminal prosecution upon agreement by the accused to restitution, drug or alcohol rehabilitation, anger management, or community service.''.

(c) REVIEW AND REPORT TO CONGRESS.—Not later than the end of the 2-year period beginning on the date of enactment of this Act, the Federal Deposit Insurance Corporation and the National Credit Union Administration shall—

(1) review the rules issued to carry out this Act and the amendments made by this Act on—

(A) the application of section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829) and section 205(d) of the Federal Credit Union Act (12 U.S.C. 1785(d));

(B) the number of applications for consent applications under such sections; and

(C) the rates of approval and denial for consent applications under such sections;

(2) make the results of the review required under paragraph (1) available to the public; and

(3) issue a report to Congress containing any legislative or regulatory recommendations for expanding employment opportunities for those with a previous minor criminal offense.

(d) DISCRETIONARY SURPLUS FUND.—

(1) IN GENERAL.—Subparagraph (A) of section 7(a)(3) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by reducing the dollar figure described in such subparagraph by $1,500,000.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 30, 2032.

AMENDMENT NO. 436 OFFERED BY MR. LIEU OF CALIFORNIA

At the end of title LVIII of division E, add the following:

SEC. 5806. DEFINITION OF LAND USE REVENUE UNDER WEST LOS ANGELES LEASING ACT OF 2016.

Section 2(d)(2) of the West Los Angeles Leasing Act of 2016 (Public Law 114–226) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) to the extent specified in advance in an appropriations Act for a fiscal year, any funds received as compensation for an easement described in subsection (e); and''.

AMENDMENT NO. 438 OFFERED BY MR. STEIL OF WISCONSIN

Add at the end of title LIV of division E the following:

SEC. 5403. BANKING TRANSPARENCY FOR SANCTIONED PERSONS.

Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that includes a copy of any license issued by the Secretary in the preceding 180 days that authorizes a United States financial institution (as defined under section 561.309 of title 31, Code of Federal Regulations) to provide financial services benefitting—

(1) a state sponsor of terrorism; or

(2) a person sanctioned pursuant to any of the following:

(A) Section 404 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112–208).

(B) Subtitle F of title XII of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328, the Global Magnitsky Human Rights Accountability Act).

(C) Executive Order No. 13818.

AMENDMENT NO. 439 OFFERED BY MR. NORCROSS OF NEW JERSEY

At the end of subtitle B of title XIII, add the following:

SEC. 13__. UNPAID PERUVIAN AGRARIAN REFORM BONDS.

To ensure the retirement security of over 5,000,000 United States pensioners across the Nation, Congress urges the Secretary of State to take action concerning unpaid Peruvian agrarian reform bonds by encouraging the Peruvian Government to negotiate in good faith with United States pension funds and bondholders regarding payment of the agrarian reform bonds.

AMENDMENT NO. 441 OFFERED BY MR. THOMPSON OF MISSISSIPPI

Add at the end of division E the following:

TITLE LIX—FEDERAL EMERGENCY MANAGEMENT ADVANCEMENT OF EQUITY

SEC. 5901. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) AGENCY.—The term ''Agency'' means the Federal Emergency Management Agency.

(3) EMERGENCY.—The term ''emergency'' means an emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191).

(4) EQUITY.—The term ''equity'' means the guarantee of fair treatment, advancement, equal opportunity, and access for underserved communities and others, the elimination of barriers that have prevented full participation for underserved communities, and the reduction of disparate outcomes.

(5) EQUITABLE.—The term ''equitable'' means having or exhibiting equity.

(6) FEDERAL ASSISTANCE.—The term ''Federal assistance'' means assistance provided pursuant to—

(A) a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(B) sections 203 and 205 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

(C) section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).

(7) MAJOR DISASTER.—The term ''major disaster'' means a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(8) UNDERSERVED COMMUNITY.—The term ''underserved community'' means—

(A) the Native-American and Alaskan-Native community;

(B) the African-American community;

(C) the Asian community;

(D) the Hispanic community (including individuals of Mexican, Puerto Rican, Cuban, and Central or South American origin);

(E) the Pacific Islander community;

(F) the Middle Eastern and North African community;

(G) a rural community;

(H) a low-income community;

(I) individuals with disabilities;

(J) a limited English proficiency community;

(K) other individuals or communities otherwise adversely affected by persistent poverty or inequality; and

(L) any other disadvantaged community, as determined by the Administrator.

Subtitle A—Ensuring Equity in Federal Disaster Management

SEC. 5911. DATA COLLECTION, ANALYSIS, AND CRITERIA.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall, in consultation with the Secretary of Housing and Urban Development and the Administrator of the Small Business Administration, develop and implement a process to ensure equity in the provision of Federal assistance and throughout all programs and policies of the Agency.

(b) SPECIFIC AREAS FOR CONSULTATION.—In carrying out subsection (a), the Administrator shall identify requirements for ensuring the quality, consistency, accessibility, and availability of information needed to identify programs and policies of the Agency that may not support the provision of equitable Federal assistance, including—

(1) information requirements;

(2) data sources and collection methods; and

(3) strategies for overcoming data or other information challenges.

(c) MODIFICATION OF DATA COLLECTION SYSTEMS.—The Administrator shall modify the data collection systems of the Agency based on the process developed under subsection (a) to ensure the quality, consistency, accessibility, and availability of information needed to identify any programs and policies of the Agency that may not support the provision of equitable Federal assistance.

SEC. 5912. CRITERIA FOR ENSURING EQUITY IN POLICIES AND PROGRAMS.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall develop, disseminate, and update, as appropriate, criteria to apply to policies and programs of the Agency to ensure equity in the provision of Federal assistance and throughout all programs and policies of the Agency.

(b) CONSULTATION.—In developing and disseminating the criteria required under subsection (a), the Administrator shall consult with—

(1) the Office for Civil Rights and Civil Liberties of the Department of Homeland Security;

(2) the United States Department of Housing and Urban Development; and

(3) the Small Business Administration.

(c) INTEGRATION OF CRITERIA.—

(1) IN GENERAL.—The Administrator shall, to the maximum extent possible, integrate the criteria developed under subsection (a) into existing and future processes related to the provision of Federal assistance.

(2) PRIORITY.—The Administrator shall prioritize integrating the criteria under paragraph (1) into processes related to the provision of—

(A) assistance under sections 402, 403, 406, 407, 428, and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a et seq.);

(B) Federal assistance to individuals and households under section 408 of such Act (42 U.S.C. 5174);

(C) hazard mitigation assistance under section 404 of such Act (42 U.S.C. 5170c); and

(D) predisaster hazard mitigation assistance under section 203 of such Act (42 U.S.C. 5133).

SEC. 5913. METRICS; REPORT.

(a) METRICS.—In carrying out this subtitle, the Administrator shall—

(1) establish metrics to measure the efficacy of the process developed under section 5911 and the criteria developed under section 5912; and

(2) seek input from relevant representatives of State, regional, local, territorial, and Tribal governments, representatives of community-based organizations, subject matter experts, and individuals from underserved communities impacted by disasters.

(b) REPORT.—Not later than one year after the dissemination of the criteria under section 5912(a), and annually thereafter, the Administrator shall submit to Congress a report describing how the criteria and processes developed under this subtitle have impacted efforts to ensure equity in the provision of Federal assistance and throughout all programs and policies of the Agency, including—

(1) any obstacles identified or areas for improvement with respect to implementation of such criteria and processes, including any recommended legislative changes;

(2) the effectiveness of such criteria and processes, as measured by the metrics established under subsection (a); and

(3) any impacts of such criteria and processes on the provision of Federal assistance,

with specific attention to impacts related to efforts within the Agency to address barriers to access and reducing disparate outcomes.

Subtitle B—Operational Enhancement to Improve Equity in Federal Disaster Management

SEC. 5921. EQUITY ADVISOR.

(a) IN GENERAL.—The Administrator shall designate a senior official within the Agency as an equity advisor to the Administrator to be responsible for advising the Administrator on Agency efforts to ensure equity in the provision of Federal assistance and throughout all programs and policies of the Agency.

(b) QUALIFICATIONS.—In designating an equity advisor under subsection (a), the Administrator shall select an individual who is a qualified expert with significant experience with respect to equity policy, civil rights policy, or programmatic reforms.

(c) DUTIES.—In addition to advising the Administrator, the equity advisor designated under subsection (a) shall—

(1) participate in the implementation of sections 5911 and 5912;

(2) monitor equity the implementation of equity efforts within the Agency and within Federal Emergency Management Agency Regions to ensure consistency in the implementation of policy or programmatic changes intended to ensure equity in the provision of Federal assistance and throughout all programs and policies of the Agency;

(3) identify ways to improve the policies and programs of the Agency to ensure that such policies and programs are equitable, including enhancing opportunities to support underserved populations in preparedness, mitigation, protection, response, and recovery; and

(4) any other activities the Administrator considers appropriate.

(d) CONSULTATION.—In carrying out the duties under this section, the equity advisor shall, on an ongoing basis, consult with representatives of underserved communities, including communities directly impacted by disasters, to evaluate opportunities and develop approaches to advancing equity within the Agency, including by increasing coordination, communication, and engagement with—

(1) community-based organizations;

(2) civil rights organizations;

(3) institutions of higher education;

(4) research institutions;

(5) academic organizations specializing in diversity, equity, and inclusion issues; and

(6) religious and faith-based organizations.

SEC. 5922. EQUITY ENTERPRISE STEERING GROUP.

(a) ESTABLISHMENT.—There is established in the Agency a steering group to advise the Administrator on how to ensure equity in the provision of Federal assistance and throughout all programs and policies of the Agency.

(b) RESPONSIBILITIES.—In carrying out subsection (a), the steering group established under this section shall—

(1) review and, as appropriate, recommend changes to Agency-wide policies, procedures, plans, and guidance;

(2) support the development and implementation of the processes and criteria developed under subtitle A; and

(3) monitor the integration and establishment of metrics developed under section 5913.

(c) COMPOSITION.—The Administrator shall appoint the following individuals as members of the steering group established under subsection (a):

(1) Representatives from each of the following offices of the Agency:

(A) The Office of Equal Rights.

(B) The Office of Response and Recovery.

(C) FEMA Resilience.

(D) The Office of Disability Integration and Coordination.

(E) The United States Fire Administration.

(F) The mission support office of the Agency.

(G) The Office of Chief Counsel.

(H) The Office of the Chief Financial Officer.

(I) The Office of Policy and Program Analysis.

(J) The Office of External Affairs.

(2) The administrator of each Regional Office, or his or her designee.

(3) The equity advisor, as designated by the Administrator under section 5921.

(4) A representative from the Office for Civil Rights and Civil Liberties of the Department of Homeland Security.

(5) The Superintendent of the Emergency Management Institute.

(6) The National Tribal Affairs Advisor of the Federal Emergency Management Agency.

(7) Any other official of the Agency the Administrator determines appropriate.

(d) LEADERSHIP.—The Administrator shall designate one or more members of the steering group established under subsection (a) to serve as chair of the steering group.

SEC. 5923. GAO REVIEW OF EQUITY REFORMS.

Not later than three years after the date of enactment of this Act, the Comptroller General of the United States shall issue a report to evaluate the implementation of this subtitle and subtitle A.

Subtitle C—GAO Review of Factors to Determine Assistance

SEC. 5931. GAO REVIEW OF FACTORS TO DETERMINE ASSISTANCE.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall issue a report describing the factors the Agency considers when evaluating a request from a Governor to declare that a major disaster or emergency exists and to authorize assistance under sections 402, 403, 406, 407, 408, 428, and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a et seq.).

(b) CONTENTS.—The report issued under subsection (a) shall include—

(1) an assessment of—

(A) the degree to which the factors the Agency considers when evaluating a request for a major disaster or emergency declaration—

(i) affect equity for underserved communities, particularly with respect to major disaster and emergency declaration requests, approvals of such requests, and the authorization of assistance described in subsection (a); and

(ii) are designed to deliver equitable outcomes;

(B) how the Agency utilizes such factors or monitors whether such factors result in equitable outcomes;

(C) the extent to which major disaster and emergency declaration requests, approvals of such requests, and the authorization of assistance described in subsection (a), are more highly correlated with high-income counties compared to lower-income counties;

(D) whether the process and administrative steps for conducting preliminary damage assessments are equitable; and

(E) to the extent practicable, whether such factors may deter a Governor from seeking a major disaster or emergency declaration for potentially eligible counties; and

(2) a consideration of the extent to which such factors affect underserved communities—

(A) of varying size;

(B) with varying population density and demographic characteristics;

(C) with limited emergency management staff and resources; and

(D) located in urban or rural areas.

(c) RECOMMENDATIONS.—The Comptroller General shall include in the report issued under subsection (a) any recommendations for changes to the factors the Agency considers when evaluating a request for a major disaster or emergency declaration to account for underserved communities.

AMENDMENT NO. 442 OFFERED BY MR. PHILLIPS OF MINNESOTA

At the appropriate place in title LVIII, insert the following:

SEC. ___. REPORT ON THE USE OF DATA AND DATA SCIENCE AT THE DEPARTMENT OF STATE AND USAID.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing the results of a study regarding—

(1) the use of data in foreign policy, global issues policy analysis, and decision-making at the Department of State;

(2) the use of data in development, development assistance policy, and development program design and execution at the United States Agency for International Development; and

(3) the use of data in recruitment, hiring, retention, and personnel decisions at the Department of State and the United States Agency for International Development, including the accuracy and use of data for comprehensive strategic workforce planning across all career and non-career hiring mechanisms.

AMENDMENT NO. 443 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of title LVIII, add the following:

SEC. __. MODIFICATION OF REPORTS TO CONGRESS UNDER GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT.

Section 1264(a) of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 24 2656 note) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) a description of additional steps taken by the President through diplomacy, international engagement, and assistance to foreign or security sectors to address persistent underlying causes of conduct that is sanctionable under section 1263 in countries where those sanctioned are located; and

''(8) a description of additional steps taken by the President to ensure the pursuit of judicial accountability in appropriate jurisdictions with respect to those foreign persons subject to sanctions under section 1263.''.

AMENDMENT NO. 445 OFFERED BY MRS. TORRES OF CALIFORNIA

At the end of title LVIII, add the following:

SEC. 58__. DEPARTMENT OF STATE FELLOWSHIPS FOR RULE OF LAW ACTIVITIES IN CENTRAL AMERICA.

(a) ESTABLISHMENT.—The Secretary of State shall establish a fellowship program, to be known as the ''Central American Network for Democracy'', to support a regional corps of civil society activists, lawyers (including members of the judiciary and prosecutors' offices), journalists, and investigators.

(b) ELEMENTS.—This fellowship program shall—

(1) provide a temporary respite for members of the regional corps in a safe environment;

(2) allow the members to continue to work via engagement with universities, think tanks, government actors, and international organizations; and

(3) aid the members in leveraging lessons learned in order to contribute to regional democracy and rule of law activities in Central America, including electoral and transition support, institutional reform, anti-corruption investigations, and local engagement.

(c) REGIONAL AND INTERNATIONAL SUPPORT.—The Secretary of State shall take such steps as may be necessary—

(1) to obtain support for the fellowship program from international foundations, regional and United States governmental and nongovernmental organizations, and regional and United States universities; and

(2) to ensure the fellowship program is well coordinated with and complementary of existing mechanisms such as the Lifeline Embattled CSO Assistance Fund.

(d) FOCUS; SAFETY.—Activities carried out under the fellowship program—

(1) should focus on coordination and consultation with key agencies and international bodies to continue their democracy efforts, including the Department of State, the United States Agency for International Development, the Organization of American States, the Inter-American Court for Human Rights, the United Nations, the Department of Justice, and the Department of the Treasury; and

(2) may include strengthened protection for the physical safety of individuals who must leave their home country to participate in the program, including assistance for temporary relocation, English language learning, and mental health support.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2023.

AMENDMENT NO. 449 OFFERED BY MR. TORRES OF NEW YORK

At the end of title LIII of division E of the bill, add the following:

SEC. 5306. REPORT ON IMPROVING COUNTERTERRORISM SECURITY AT PASSENGER RAIL STATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Secretary, in consultation with the Secretary of Transportation and State, local, Tribal, and territorial governments, passenger rail station owners and operators, State and local transportation entities, and other agencies or stakeholders as determined appropriate by the Secretary, shall submit to the appropriate congressional committees a report on the 5 largest passenger rail stations by annual ridership and a representative sample of 8 other-sized passenger rail stations that contains the following:

(1) An analysis of the effectiveness of counterterrorism measures implemented in each passenger rail station to include prevention systems, including—

(A) surveillance systems, including cameras, and physical law enforcement presence;

(B) response systems including—

(i) evacuation systems to allow passengers and workers to egress the stations, mezzanines, and rail cars;

(ii) fire safety measures, including ventilation and fire suppression systems; and

(iii) public alert systems; and

(C) recovery systems, including coordination with State and Federal agencies.

(2) A description of any actions taken as a result of the analysis conducted under paragraph (1).

(3) Recommendations, as appropriate, for passenger rail station owners and operators, and State and local transportation entities to improve counterterrorism measures outlined in paragraph (1).

(4) Proposals, as appropriate, for legislative actions and funding needed to improve counterterrorism measures.

(b) REPORT FORMAT.—The report described in subsection (a) shall be submitted in unclassified form, but information that is sensitive or classified shall be included as a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Homeland Security of the House of Representatives, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate.

AMENDMENT NO. 450 OFFERED BY MR. GARCÍA OF ILLINOIS

Page 1262, after line 23, insert the following:

SEC. _____. UKRAINE DEBT PAYMENT RELIEF.

(a) SUSPENSION OF MULTILATERAL DEBT PAYMENTS OF UKRAINE.—

(1) UNITED STATES POSITION IN THE INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice, vote, and influence of the United States to advocate that the respective institution immediately suspend all debt service payments owed to the institution by Ukraine.

(2) OFFICIAL BILATERAL AND COMMERCIAL DEBT SERVICE PAYMENT RELIEF.—The Secretary of the Treasury, working in coordination with the Secretary of State, shall commence immediate efforts with other governments and commercial creditor groups, through the Paris Club of Official Creditors and other bilateral and multilateral frameworks, both formal and informal, to pursue comprehensive debt payment relief for Ukraine.

(3) MULTILATERAL FINANCIAL SUPPORT FOR UKRAINE.—The Secretary of the Treasury shall direct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice and vote of the United States to support, to the maximum extent practicable, the provision of concessional financial assistance for Ukraine.

(4) MULTILATERAL FINANCIAL SUPPORT FOR REFUGEES.—The Secretary of the Treasury shall direct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice and vote of the United States to seek to provide economic support for refugees from Ukraine, including refugees of African descent, and for countries receiving refugees from Ukraine.

(b) REPORT TO THE CONGRESS.—Not later than December 31 of each year, the President shall—

(1) submit to the Committees on Financial Services, on Appropriations, and on Foreign Affairs of the House of Representatives and the Committees on Foreign Relations and on Appropriations of the Senate, a report on the activities undertaken under this section; and

(2) make public a copy of the report.

(c) WAIVER AND TERMINATION.—

(1) WAIVER.—The President may waive the preceding provisions of this section if the President determines that a waiver is in the national interest of the United States and reports to the Congress an explanation of the reasons therefor.

(2) TERMINATION.—The preceding provisions of this section shall have no force or effect on or after the date that is 7 years after the date of the enactment of this Act.

AMENDMENT NO. 452 OFFERED BY MR. GARCÍA OF ILLINOIS

At the end of title LVIII, add the following:

SEC. 58__. REPORT ON ALL COMPREHENSIVE SANCTIONS IMPOSED ON FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary of State, the Secretary of the Treasury, and the head of any other relevant Federal department or agency that the Comptroller General determines necessary, shall submit to the appropriate congressional committees a report on all comprehensive sanctions imposed on de jure or de facto governments of foreign countries, and all comprehensive sanctions imposed on non-state actors that exercise significant de facto governmental control over a foreign civilian population, under any provision of law.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) an assessment of the effect of sanctions imposed on the government of each foreign country and each non-state actor that exercises significant de facto governmental control over a foreign civilian population described in subsection (a) on—

(A) the ability of civilian population of the country to access water, food, sanitation, and public health services, including all humanitarian aid and supplies related to the prevention, diagnosis, and treatment of COVID-19;

(B) the changes to the general mortality rate, maternal mortality rate, life expectancy, and literacy;

(C) the extent to which there is an increase in refugees or migration to or from the country or an increase in internally displaced people in the country;

(D) the degree of international compliance and non-compliance of the country; and

(E) the licensing of transactions to allow access to essential goods and services to vulnerable populations, including the number of licenses applied for, approved, or denied and reasons why such licenses were denied, and average time to receive a decision; and

(2) a description of the purpose of sanctions imposed on the government of each foreign country and each non-state actor that exercises significant de facto governmental control over a foreign civilian population described in subsection (a) and the required legal or political authority, including—

(A) an assessment of United States national security;

(B) an assessment of whether the stated foreign policy goals of the sanctions are being met;

(C) the degree of international support or opposition to the sanctions; and

(D) an assessment of such sanctions on United States businesses, consumers, and financial institutions.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall be published on a publicly-available website of the Government of the United States.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate.

AMENDMENT NO. 453 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

Add at the end of title XI the following:

Subtitle B—PLUM Act of 2022

SEC. 1121. SHORT TITLE.

This subtitle may be cited as the ''Periodically Listing Updates to Management Act of 2022'' or the ''PLUM Act of 2022''.

SEC. 1122. ESTABLISHMENT OF PUBLIC WEBSITE ON GOVERNMENT POLICY AND SUPPORTING POSITIONS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''§ 3330f. Government policy and supporting position data

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' means—

''(A) any Executive agency, the United States Postal Service, and the Postal Regulatory Commission; and

''(B) the Executive Office of the President and any component within that Office (including any successor component), including—

''(i) the Council of Economic Advisors;

''(ii) the Council on Environmental Quality;

''(iii) the National Security Council;

''(iv) the Office of the Vice President;

''(v) the Office of Policy Development;

''(vi) the Office of Administration;

''(vii) the Office of Management and Budget;

''(viii) the Office of the United States Trade Representative;

''(ix) the Office of Science and Technology Policy;

''(x) the Office of National Drug Control Policy; and

''(xi) the White House Office, including the White House Office of Presidential Personnel.

''(2) APPOINTEE.—The term 'appointee'—

''(A) means an individual serving in a policy and supporting position; and

''(B) includes an individual serving in such a position temporarily in an acting capacity in accordance with—

''(i) sections 3345 through 3349d (commonly referred to as the 'Federal Vacancies Reform Act of 1998');

''(ii) any other statutory provision described in section 3347(a)(1); or

''(iii) a Presidential appointment described in section 3347(a)(2).

''(3) COVERED WEBSITE.—The term 'covered website' means the website established and maintained by the Director under subsection (b).

''(4) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

''(5) POLICY AND SUPPORTING POSITION.—The term 'policy and supporting position'—

''(A) means any position at an agency, as determined by the Director, that, but for this section and section 2(b)(3) of the PLUM Act of 2022, would be included in the publication entitled 'United States Government Policy and Supporting Positions' (commonly referred to as the 'Plum Book'); and

''(B) may include—

''(i) a position on any level of the Executive Schedule under subchapter II of chapter 53, or another position with an equivalent rate of pay;

''(ii) a general position (as defined in section 3132(a)(9)) in the Senior Executive service;

''(iii) a position in the Senior Foreign Service;

''(iv) a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulation; and

''(v) any other position classified at or above level GS–14 of the General Schedule (or equivalent) that is excepted from the competitive service by law because of the confidential or policy-determining nature of the position duties.

''(b) ESTABLISHMENT OF WEBSITE.—Not later than 1 year after the date of enactment of the PLUM Act of 2022, the Director shall establish, and thereafter the Director shall maintain, a public website containing the following information for the President in office on the date of establishment and for each subsequent President:

''(1) Each policy and supporting position in the Federal Government, including any such position that is vacant.

''(2) The name of each individual who—

''(A) is serving in a position described in paragraph (1); or

''(B) previously served in a position described in such paragraph under the applicable President.

''(3) Information on—

''(A) any Government-wide or agency-wide limitation on the total number of positions in the Senior Executive Service under section 3133 or 3134 or the total number of positions under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations; and

''(B) the total number of individuals occupying such positions.

''(c) CONTENTS.—With respect to any policy and supporting position listed on the covered website, the Director shall include—

''(1) the agency, and agency component, (including the agency and bureau code used by the Office of Management and Budget) in which the position is located;

''(2) the name of the position;

''(3) the name of the individual occupying the position (if any);

''(4) the geographic location of the position, including the city, State or province, and country;

''(5) the pay system under which the position is paid;

''(6) the level, grade, or rate of pay;

''(7) the term or duration of the appointment (if any);

''(8) the expiration date, in the case of a time-limited appointment;

''(9) a unique identifier for each appointee;

''(10) whether the position is vacant; and

''(11) for any position that is vacant—

''(A) for a position for which appointment is required to be made by the President, by and with the advice and consent of the Senate, the name of the acting official; and

''(B) for other positions, the name of the official performing the duties of the vacant position.

''(d) CURRENT DATA.—For each agency, the Director shall indicate in the information on the covered website the date that the agency last updated the data.

''(e) FORMAT.—The Director shall make the data on the covered website available to the public at no cost over the internet in a searchable, sortable, downloadable, and machine-readable format so that the data qualifies as an open Government data asset, as defined in section 3502 of title 44.

''(f) AUTHORITY OF DIRECTOR.—

''(1) INFORMATION REQUIRED.—Each agency shall provide to the Director any information that the Director determines necessary to establish and maintain the covered website, including the information uploaded under paragraph (4).

''(2) REQUIREMENTS FOR AGENCIES.—Not later than 1 year after the date of enactment of the PLUM Act of 2022, the Director shall issue instructions to agencies with specific requirements for the provision or uploading of information required under paragraph (1), including—

''(A) specific data standards that an agency shall follow to ensure that the information is complete, accurate, and reliable;

''(B) data quality assurance methods; and

''(C) the timeframe during which an agency shall provide or upload the information, including the timeframe described under paragraph (4).

''(3) PUBLIC ACCOUNTABILITY.—The Director shall identify on the covered website any agency that has failed to provide—

''(A) the information required by the Director;

''(B) complete, accurate, and reliable information; or

''(C) the information during the timeframe specified by the Director.

''(4) ANNUAL UPDATES.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the covered website is established, and not less than once during each year thereafter, the head of each agency shall upload to the covered website updated information (if any) on—

''(i) the policy and supporting positions in the agency;

''(ii) the appointees occupying such positions in the agency; and

''(iii) the former appointees who served in such positions in the agency under the President then in office.

''(B) SUPPLEMENT NOT SUPPLANT.—Information provided under subparagraph (A) shall supplement, not supplant, previously provided information under that subparagraph.

''(5) OPM HELP DESK.—The Director shall establish a central help desk, to be operated by not more than 1 full-time employee, to assist any agency with implementing this section.

''(6) COORDINATION.—The Director may designate 1 or more agencies to participate in the development, establishment, operation, and support of the covered website. With respect to any such designation, the Director may specify the scope of the responsibilities of the agency so designated.

''(7) DATA STANDARDS AND TIMING.—The Director shall make available on the covered website information regarding data collection standards, quality assurance methods, and time frames for reporting data to the Director.

''(8) REGULATIONS.—The Director may prescribe regulations necessary for the administration of this section.

''(g) RESPONSIBILITY OF AGENCIES.—

''(1) PROVISION OF INFORMATION.—Each agency shall comply with the instructions and guidance issued by the Director to carry out this section, and, upon request of the Director, shall provide appropriate assistance to the Director to ensure the successful operation of the covered website in the manner and within the timeframe specified by the Director under subsection (f)(2).

''(2) ENSURING COMPLETENESS, ACCURACY, AND RELIABILITY.—With respect to any submission of information described in paragraph (1), the head of an agency shall include—

''(A) an explanation of how the agency ensured the information is complete, accurate, and reliable; and

''(B) a certification that the information is complete, accurate, and reliable.

''(h) INFORMATION VERIFICATION.—

''(1) CONFIRMATION.—

''(A) IN GENERAL.—On the date that is 90 days after the date on which the covered website is established, the Director, in coordination with the White House Office of Presidential Personnel, shall confirm that the information on the covered website is complete, accurate, reliable, and up-to-date.

''(B) CERTIFICATION.—On the date on which the Director makes a confirmation under subparagraph (A), the Director shall publish on the covered website a certification that the confirmation has been made.

''(2) AUTHORITY OF DIRECTOR.—In carrying out paragraph (1), the Director may—

''(A) request additional information from an agency; and

''(B) use any additional information provided to the Director or the White House Office of Presidential Personnel for the purposes of verification.

''(3) PUBLIC COMMENT.—The Director shall establish a process under which members of the public may provide feedback regarding the accuracy of the information on the covered website.

''(i) DATA ARCHIVING.—

''(1) IN GENERAL.—As soon as practicable after a transitional inauguration day (as defined in section 3349a), the Director, in consultation with the Archivist of the United States, shall archive the data that was compiled on the covered website for the preceding presidential administration.

''(2) PUBLIC AVAILABILITY.—The Director shall make the data described in paragraph (1) publicly available over the internet—

''(A) on, or through a link on, the covered website;

''(B) at no cost; and

''(C) in a searchable, sortable, downloadable, and machine-readable format.''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''3330f. Government policy and supporting position data.''.

(b) OTHER MATTERS.—

(1) DEFINITIONS.—In this subsection, the terms ''agency'', ''covered website'', ''Director'', and ''policy and supporting position'' have the meanings given those terms in section 3330f of title 5, United States Code, as added by subsection (a).

(2) GAO REVIEW AND REPORT.—Not later than 1 year after the date on which the Director establishes the covered website, the Comptroller General of the United States shall conduct a review of, and issue a briefing or report on, the implementation of this subtitle and the amendments made by this subtitle, which shall include—

(A) the quality of data required to be collected and whether the data is complete, accurate, timely, and reliable;

(B) any challenges experienced by agencies in implementing this subtitle and the amendments made by this subtitle; and

(C) any suggestions or modifications to enhance compliance with this subtitle and the amendments made by this subtitle, including best practices for agencies to follow.

(3) SUNSET OF PLUM BOOK.—Beginning on January 1, 2026—

(A) the covered website shall serve as the public directory for policy and supporting positions in the Government; and

(B) the publication entitled ''United States Government Policy and Supporting Positions'', commonly referred to as the ''Plum Book'', shall no longer be issued or published.

(4) FUNDING.—

(A) IN GENERAL.—No additional amounts are authorized to be appropriated to carry out this subtitle or the amendments made by this subtitle.

(B) OTHER FUNDING.—The Director shall carry out this subtitle and the amendments made by this subtitle using amounts otherwise available to the Director.

AMENDMENT NO. 457 OFFERED BY MR. NEGUSE OF COLORADO

At the end of title LV of division E, add the following:

SEC. 5505. CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL.

(a) COMPLETION OF TRAIL.—

(1) IN GENERAL.—Not later than November 10, 2028, the Secretary and the Secretary of the Interior shall, to the maximum extent practicable, ensure the completion of the Continental Divide National Scenic Trail as a contiguous route, consistent with the following provisions of the National Trails System Act:

(A) Section 3(a)(2) (16 U.S.C. 1242(a)(2)).

(B) Section 5(a)(5) (16 U.S.C. 1244(a)(5)).

(C) Section 7 (16 U.S.C. 1246).

(2) PRIORITY OF ACTIONS.—The Secretary and the Secretary of the Interior shall, to the maximum extent practicable, take necessary actions to achieve this goal, including the following steps, listed in order of priority:

(A) Complete the Continental Divide National Scenic Trail by acquiring land or an interest in land, or by encouraging States or local governments to enter into cooperative agreements to acquire interests in land, to eliminate gaps between sections of the Trail while maintaining the nature and purposes of the Trail.

(B) Optimize the Trail by relocating incompatible existing portions of the Trail on Federal land as necessary to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which the Trail passes, consistent with the Trail's nature and purposes.

(C) Publish maps of the completed Trail corridor.

(b) TRAIL COMPLETION TEAM.—

(1) IN GENERAL.—In carrying out subsection (a), not later than 1 year after the date of the enactment of this section, the Secretary, in coordination with the Secretary of the Interior, shall establish a joint Forest Service and Bureau of Land Management trail completion team to work in coordination with the Trail Administrator to facilitate the completion and optimization of the Trail, pursuant to the purposes of section 3(a)(2) of the National Trails System Act (16 U.S.C. 1242(a)(2)) and the Trail's nature and purposes.

(2) DUTIES OF THE TEAM.—The Team shall:

(A) Implement land and right-of-way acquisitions, relocations, and trail construction consistent with any Optimal Location Review for the trail, giving priority to land that—

(i) eliminates gaps between segments of the Trail;

(ii) may be acquired by the Secretary or the Secretary of the Interior by purchase from a willing seller, donation, exchange, or by cooperative agreement;

(iii) is best suited for inclusion in the Trail corridor in accordance with the purposes, policies, and provisions of the National Trails System Act (16 U.S.C. 1241 et seq.); and

(iv) has been identified as a segment of the Trail on Federal land that should be relocated to provide for maximum outdoor recreation potential and the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which the Trail passes.

(B) Provide the necessary administrative and technical support to complete the Trail corridor under subsection (a).

(C) As appropriate, consult with other Federal agencies, Governors of affected States, Indian Tribes, Land Grants-Mercedes, Acequias, relevant landowners or land users of an acequia or land grant-merced, the Continental Divide Trail Coalition, and other volunteer and nonprofit organizations that assist in, or whose members may be affected by, the development, maintenance, and management of the Trail.

(D) Support the Secretary in the development of the acquisition and development plan under subsection (c) and annual reports under subsection (f).

(c) COMPREHENSIVE ACQUISITION AND DEVELOPMENT PLAN.—

(1) IN GENERAL.—Not later than 2 years after the establishment of the Team under subsection (b), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a comprehensive acquisition and development plan for the Trail.

(2) CONTENTS OF PLAN.—The comprehensive acquisition and development plan should—

(A) identify any gaps in the Trail where the Secretary and the Secretary of the Interior have not been able to acquire land or interests in land by purchase from a willing seller, by donation, by exchange, or by cooperative agreement;

(B) include a plan for closing such gaps by acquiring lands or interests in land; and

(C) include general and site-specific development plans, including anticipated costs.

(d) METHOD OF ACQUISITION.—In carrying out this section, the Secretary and the Secretary of the Interior—

(1) may acquire land only by purchase from a willing seller with donated or appropriated funds, by donation, or by exchange; and

(2) may not acquire land by eminent domain.

(e) MAINTAINING EXISTING PARTNERSHIPS.—In carrying out this section, the Secretary, the Secretary of the Interior, and the Team shall continue to maintain and develop working relationships with volunteer and nonprofit organizations that assist in the development, maintenance, and management of the Trail.

(f) REPORTS.—Not later than September 30, 2024, and at the close of each fiscal year until the acquisition and development plan is fully implemented, the Secretary shall report on the following, in writing, to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate:

(1) The progress in acquiring land or interests in land to complete the Trail consistent with this section.

(2) The amount of land or interests in land acquired during the fiscal year and the amount expended for such land or interests in land.

(3) The amount of land or interests in land planned for acquisition in the ensuing fiscal year and the estimated cost of such land or interests in land.

(4) The estimated amount of land or interests in land remaining to be acquired.

(5) The amount of existing Trail miles on Federal lands that need to be relocated to provide for maximum outdoor recreation potential and for conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which the Trail passes.

(g) DEFINITIONS.—In this section:

(1) ACEQUIA.—The term ''acequia'' has the meaning of the term ''community ditch'' as

such term is defined under section 73-2-27 of the New Mexico Statutes.

(2) LAND GRANT-MERCED.—The term ''land grant-merced'' means a community land grant issued under the laws or customs of the Government of Spain or Mexico that is recognized under chapter 49 of the New Mexico Statutes (or a successor statute).

(3) OPTIMAL LOCATION REVIEW.—The term ''Optimal Location Review'' means the procedures described in the Continental Divide National Scenic Trail Optimal Location Review Guide, dated November 2017.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(5) TEAM.—The term ''Team'' means the trail completion team established under subsection (b).

(6) TRAIL.—The term ''Trail'' means the Continental Divide National Scenic Trail established by section 5 of the National Trails System Act (16 U.S.C. 1244).

AMENDMENT NO. 458 OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of title LV of division E, insert the following:

SEC. 5505. SACRAMENTO-SAN JOAQUIN DELTA NATIONAL HERITAGE AREA.

Section 6001(a)(4)(A) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116–9) is amended by adding at the end the following: ''In addition, the Sacramento-San Joaquin Delta National Heritage Area shall include the area depicted as 'Rio Vista/Expansion Area' on the map entitled 'Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary Expansion' and dated February 2021.''.

AMENDMENT NO. 459 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Add at the end of title LIV of division E the following:

SEC. 54___. GRANT PROGRAM FOR GRANDFAMILY HOUSING.

(a) IN GENERAL.—Title II of the LEGACY Act of 2003 (12 U.S.C. 1790q note) is amended by adding at the end the following:

''SEC. 206. GRANT PROGRAM.

''(a) IN GENERAL.—The Secretary shall, not later than 180 days after the date of the enactment of this section, establish a program to provide grants to owners of intergenerational dwelling units.

''(b) APPLICATION.—To be eligible to receive a grant under this section, an owner of an intergenerational dwelling unit shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(c) USE OF GRANT AMOUNTS.—An owner of an intergenerational dwelling unit that receives a grant under this section shall use amounts provided to cover costs associated with—

''(1) employing a service coordinator to—

''(A) offer onsite services to intergenerational families, including tutoring, health care services, afterschool care, and activities that are age appropriate for children of various ages of development; and

''(B) coordinate with any local kinship navigator program (as described in section 474(a)(7) of the Social Security Act (42 U.S.C. 674(a)(7));

''(2) facilitating outreach to intergenerational families as described in subsection (d);

''(3) planning and offering services to intergenerational families; and

''(4) retrofitting and maintaining existing spaces within the property that contains the intergenerational dwelling unit for the services and programs provided to intergenerational families.

''(d) OUTREACH.—

''(1) IN GENERAL.—An owner of an intergenerational dwelling unit that receives a grant under this section shall engage with intergenerational families in the community surrounding the property that contains the grandfamily housing owned by the grant recipient by—

''(A) performing periodic informational outreach; and

''(B) planning and executing events for intergenerational families.

''(2) COORDINATION.—Outreach under this subsection shall, where possible, be in coordination with a local kinship navigator program (as described in section 474(a)(7) of the Social Security Act (42 U.S.C. 674(a)(7)) or a comparable program or entity in the State in which the intergenerational dwelling unit is located.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each of fiscal years 2023 and 2024.

''(f) NONDISCRIMINATION.—The program established under this section shall be implemented by the Secretary in a manner that is consistent with the Fair Housing Act.''.

(b) VAWA PROTECTIONS.—Section 41411(a)(3) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a)(3)) is amended—

(1) by redesignating subparagraphs (O) and (P) as subparagraphs (P) and (Q), respectively; and

(2) by inserting after paragraph (N) the following:

''(O) the program established under the Grandfamily Housing Act of 2022;''.

(c) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary of Housing and Urban Development shall submit to the Congress a report that—

(1) describes the effectiveness of the grant program established under section 206 of the LEGACY Act of 2003, as added by subsection (a); and

(2) makes recommendations for legislative changes that could allow for the grant program to be more effective.

AMENDMENT NO. 460 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of title LVIII of division E, insert the following:

SEC. _____. WASTEWATER ASSISTANCE TO COLONIAS.

Section 307 of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1281 note) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) COVERED ENTITY.—The term 'covered entity' means each of the following:

''(A) A border State.

''(B) A local government with jurisdiction over an eligible community.'';

(2) in subsection (b), by striking ''border State'' and inserting ''covered entity'';

(3) in subsection (d), by striking ''shall not exceed 50 percent'' and inserting ''may not be less than 80 percent''; and

(4) in subsection (e)—

(A) by striking ''$25,000,000'' and inserting ''$100,000,000''; and

(B) by striking ''1997 through 1999'' and inserting ''2023 through 2027''.

AMENDMENT NO. 462 OFFERED BY MS. CLARK OF MASSACHUSETTS

Add at the end of title LVIII of division E the following:

SEC. 58___. CONTRACTS BY THE PRESIDENT, THE VICE PRESIDENT, OR A CABINET MEMBER.

(a) AMENDMENT.—Section 431 of title 18, United States Code, is amended—

(1) in the section heading, by inserting ''**the President, the Vice President, a Cabinet Member, or a**'' after ''**Contracts by**''; and

(2) in the first undesignated paragraph, by inserting ''the President, the Vice President, or any member of the Cabinet,'' after ''Whoever, being''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 23 of title 18, United States Code, is amended by striking the item relating to section 431 and inserting the following:

''431. Contracts by the President, the Vice President, a Cabinet Member, or a Member of Congress.''.

AMENDMENT NO. 463 OFFERED BY MR. TONKO OF NEW YORK

Add at the end of title LV the following:

SEC. 5505. NEW YORK-NEW JERSEY WATERSHED PROTECTION.

(a) PROGRAM ESTABLISHMENT.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the ''New York-New Jersey Watershed Restoration Program''.

(2) DUTIES.—In carrying out the program, the Secretary shall—

(A) draw on existing and new approved plans for the Watershed, or portions of the Watershed, and work in consultation with applicable management entities, including representatives of the New York-New Jersey Harbor and Estuary Program (HEP), Hudson River Estuary Program, Mohawk River Basin Program, Sustainable Raritan River Initiative, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Watershed; and

(B) adopt a Watershed-wide strategy that—

(i) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with subparagraph (A);

(ii) targets cost-effective projects with measurable results;

(iii) maximizes conservation outcomes;

(iv) prioritizes the needs of communities lacking in environmental justice; and

(v) establishes the voluntary grant and technical assistance programs authorized in this section.

(3) CONSULTATION.—In establishing the program, the Secretary shall, as appropriate—

(A) consult with—

(i) the heads of Federal agencies, including—

(I) the Administrator of the Environmental Protection Agency;

(II) the Administrator of the National Oceanic and Atmospheric Administration;

(III) the Secretary of Agriculture; and

(IV) the Director of the National Park Service; and

(ii) Indian Tribes; and

(B) coordinate with —

(i) the Governors of New York and New Jersey and the Commissioner of the New York State Department of Environmental Conservation and the Director of the New Jersey Division of Fish and Wildlife;

(ii) the New York-New Jersey Harbor & Estuary Program; and

(iii) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Watershed.

(4) PURPOSES.—The purposes of the program include—

(A) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Watershed;

(B) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Watershed—

(i) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(ii) to improve and maintain water quality to support fish, wildlife, and their habitat, as well as to improve opportunities for public access and recreation in the Watershed consistent with the ecological needs of fish and wildlife habitat;

(iii) to advance the use of natural and nature-based features, living shoreline, and other green infrastructure techniques to maximize the resilience of communities, natural systems, and habitats under changing sea levels, storm risks, and watershed conditions;

(iv) to engage the public, communities experiencing environmental injustice, through outreach, education, and community involvement to increase capacity and support for coordinated restoration and protection activities in the Watershed;

(v) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities;

(vi) to provide for feasibility and planning studies for green infrastructure projects that achieve habitat restoration and stormwater management goals;

(vii) to support land conservation and management activities necessary to fulfill the Watershed-wide strategy adopted under subsection (a)(2)(B);

(viii) to provide technical assistance to carry out restoration and protection activities in the Watershed;

(ix) to monitor environmental quality to assess progress toward the goals of this section; and

(x) to improve fish and wildlife habitats, as well as opportunities for personal recreation, along rivers and shore fronts within communities lacking in environmental justice; and

(C) other activities necessary for the implementation of approved plans.

(b) NEW YORK-NEW JERSEY WATERSHED RESTORATION GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a voluntary grant and technical assistance program, to be known as the ''New York-New Jersey Watershed Restoration Grant Program'', to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in subsection (a)(4).

(2) CRITERIA.—The Secretary, in consultation with the agencies, organizations, and other persons referred to in section 404(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in subsection (a)(4) and advance the implementation of priority actions or needs identified in the Watershed-wide strategy adopted under subsection (a)(2)(B).

(3) CAPACITY BUILDING.—The Secretary shall include grant program provisions designed to increase the effectiveness of organizations that work at the nexus of natural resource and community health issues within the New York-New Jersey Watershed by addressing organizational capacity needs.

(4) COST SHARING.—

(A) DEPARTMENT OF THE INTERIOR SHARE.—The Department of the Interior share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(B) NON-DEPARTMENT OF THE INTERIOR SHARE.—The non-Department of the Interior share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) FUNDING.—If the Secretary enters into an agreement under paragraph (A), the organization selected shall—

(A) for each fiscal year, receive amounts made available to carry out this section in an advance payment of the entire amounts on October 1 of that fiscal year, or as soon as practicable thereafter;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this section.

(3) REQUIREMENTS.—If the Secretary enters into an agreement with the Foundation under subparagraph (A), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

(d) ANNUAL REPORTS.—Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Congress a report on the implementation of this section, including a description of each project that has received funding under this section in the preceding fiscal year.

(e) PROHIBITION ON FEDERAL LAND HOLDINGS.—The Federal Government may not maintain ownership of any land acquired under this section except for the purpose of promptly transferring ownership to a State or local entity.

(f) SUNSET.—This section shall have no force or effect after September 30, 2030.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section $20,000,000 for each of fiscal years 2023 through 2028, of which not more than 3 percent shall be used for administrative costs to carry out this section.

(2) USE FOR GRANT PROGRAM.—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under subsection (b) and to provide, or provide for, technical assistance under such program.

(h) DEFINITIONS.—In this section:

(1) APPROVED PLANS.—The term ''approved plan''—

(A) means any plan for management of the New York-New Jersey Watershed—

(i) that has been approved by a Federal, regional, State, or local governmental entity, including State Wildlife Action Plans, Comprehensive Conservation Management Plans, Watershed Improvement Plans; or

(ii) that is determined by the Director, in consultation with such entities, to contribute to the achievement of the purposes of this section; and

(B) includes the New York-New Jersey Harbor & Estuary Program (HEP) Action Agenda, the Hudson Raritan Comprehensive Restoration Plan, the Hudson River Comprehensive Restoration Plan, the Hudson River Estuary Program Action Agenda, the Hudson River Park Trust Estuarine Sanctuary Management Plan, the Mohawk River Action Agenda, the Sustainable Raritan River Initiative Action Plan, the Lower Passaic and Bronx & Harlem Federal Urban Waters Partnership Workplans, the New Jersey Sports and Exhibition Authority Meadowlands Restoration Plan, as well as other critical conservation projects in the region that achieve the purposes of this section.

(2) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(3) ENVIRONMENTAL JUSTICE.—The term ''environmental justice'' means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

(4) FOUNDATION.—The term ''Foundation'' means the National Fish and Wildlife Foundation.

(5) GRANT PROGRAM.—The term ''grant program'' means the voluntary New York-New Jersey Watershed Restoration Grant Program established under section 405.

(6) PROGRAM.—The term ''program'' means the New York-New Jersey Watershed Restoration Program established under section 404.

(7) RESTORATION AND PROTECTION.—The term ''restoration and protection'' means the conservation, stewardship, and enhancement of habitat for fish and wildlife and water quality to preserve and improve ecosystems and ecological processes on which they depend and for use and enjoyment by the public.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director.

(9) SERVICE.—The term ''Service'' means the United States Fish and Wildlife Service.

(10) WATERSHED.—The term ''Watershed'' means the New York-New Jersey Watershed, which is comprised of all land area whose surface water drains into New York-New Jersey Harbor, the waters contained within that land area, and the estuaries associated with those watersheds.

AMENDMENT NO. 464 OFFERED BY MR. HIGGINS OF NEW YORK

At the end of title LV of division E, add the following:

SECTION 5505. AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL MARITIME HERITAGE GRANT PROGRAM.

Section 308703 of title 54, United States Code, is amended—

(1) in subsection (b)(1), by inserting ''subsection (k) and'' after ''amounts for that purpose under'';

(2) in subsection (c)(1), by inserting ''subsection (k) and'' after ''amounts for that purpose under''; and

(3) by adding at the end the following:

''(k) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated to the Secretary $10,000,000 for each of fiscal years 2023 and 2024 to carry out this section.''.

AMENDMENT NO. 466 OFFERED BY MRS. AXNE OF IOWA

Add at the end of title LIV of division E the following:

SEC. 54___. FLEXIBILITY IN ADDRESSING RURAL HOMELESSNESS.

Subsection (a) of section 423 of subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(a)) is amended by adding at the end the following:

''(13) Projects in rural areas that consist of one or more of the following activities:

''(A) Payment of short-term emergency lodging, including in motels or shelters, directly or through vouchers.

''(B) Repairs to units—

''(i) in which homeless individuals and families will be housed; or

''(ii) which are currently not fit for human habitation.

''(C) Staff training, professional development, skill development, and staff retention activities.''.

AMENDMENT NO. 467 OFFERED BY MR. BAIRD OF INDIANA

At the end of title LI, insert the following new section:

SEC. 51___. REQUIREMENT FOR TIMELY SCHEDULING OF APPOINTMENTS AT MEDICAL FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) REQUIREMENT.—Chapter 17 of title 38, United States Code, is amended—

(1) by redesignating section 1706A as section 1706B; and

(2) by inserting after section 1706 the following new section:

''§ 1706A. Management of health care: timely scheduling of appointments at Department facilities

''(a) REQUIREMENT FOR SCHEDULING.—In managing the provision of hospital care and medical services at medical facilities of the Department of Veterans Affairs under this chapter, the Secretary shall ensure that whenever a covered veteran contacts the Department by telephone to request the scheduling of an appointment for care or services for the covered veteran at such a facility, the scheduling for the appointment occurs during that telephone call (regardless of the prospective date of the appointment being scheduled).

''(b) COVERED VETERAN DEFINED.—In this section, the term 'covered veteran' means a veteran who is enrolled in the system of patient enrollment of the Department under section 1705(a) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 1706A and inserting the following new items:

''1706A. Management of health care: timely scheduling of appointments at Department facilities.

''1706B. Remediation of medical service lines.''.

(c) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to requests for appointment scheduling occurring on or after the date that is 120 days after the date of the enactment of this Act.

AMENDMENT NO. 468 OFFERED BY MR. BARR OF KENTUCKY

At the end of subtitle B of title XIII, add the following:

SEC. 13__. REPORT ON CHINESE SUPPORT TO RUSSIA WITH RESPECT TO ITS UNPROVOKED INVASION OF AND FULL-SCALE WAR AGAINST UKRAINE.

(a) IN GENERAL.—Not later than 30 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 Commerce and the Director of National Intelligence as appropriate, shall submit to the appropriate congressional committees a report on whether and how the People's Republic of China, including the Government of the People's Republic of China, the Chinese Communist Party, any Chinese state-owned enterprise, and any other Chinese entity, has provided support to the Russian Federation with respect to its unprovoked invasion of and full-scale war against Ukraine.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a discussion of the People's Republic of China support to the Russian Federation with respect to—

(1) helping the Government of Russia or Russian entities evade or circumvent United States sanctions or multilateral sanctions and export controls;

(2) deliberately inhibiting onsite United States Government export control end-use checks, including interviews and investigations, in China;

(3) providing Russia with any technology, including semiconductors classified as EAR99, that supports Russian intelligence or military capabilities;

(4) establishing economic or financial arrangements that will have the effect of alleviating the impact of United States sanctions or multilateral sanctions;

(5) furthering Russia's disinformation and propaganda efforts;

(6) coordinating to hinder the response of multilateral organizations, including the United Nations, to provide assistance to the people or Government of Ukraine, to condemn Russia's war, to hold Russia accountable for the invasion and its prosecution of the war, or to hold those complicit accountable; and

(7) providing any material, technical, or logistical support, including to Russian military or intelligence agencies and state-owned or state-linked enterprises.

(c) FORM.—

(1) IN GENERAL.—The report required by subsection (a) shall be submitted in unclassified form and published on the Department of State's publicly available website.

(2) EXCEPTION.—If the Secretary, in consultation with the Director of National Intelligence, certifies to the appropriate congressional committees that the Secretary is unable to include an element required under paragraphs (1) through (7) of subsection (b) in an unclassified manner, the Secretary shall provide in unclassified form an affirmative or negative determination for each element required under subsections (b)(1)-(7) whether the People's Republic of China is supporting the Russian Federation in that manner and concurrently provide the discussion of that element to the committees at the lowest possible classification level, consistent with the protection of sources and methods.

(d) SUNSET.—The requirement to submit the report required by subsection (a) shall terminate on the earlier of—

(1) the date on which the Secretary of State determines the conflict in Ukraine has ended; or

(2) the date that is 2 years after the date of the enactment of this Act.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(3) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 469 OFFERED BY MS. BASS OF CALIFORNIA

At the appropriate place in title LVIII, insert the following:

SEC. ___. STATEMENT OF POLICY AND REPORT ON ENGAGING WITH NIGER.

(a) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) continue to support Niger's efforts to advance democracy, good governance, human rights, and regional security within its borders through bilateral assistance and multilateral initiatives;

(2) enhance engagement and cooperation with the Nigerien government at all levels as a key component of stabilizing the Sahel, where frequent coups and other anti-democratic movements, food insecurity, violent extremism, and armed conflict threaten to further weaken governments throughout the region; and

(3) work closely with partners and allies throughout the international community to elevate Niger, which experienced its first democratic transition of power in 2021, as an example of transitioning from longstanding military governance and a cycle of coups to a democratic, civilian-led form of government.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of relevant departments and agencies, shall submit to the appropriate congressional committees a report on interagency efforts to enhance United States engagement with Niger as a key component of the United States Strategy toward the Sahel. Such report shall also include the following information with respect to the 2 fiscal years preceding the date of the submission of the report:

(1) A description of United States efforts to promote democracy, political pluralism, fiscal transparency and other good governance initiatives, human rights and the rule of law, and a robust and engaged civil society.

(2) A full, detailed breakdown of United States assistance provided to help the Nigerien Government develop a comprehensive national security strategy, including to counter terrorism, regional and transnational organized crime, intercommunal violence, and other forms of armed conflict, criminal activity, and other threats to United States and Nigerien national security.

(3) An analysis of relevant resources at United States Embassy Niamey, including whether staff in place by the end of the current fiscal year will be sufficient to meet various country and regional strategic objectives.

(4) An overview of foreign partner support for Niger's intelligence and security sector.

(5) A detailed description of United States and international efforts to address food insecurity in Niger, including that which is caused by deforestation, desertification, and other climate change-related issues.

(6) A breakdown of United States funds obligated for humanitarian assistance in Niger, and an analysis of how the security situation in Niger has affected humanitarian operations and diplomatic engagement throughout the country.

(7) An assessment of foreign malign influence in Niger, with a specific focus on the People's Republic of China, the Russian Federation, and their proxies.

(c) FORM.—The report required by section (b) shall be submitted in unclassified form and may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

AMENDMENT NO. 470 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle A of title XIII, add the following:

SEC. 13__. REPORT ON INDO-PACIFIC REGION.

(a) IN GENERAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs, in coordination with the Assistant Secretary of State for the Bureau of South and Central

Asian Affairs, and Assistant Administrator for the Bureau for Asia of the United States Agency for International Development (USAID), shall submit to the congressional foreign affairs committees a report that contains a 2-year strategy assessing the resources and activities required to achieve the policy objectives described in subsection (c).

(2) SUBMISSION AND UPDATE.—The report and strategy required by this subsection shall—

(A) be submitted at the same time as the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2024; and

(B) be updated and submitted at the same time as the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal years 2026, 2028, and 2030.

(b) CRITERIA.—The report and strategy required in subsection (a) shall be developed in accordance with the following criteria:

(1) It shall reflect the objective, autonomous, and independent assessment of the activities, resources, and costs required to achieve objectives detailed in subsection (c) by the principals, the subordinate and parallel offices providing input into the assessment.

(2) It shall cover a period of five fiscal years, beginning with the fiscal year following the fiscal year in which the report is submitted.

(3) It shall incorporate input from U.S. Ambassadors in the Indo-Pacific region provided explicitly for the required report.

(4) It may include information gathered through consultation with program offices and subject matter experts in relevant functional bureaus, as deemed necessary by the principals.

(5) It shall not be subject to fiscal guidance or global strategic tradeoffs associated with the annual President's budget request.

(c) POLICY OBJECTIVES.—The report and strategy required in subsection (a) shall assess the activities and resources required to achieve the following policy objectives:

(1) Implement the Interim National Security Strategic Guidance, or the most recent National Security Strategy, with respect to the Indo-Pacific region.

(2) Implement the 2022 Indo-Pacific Strategy, or successor documents, that set forth the U.S. Government strategy toward the Indo-Pacific region.

(3) Implement the State-USAID Joint Strategic Plan with respect to the Indo-Pacific region.

(4) Enhance meaningful diplomatic and economic relations with allies and partners in the Indo-Pacific and demonstrate an enduring U.S. commitment to the region.

(5) Secure and advance U.S. national interests in the Indo-Pacific, including through countering the malign influence of the Government of the People's Republic of China.

(d) MATTERS TO BE INCLUDED.—The report and strategy required under subsection (a) shall include the following:

(1) A description of the Bureaus' bilateral and multilateral goals for the period covered in the report that the principals deem necessary to accomplish the objectives outlined in subsection (c), disaggregated by country and forum.

(2) A timeline with annual benchmarks for achieving the objectives described in subsection (c).

(3) An assessment of the sufficiency of U.S. diplomatic personnel and facilities currently available in the Indo-Pacific region to achieve the objectives outlined in subsection (c), through consultation with U.S. embassies in the region. The assessment shall include:

(A) A list, in priority order, of locations in the Indo-Pacific region that require additional diplomatic personnel or facilities.

(B) A description of locations where the United States may be able to collocate diplomatic personnel at allied or partner embassies and consulates.

(C) A discussion of embassies or consulates where diplomatic staff could be reduced within the Indo-Pacific region, where appropriate.

(D) A detailed description of the fiscal and personnel resources required to fill gaps identified.

(4) A detailed plan to expand U.S. diplomatic engagement and foreign assistance presence in the Pacific Island nations within the next five years, including a description of ''quick impact'' programs that can be developed and implemented within the first fiscal year of the period covered in the report.

(5) A discussion of the resources needed to enhance U.S. strategic messaging and spotlight coercive PRC behavior.

(6) A detailed description of the resources and policy tools needed to expand the United States ability to offer high-quality infrastructure projects in strategically significant parts of the Indo-Pacific region, with a particular focus on expanding investments in Southeast Asia and the Pacific Islands.

(7) A gap assessment of security assistance by country, and of the resources needed to fill those gaps.

(8) A description of the resources and policy tools needed to facilitate continued private sector investment in partner countries in the Indo-Pacific.

(9) A discussion of any additional bilateral or regional assistance resources needed to achieve the objectives outlined in subsection (c), as deemed necessary by the principals.

(e) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, but may include a classified annex.

(f) AVAILABILITY.—Not later than February 1 each year, the Assistant Secretary for East Asian and Pacific Affairs shall make the report and strategy available to the Secretary of State, the Administrator of the USAID, the Deputy Secretary of State, the Deputy Secretary of State for Management and Resources, the Deputy Administrator for Policy and Programming, the Deputy Administrator for Management and Resources, the Under Secretary of State for Political Affairs, the Director of the Office of Foreign Assistance at the Department of State, the Director of the Bureau of Foreign Assistance at the USAID, and the Director of Policy Planning.

(g) DEFINITIONS.—In this section:

(1) INDO-PACIFIC REGION.—The term ''Indo-Pacific region'' means the countries under the jurisdiction of the Bureau for East Asian and Pacific Affairs, as well as the countries of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka.

(2) FOREIGN AFFAIRS COMMITTEES.—The term ''foreign affairs committees'' means the Committee on Foreign Affairs of the House of Representatives; the Committee on Foreign Relations of the Senate; the Subcommittee on State, Foreign Operations, Related Programs of the Committee on Appropriations of the House of Representatives; and the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate.

(3) PRINCIPALS.—The term ''principals'' means the Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs, the Assistant Secretary of State for the Bureau of South and Central Asian Affairs, and the Assistant Administrator for the Bureau for Asia of the United States Agency for International Development.

AMENDMENT NO. 471 OFFERED BY MR. BERA OF CALIFORNIA

At the end of title LVIII, add the following:

SEC. 58__. INTERAGENCY TASK FORCE.

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

(1) the People's Republic of China's (PRC) increasing use of economic coercion against foreign governments, companies, organizations, other entities, and individuals requires that the United States better understand these measures in order to devise a comprehensive, effective, and multilateral response;

(2) the private sector is a crucial partner in helping the United States Government understand the PRC's coercive economic measures and hold the PRC accountable, and that additional business transparency would help the United States Government and private sector stakeholders conduct early assessments of potential pressure points and vulnerabilities; and

(3) PRC coercive economic measures creates pressures for the private sector to behave in ways antithetical to United States national interests and competitiveness.

(b) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall establish an interagency task force to be known as the ''Countering Economic Coercion Task Force'' (referred to in this section as the ''Task Force'').

(c) DUTIES.—

(1) IN GENERAL.—The Task Force shall—

(A) oversee the development and implementation of an integrated United States Government strategy to respond to People's Republic of China (PRC) coercive economic measures, which shall include—

(i) systematically monitoring and evaluating—

(I) the costs of such measures on United States businesses and overall United States economic performance;

(II) instances in which such measures taken against a non-PRC entity has benefitted other parties; and

(III) the impacts such measures have had on United States national interests; and

(ii) facilitating coordination among Federal departments and agencies when responding to such measures as well as proactively deterring such economic coercion, including by clarifying the roles for departments and agencies identified in subsection (d) in implementing the strategy;

(B) consult with United States allies and partners on the feasibility and desirability of collectively identifying, assessing, and responding to PRC coercive economic measures, as well as actions that could be taken to expand coordination with the goal of ensuring a consistent, coherent, and collective response to such measures and establishing long-term deterrence to such measures;

(C) effectively engage the United States private sector, particularly sectors, groups, or other entities that are susceptible to such PRC coercive economic measures, on concerns related to such measures; and

(D) develop and implement a process for regularly sharing relevant information, including classified information to the extent appropriate and practicable, on such PRC coercive economic measures with United States allies, partners, and the private sector.

(2) CONSULTATION.—In carrying out its duties under this subsection, the Task Force should regularly consult, to the extent necessary and appropriate, with the following:

(A) Relevant stakeholders in the private sector.

(B) Federal departments and agencies that are not represented on the Task Force.

(C) United States allies and partners.

(d) MEMBERSHIP.—The President shall—

(1) appoint the chair of the Task Force from among the staff of the National Security Council;

(2) appoint the vice chair of the Task Force from among the staff of the National Economic Council; and

(3) direct the head of each of the following Federal departments and agencies to appoint personnel at the level of Assistant Secretary or above to participate in the Task Force:

(A) The Department of State.

(B) The Department of Commerce.

(C) The Department of the Treasury.

(D) The Department of Justice.

(E) The Office of the United States Trade Representative.

(F) The Department of Agriculture.

(G) The Office of the Director of National Intelligence and other appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(H) The Securities and Exchange Commission.

(I) The United States International Development Finance Corporation.

(J) Any other department or agency designated by the President.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Task Force shall submit to the appropriate congressional committees a report that includes the following elements:

(A) A comprehensive review of the array of economic tools the Government of the People's Republic of China (PRC) employs or could employ in the future to coerce other governments, non-PRC companies (including United States companies), and multilateral institutions and organizations, including the Government of the PRC's continued efforts to codify informal practices into its domestic law.

(B) The strategy required by subsection (c)(1)(A).

(C) An interagency definition of PRC coercive economic measures that captures both—

(i) the use of informal or extralegal PRC coercive economic measures; and

(ii) the illegitimate use of formal economic tools.

(D) A comprehensive review of the array of economic and diplomatic tools the United States Government employs or could employ to respond to economic coercion against the United States and United States allies and partners.

(E) A list of unilateral or multilateral—

(i) proactive measures to defend or deter against PRC coercive economic measures; and

(ii) actions taken in response to the Government of the PRC's general use of coercive economic measures, including the imposition of reputational costs on the PRC.

(F) An assessment of areas in which United States allies and partners are vulnerable to PRC coercive economic measures.

(G) A description of gaps in existing resources or capabilities for United States Government departments and agencies to respond effectively to PRC coercive economic measures directed at United States entities and assist United States allies and partners in their responses to PRC coercive economic measures.

(H) An analysis of the circumstances under which the PRC employs different types of economic coercion and against what kinds of targets.

(I) An assessment, as appropriate, of international norms and regulations as well as any treaty obligations the PRC has stretched, circumvented, or broken through its economically coercive practices.

(2) INTERIM REPORTS.—

(A) FIRST INTERIM REPORT.—Not later than one year after the date on which the report required by paragraph (1) is submitted to the appropriate congressional committees, the Task Force shall submit to the appropriate congressional committees a report that includes the following elements:

(i) Updates to information required by subparagraphs (A) through (G) of paragraph (1).

(ii) A description of activities conducted by the Task Force to implement the strategy required by subsection (c)(1)(A).

(iii) An assessment of the implementation and effectiveness of the strategy, lessons learned from the past year, and planned changes to the strategy.

(B) SECOND INTERIM REPORT.—Not later than one year after the date on which the report required by subparagraph (A) is submitted to the appropriate congressional committees, the Task Force shall submit to the appropriate congressional committees a report that includes an update to the elements required under the report required by subparagraph (A).

(3) FINAL REPORT.—Not later than 30 days after the date on which the report required by paragraph (2)(B) is submitted to the appropriate congressional committees, the Task Force shall submit to the appropriate congressional committees and also make available to the public on the website of the Executive Office of the President a final report that includes the following elements:

(A) An analysis of PRC coercive economic measures and the cost of such coercive measures to United States businesses.

(B) A description of areas of possible vulnerability for United States businesses and businesses of United States partners and allies.

(C) Recommendations on how to continue the effort to counter PRC coercive economic measures, including through further coordination with United States allies and partners.

(D) A list of cases made public under subsection (f).

(4) FORM.—

(A) INITIAL AND INTERIM REPORTS.—The reports required by paragraphs (1), (2)(A), and (2)(B) shall be submitted in unclassified form, but may include a classified annex.

(B) FINAL REPORT.—The report required by paragraph (3) shall be submitted in unclassified form, but may include a classified annex.

(f) PUBLICLY AVAILABLE LIST.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Task Force shall to the extent practicable make available to the public on the website of the Executive Office of the President a list of cases in the past six months in which open source reporting indicates that the PRC has directed coercive economic measures against a non-PRC entity.

(2) UPDATES.—The list required by paragraph (1) should be updated every 180 days, and shall be managed by the Department of State after the termination of the Task Force under subsection (g).

(g) SUNSET.—

(1) IN GENERAL.—The Task Force shall terminate at the end of the 60-day period beginning on the date on which the final report required by subsection (e)(3) is submitted to the appropriate congressional committees and made publicly available.

(2) ADDITIONAL ACTIONS.—The Task force may use the 60-day period referred to in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (e)(3).

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate.

(2) COERCIVE ECONOMIC MEASURES.—The term ''coercive economic measures'' includes formal or informal restrictions or conditions, such as on trade, investment, development aid, and financial flows, intended to impose economic costs on a non-People's Republic of China target in order to achieve strategic political objectives, including influence over the policy decisions of a foreign government, company, organization, or individual.

SEC. 58__. MODIFICATION OF DUTIES OF UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION.

Section 1238(c)(2)(H) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002(c)(2)(H)) is amended by adding at the end before the period the following: '', and the People's Republic of China's use of such relations to economically or politically coerce other countries, regions, and international and regional entities, particularly treaty allies and major partners, to achieve China's objectives in the preceding year''.

AMENDMENT NO. 472 OFFERED BY MR. BERA OF CALIFORNIA

At the end of title LVIII, add the following:

SEC. 58__. TAIWAN FELLOWSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) AGENCY HEAD.—The term ''agency head'' means, in the case of the executive branch of United States Government, or in the case of a legislative branch agency specified in paragraph (2), the head of the respective agency.

(2) AGENCY OF THE UNITED STATES GOVERNMENT.—The term ''agency of the United States Government'' includes the Government Accountability Office, the Congressional Budget Office, the Congressional Research Service, and the United States-China Economic and Security Review Commission of the legislative branch, as well as any agency of the executive branch.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Appropriations of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(4) DETAILEE.—The term ''detailee'' means an employee of an agency of the United States Government on loan to the American Institute in Taiwan, without a change of position from the agency at which such employee is employed.

(5) IMPLEMENTING PARTNER.—The term ''implementing partner'' means any United States organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that—

(A) is selected through a competitive process;

(B) performs logistical, administrative, and other functions, as determined by the Department of State and the American Institute of Taiwan, in support of the Taiwan Fellowship Program; and

(C) enters into a cooperative agreement with the American Institute in Taiwan to administer the Taiwan Fellowship Program.

(b) ESTABLISHMENT OF TAIWAN FELLOWSHIP PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of State shall establish the ''Taiwan Fellowship Program'' (hereafter referred to in this section as the ''Program'') to provide a fellowship opportunity in Taiwan of up to two years for eligible United States citizens through the cooperative agreement established in paragraph (2). The Department of State, in consultation with the American Institute in Taiwan and the implementing partner, may modify the name of the Program.

(2) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The American Institute in Taiwan shall use amounts authorized to be appropriated pursuant to subsection (f)(1) to enter into an annual or multi-year cooperative agreement with an appropriate implementing partner.

(B) FELLOWSHIPS.—The Department of State, in consultation with the American Institute in Taiwan and, as appropriate, the implementing partner, shall award to eligible United States citizens, subject to available funding—

(i) not fewer than five fellowships during the first two years of the Program; and

(ii) not fewer than ten fellowships during each of the remaining years of the Program.

(3) INTERNATIONAL AGREEMENT; IMPLEMENTING PARTNER.—Not later than 30 days after the date of the enactment of this Act, the American Institute in Taiwan, in consultation with the Department of State, shall—

(A) begin negotiations with the Taipei Economic and Cultural Representative Office, or with another appropriate entity, for the purpose of entering into an agreement to facilitate the placement of fellows in an agency of the governing authorities on Taiwan; and

(B) begin the process of selecting an implementing partner, which—

(i) shall agree to meet all of the legal requirements required to operate in Taiwan; and

(ii) shall be composed of staff who demonstrate significant experience managing exchange programs in the Indo-Pacific region.

(4) CURRICULUM.—

(A) FIRST YEAR.—During the first year of each fellowship under this subsection, each fellow should study—

(i) the Mandarin Chinese language;

(ii) the people, history, and political climate on Taiwan; and

(iii) the issues affecting the relationship between the United States and the Indo-Pacific region.

(B) SECOND YEAR.—During the second year of each fellowship under this section, each fellow, subject to the approval of the Department of State, the American Institute in Taiwan, and the implementing partner, and in accordance with the purposes of this Act, shall work in—

(i) a parliamentary office, ministry, or other agency of the governing authorities on Taiwan; or

(ii) an organization outside of the governing authorities on Taiwan, whose interests are associated with the interests of the fellow and the agency of the United States Government from which the fellow had been employed.

(5) FLEXIBLE FELLOWSHIP DURATION.—Notwithstanding any requirement under this section, the Secretary of State, in consultation with the American Institute in Taiwan and, as appropriate, the implementing partner, may award fellowships that have a duration of between nine months and two years, and may alter the curriculum requirements under paragraph (4) for such purposes.

(6) SUNSET.—The Program shall terminate ten years after the date of the enactment of this Act.

(c) PROGRAM REQUIREMENTS.—

(1) ELIGIBILITY REQUIREMENTS.—A United States citizen is eligible for a fellowship under this section if he or she—

(A) is an employee of the United States Government;

(B) has received at least one exemplary performance review in his or her current United States Government role within at least the last three years prior to the beginning the fellowship;

(C) has at least two years of experience in any branch of the United States Government;

(D) has a demonstrated professional or educational background in the relationship between the United States and countries in the Indo-Pacific region; and

(E) has demonstrated his or her commitment to further service in the United States Government.

(2) RESPONSIBILITIES OF FELLOWS.—Each recipient of a fellowship under this section shall agree, as a condition of such fellowship—

(A) to maintain satisfactory progress in language training and appropriate behavior in Taiwan, as determined by the Department of State, the American Institute in Taiwan and, as appropriate, its implementing partner;

(B) to refrain from engaging in any intelligence or intelligence-related activity on behalf of the United States Government; and

(C) to continue Federal Government employment for a period of not less than four years after the conclusion of the fellowship or for not less than two years for a fellowship that is one year or shorter.

(3) RESPONSIBILITIES OF IMPLEMENTING PARTNER.—

(A) SELECTION OF FELLOWS.—The implementing partner, in close coordination with the Department of State and the American Institute in Taiwan, shall—

(i) make efforts to recruit fellowship candidates who reflect the diversity of the United States;

(ii) select fellows for the Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan; and

(iii) prioritize the selection of candidates willing to serve a fellowship lasting one year or longer.

(B) FIRST YEAR.—The implementing partner should provide each fellow in the first year (or shorter duration, as jointly determined by the Department of State and the American Institute in Taiwan for those who are not serving a two-year fellowship) with—

(i) intensive Mandarin Chinese language training; and

(ii) courses in the politic, culture, and history of Taiwan, China, and the broader Indo-Pacific.

(C) WAIVER OF REQUIRED TRAINING.—The Department of State, in coordination with the American Institute in Taiwan and, as appropriate, the implementing partner, may waive any of the training required under subparagraph (B) to the extent that a fellow has Mandarin Chinese language skills, knowledge of the topic described in subparagraph (B)(ii), or for other related reasons approved by the Department of State and the American Institute in Taiwan. If any of the training requirements are waived for a fellow serving a two-year fellowship, the training portion of his or her fellowship may be shortened to the extent appropriate.

(D) OFFICE; STAFFING.—The implementing partner, in consultation with the Department of State and the American Institute in Taiwan, shall maintain an office and at least one full-time staff member in Taiwan—

(i) to liaise with the American Institute in Taiwan and the governing authorities on Taiwan; and

(ii) to serve as the primary in-country point of contact for the recipients of fellowships under this section and their dependents.

(E) OTHER FUNCTIONS.—The implementing partner should perform other functions in association in support of the Program, including logistical and administrative functions, as prescribed by the Department of State and the American Institute in Taiwan.

(4) NONCOMPLIANCE.—

(A) IN GENERAL.—Any fellow who fails to comply with the requirements under this section shall reimburse the American Institute in Taiwan for—

(i) the Federal funds expended for the fellow's participation in the fellowship, as set forth in subparagraphs (B) and (C); and

(ii) interest accrued on such funds (calculated at the prevailing rate).

(B) FULL REIMBURSEMENT.—Any fellow who violates subparagraph (A) or (B) of paragraph (2) shall reimburse the American Institute in Taiwan in an amount equal to the sum of—

(i) all of the Federal funds expended for the fellow's participation in the fellowship; and

(ii) interest on the amount specified in clause (i), which shall be calculated at the prevailing rate.

(C) PRO RATA REIMBURSEMENT.—Any fellow who violates paragraph (2)(C) shall reimburse the American Institute in Taiwan in an amount equal to the difference between—

(i) the amount specified in subparagraph (B); and

(ii) the product of—

(I) the amount the fellow received in compensation during the final year of the fellowship, including the value of any allowances and benefits received by the fellow; multiplied by

(II) the percentage of the period specified in paragraph (2)(C) during which the fellow did not remain employed by the United States Government.

(5) ANNUAL REPORT.—Not later than 90 days after the selection of the first class of fellows under this Act, and annually thereafter for ten years, the Department of State shall offer to brief the appropriate congressional committees regarding the following issues:

(A) An assessment of the performance of the implementing partner in fulfilling the purposes of this section.

(B) The number of applicants each year, the number of applicants willing to serve a fellowship lasting one year or longer, and the number of such applicants selected for the fellowship.

(C) The names and sponsoring agencies of the fellows selected by the implementing partner and the extent to which such fellows represent the diversity of the United States.

(D) The names of the parliamentary offices, ministries, other agencies of the governing authorities on Taiwan, and nongovernmental institutions to which each fellow was assigned.

(E) Any recommendations, as appropriate, to improve the implementation of the Program, including added flexibilities in the administration of the program.

(F) An assessment of the Program's value upon the relationship between the United States and Taiwan or the United States and Asian countries.

(6) ANNUAL FINANCIAL AUDIT.—

(A) IN GENERAL.—The financial records of any implementing partner shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants who are certified or licensed by a regulatory authority of a State or another political subdivision of the United States.

(B) LOCATION.—Each audit under subparagraph (A) shall be conducted at the place or

places where the financial records of the implementing partner are normally kept.

(C) ACCESS TO DOCUMENTS.—The implementing partner shall make available to the accountants conducting an audit under subparagraph (A)—

(i) all books, financial records, files, other papers, things, and property belonging to, or in use by, the implementing partner that are necessary to facilitate the audit; and

(ii) full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(D) REPORT.—

(i) IN GENERAL.—Not later than six months after the end of each fiscal year, the implementing partner shall provide a report of the audit conducted for such fiscal year under subparagraph (A) to the Department of State and the American Institute in Taiwan.

(ii) CONTENTS.—Each audit report shall—

(I) set forth the scope of the audit;

(II) include such statements, along with the auditor's opinion of those statements, as may be necessary to present fairly the implementing partner's assets and liabilities, surplus or deficit, with reasonable detail;

(III) include a statement of the implementing partner's income and expenses during the year; and

(IV) include a schedule of—

(aa) all contracts and cooperative agreements requiring payments greater than $5,000; and

(bb) any payments of compensation, salaries, or fees at a rate greater than $5,000 per year.

(iii) COPIES.—Each audit report shall be produced in sufficient copies for distribution to the public.

(d) TAIWAN FELLOWS ON DETAIL FROM GOVERNMENT SERVICE.—

(1) IN GENERAL.—

(A) DETAIL AUTHORIZED.—With the approval of the Secretary of State, an agency head may detail, for a period of not more than two years, an employee of the agency of the United States Government who has been awarded a fellowship under this Act, to the American Institute in Taiwan for the purpose of assignment to the governing authorities on Taiwan or an organization described in subsection (b)(4)(B)(ii).

(B) AGREEMENT.—Each detailee shall enter into a written agreement with the Federal Government before receiving a fellowship, in which the fellow shall agree—

(i) to continue in the service of the sponsoring agency at the end of fellowship for a period of at least four years (or at least two years if the fellowship duration is one year or shorter) unless such detailee is involuntarily separated from the service of such agency; and

(ii) to pay to the American Institute in Taiwan any additional expenses incurred by the United States Government in connection with the fellowship if the detailee voluntarily separates from service with the sponsoring agency before the end of the period for which the detailee has agreed to continue in the service of such agency.

(C) EXCEPTION.—The payment agreed to under subparagraph (B)(ii) may not be required of a detailee who leaves the service of the sponsoring agency to enter into the service of another agency of the United States Government unless the head of the sponsoring agency notifies the detailee before the effective date of entry into the service of the other agency that payment will be required under this subsection.

(2) STATUS AS GOVERNMENT EMPLOYEE.—A detailee—

(A) is deemed, for the purpose of preserving allowances, privileges, rights, seniority, and other benefits, to be an employee of the sponsoring agency;

(B) is entitled to pay, allowances, and benefits from funds available to such agency, which is deemed to comply with section 5536 of title 5, United States Code; and

(C) may be assigned to a position with an entity described in subsection (b)(4)(B)(i) if acceptance of such position does not involve—

(i) the taking of an oath of allegiance to another government; or

(ii) the acceptance of compensation or other benefits from any foreign government by such detailee.

(3) RESPONSIBILITIES OF SPONSORING AGENCY.—

(A) IN GENERAL.—The agency of the United States Government from which a detailee is detailed should provide the fellow allowances and benefits that are consistent with Department of State Standardized Regulations or other applicable rules and regulations, including—

(i) a living quarters allowance to cover the cost of housing in Taiwan;

(ii) a cost of living allowance to cover any possible higher costs of living in Taiwan;

(iii) a temporary quarters subsistence allowance for up to seven days if the fellow is unable to find housing immediately upon arriving in Taiwan;

(iv) an education allowance to assist parents in providing the fellow's minor children with educational services ordinarily provided without charge by public schools in the United States;

(v) moving expenses to transport personal belongings of the fellow and his or her family in their move to Taiwan, which is comparable to the allowance given for American Institute in Taiwan employees assigned to Taiwan; and

(vi) an economy-class airline ticket to and from Taiwan for each fellow and the fellow's immediate family.

(B) MODIFICATION OF BENEFITS.—The American Institute in Taiwan and its implementing partner, with the approval of the Department of State, may modify the benefits set forth in subparagraph (A) if such modification is warranted by fiscal circumstances.

(4) NO FINANCIAL LIABILITY.—The American Institute in Taiwan, the implementing partner, and any governing authorities on Taiwan or nongovernmental entities in Taiwan at which a fellow is detailed during the second year of the fellowship may not be held responsible for the pay, allowances, or any other benefit normally provided to the detailee.

(5) REIMBURSEMENT.—Fellows may be detailed under paragraph (1)(A) without reimbursement to the United States by the American Institute in Taiwan.

(6) ALLOWANCES AND BENEFITS.—Detailees may be paid by the American Institute in Taiwan for the allowances and benefits listed in paragraph (3).

(e) GAO REPORT.—Not later than one year prior to the sunset of the Program pursuant to subsection (b)(6), the Comptroller General of the United States shall transmit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes the following:

(1) An analysis of United States Government participants in the Program, including the number of applicants and the number of fellowships undertaken, the places of employment.

(2) An assessment of the costs and benefits for participants in the Program and for the United States Government of such fellowships.

(3) An analysis of the financial impact of the fellowship on United States Government offices that have detailed fellows to participate in the Program.

(4) Recommendations, if any, on how to improve the Program.

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the American Institute in Taiwan—

(A) for fiscal year 2023, $2,900,000, of which $500,000 should be used by an appropriate implementing partner to launch the Program; and

(B) for fiscal year 2024, and each succeeding fiscal year, $2,400,000.

(2) PRIVATE SOURCES.—Subject to appropriation, the implementing partner selected to implement the Program may accept, use, and dispose of gifts or donations of services or property in carrying out such program, subject to the review and approval of the American Institute in Taiwan.

AMENDMENT NO. 473 OFFERED BY MR. BLUMENAUR OF OREGON

At the end of title LI of division E, add the following:

SEC. ___. PROVISION BY DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE PROVIDERS OF RECOMMENDATIONS AND OPINIONS REGARDING VETERAN PARTICIPATION IN STATE MARIJUANA PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall authorize physicians and other health care providers employed by the Department of Veterans Affairs to—

(1) provide recommendations and opinions to veterans who are residents of States with State marijuana programs regarding the participation of veterans in such State marijuana programs; and

(2) complete forms reflecting such recommendations and opinions.

(b) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and each federally recognized Indian Tribe.

AMENDMENT NO. 474 OFFERED BY MR. BLUMENAUER OF OREGON

At the end of title LIII of division E of the bill, add the following:

SEC. 53___. EXTREME WEATHER EVENTS.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(A) by amending subsection (a) to read as follows:

''(a) DEFINITION OF UNDERSERVED COMMUNITY.—In this section, the term 'underserved community' means a community, or a neighborhood within a community, that—

''(1) is classified as high risk according to census tract risk ratings derived from a product that—

''(A) is maintained under a natural hazard assessment program;

''(B) is available to the public;

''(C) defines natural hazard risk across the United States;

''(D) reflects high levels of individual hazard risk ratings;

''(E) reflects high social vulnerability ratings and low community resilience ratings;

''(F) reflects the principal natural hazard risks identified for the respective census tracts; and

''(G) any other elements determined by the President.

''(2) is comprised of 50,000 or fewer individuals and is economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President; or

''(3) is otherwise determined by the President based on factors including, high housing

cost burden and substandard housing, percentage of homeless population, limited water and sanitation access, demographic information such as race, age, and disability, language composition, transportation access or type, disproportionate environmental stressor burden, and disproportionate impacts from climate change.'';

(B) in subsection (g)(9) by striking ''small impoverished communities'' and inserting ''underserved communities''; and

(C) in subsection (h)(2)—

(i) in the heading by striking ''SMALL IMPOVERISHED COMMUNITIES'' and inserting ''UNDERSERVED COMMUNITIES''; and

(ii) by striking ''small impoverished community'' and inserting ''underserved community''.

(2) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any amounts appropriated on or after the date of enactment of this Act.

(b) GUIDANCE ON EXTREME TEMPERATURE EVENTS.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Administration shall issue guidance related to extreme temperature events, including heat waves and freezes, and publish such guidance in the Federal Emergency Management Administration Public Assistance Program and Policy Guide.

(c) HAZARD MITIGATION PLANS.—Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) is amended—

(1) in subsection (a) by striking the period at the end and inserting '', including—

''(1) identifying the extent to which resilience is or will be incorporated into other planning processes, including community land use, economic development, capital improvement budgets and transportation planning processes;

''(2) goals and objectives related to increasing resilience over a 5-year period, including benchmarks for future work and an assessment of past progress;

''(3) the building codes in existence at the time the plan is submitted and standards that are in use by the State for all manner of planning or development purposes and how the State has or will comply with the standards set forth in section 406(e)(1)(A);

''(4) the use of nature-based solutions or other mitigation activities that conserve or restore natural features that can serve to abate or lessen the impacts of future disasters;

''(5) integration of each local mitigation plan with the State, Indian Tribe, or territory plan; and

''(6) the disparate impacts on underserved communities (as such term is defined in section 203(a)) and plans to address any disparities.''; and

(2) by adding at the end the following:

''(f) GUIDANCE.—The Administrator of the Federal Emergency Management Agency shall issue specific guidance on resilience goals and provide technical assistance for States, Indian Tribes, territories, and local governments to meet such goals.

''(g) ADEQUATE STAFFING.—The Administrator of the Federal Emergency Management Agency shall ensure that ample staff are available to develop the guidance and technical assistance under section 322, including hazard mitigation planning staff and personnel with expertise in community planning, land use development, and consensus based codes and hazard resistant designs at each regional office that specifically focus on providing financial and non-financial direct technical assistance to States, Indian Tribes, and territories.

''(h) REPORTING.—Not less frequently than every 5 years, the Administrator shall submit to Congress a report on the progress of meeting the goals under this section.''.

(d) ADDITIONAL USES OF FUNDS.—Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) is amended by adding at the end the following:

''(k) ADDITIONAL USES OF FUNDS.—For State and local governments that have exceeded, adopted, or are implementing the latest two published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities, a recipient of assistance provided under this paragraph may use such assistance in a manner consistent with the standards set forth in clauses (ii) and (iii) of section 406(e)(1)(A).''.

(e) COLLABORATION WITH OTHER AGENCIES.—In awarding grants under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Administrator of the Federal Emergency Management Agency may coordinate with other relevant agencies, including the Environmental Protection Agency, the Department of Energy, the Department of Transportation, the Corps of Engineers, the Department of Agriculture, and the Department of Housing and Urban Development, as necessary, to improve collaboration for eligible activities under the Act.

(f) GAO REPORTS.—

(1) EXTREME TEMPERATURE EVENTS.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General of the United States shall evaluate and issue to Congress and the Federal Emergency Management Agency a report regarding the impacts of extreme temperatures events on communities, the challenges posed to the Federal Emergency Management Agency in addressing extreme temperature events, and recommendations for the Federal Emergency Management Agency to better provide assistance to communities experiencing extreme temperature events. The report may also include examples of specific mitigation and resilience projects that communities may undertake, and the Federal Emergency Management Agency may consider, to reduce the impacts of extreme temperatures on and within building structures, participatory processes that allow for public engagement in determining and addressing local risks and vulnerabilities related to extreme temperatures events, and community infrastructure, including heating or cooling shelters.

(2) SMOKE AND INDOOR AIR QUALITY.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General shall evaluate and issue to Congress and the Federal Emergency Management Agency a report regarding the impacts of wildfire smoke and poor indoor air quality, the challenges posed to Federal Emergency Management Agency in addressing wildfire smoke and indoor air quality, and recommendations for the Federal Emergency Management Agency to better provide assistance to communities and individuals in dealing with wildfire smoke and indoor air quality.

(g) REPORT CONGRESS AND UPDATE OF COST EFFECTIVENESS DETERMINATIONS AND DECLARATIONS.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in coordination with the Director of the Office of Management and Budget, shall submit to Congress a report regarding the challenges posed by the Agency's requirements for declaring an incident or determining the cost effectiveness of mitigation activities and specifically how such requirements may disproportionately burden small impoverished communities, or specific vulnerable populations within communities.

(2) UPDATE OF COST EFFECTIVENESS DETERMINATION.—Not later than 5 years after the date of enactment of this Act, the Administrator, to the extent practicable, shall update the requirements for determining cost effectiveness and declaring incidents, including selection of appropriate interest rates, based on the findings made under subsection (a).

AMENDMENT NO. 475 OFFERED BY MR. BROWN OF MARYLAND

At the end of the bill, add the following:

SEC. _____. TREATMENT OF PAYCHECK PROTECTION PROGRAM LOAN FORGIVENESS OF PAYROLL COSTS UNDER HIGHWAY AND PUBLIC TRANSPORTATION PROJECT COST-REIMBURSEMENT CONTRACTS.

(a) IN GENERAL.—Notwithstanding section 31.201–5 of title 48, Code of Federal Regulations (or successor regulations), for the purposes of any cost-reimbursement contract awarded in accordance with section 112 of title 23, United States Code, or section 5325 of title 49, United States Code, or any subcontract under such a contract, no cost reduction or cash refund (including through a reduced indirect cost rate) shall be due to the Department of Transportation or to a State transportation department, transit agency, or other recipient of assistance under chapter 1 of title 23, United States Code, or chapter 53 of title 49, United States Code, on the basis of forgiveness of the payroll costs of a covered loan (as those terms are defined in section 7A(a) of the Small Business Act (15 U.S.C. 636m(a))) issued under the paycheck protection program under section 7(a)(36) of that Act (15 U.S.C. 636(a)(36)).

(b) SAVING PROVISION.—Nothing in this section amends or exempts the prohibitions and liabilities under section 3729 of title 31, United States Code.

(c) TERMINATION.—This section ceases to be effective on June 30, 2025.

AMENDMENT NO. 476 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of title LI, insert the following new section:

SEC. 51___. ANNUAL REPORT FROM THE ADVISORY COMMITTEE ON WOMEN VETERANS.

Subsection (c)(1) of section 542 of title 38, United States Code, is amended by striking ''even-numbered year'' and inserting ''year''.

AMENDMENT NO. 477 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of title LVIII, add the following:

SEC. 5806. BILITERACY EDUCATION SEAL AND TEACHING ACT.

(a) DEPARTMENT OF EDUCATION GRANTS FOR STATE SEAL OF BILITERACY PROGRAMS.—

(1) ESTABLISHMENT OF PROGRAM.—

(A) IN GENERAL.—From amounts made available under paragraph (6), the Secretary of Education shall award grants, on a competitive basis, to States to enable the States to establish or improve, and carry out, Seal of Biliteracy programs to recognize student proficiency in speaking, reading, and writing in both English and a second language.

(B) INCLUSION OF NATIVE AMERICAN LANGUAGES.—Notwithstanding subparagraph (A), each Seal of Biliteracy program shall contain provisions allowing the use of Native American languages, including allowing speakers of any Native American language recognized as official by any American government, including any Tribal government,

to use equivalent proficiency in speaking, reading, and writing in the Native American language in lieu of proficiency in speaking, reading, and writing in English.

(C) DURATION.—A grant awarded under this subsection shall be for a period of 2 years, and may be renewed at the discretion of the Secretary.

(D) RENEWAL.—At the end of a grant term, a State that receives a grant under this subsection may reapply for a grant under this subsection.

(E) LIMITATIONS.—A State shall not receive more than 1 grant under this subsection at any time.

(F) RETURN OF UNSPENT GRANT FUNDS.—Each State that receives a grant under this subsection shall return any unspent grant funds not later than 6 months after the date on which the term for the grant ends.

(2) GRANT APPLICATION.—A State that desires a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(A) a description of the criteria a student must meet to demonstrate the proficiency in speaking, reading, and writing in both languages necessary for the State Seal of Biliteracy program;

(B) a detailed description of the State's plan—

(i) to ensure that English learners and former English learners are included in the State Seal of Biliteracy program;

(ii) to ensure that—

(I) all languages, including Native American languages, can be tested for the State Seal of Biliteracy program; and

(II) Native American language speakers and learners are included in the State Seal of Biliteracy program, including students at tribally controlled schools and at schools funded by the Bureau of Indian Education; and

(iii) to reach students, including eligible students described in paragraph (3)(B) and English learners, their parents, and schools with information regarding the State Seal of Biliteracy program;

(C) an assurance that a student who meets the requirements under subparagraph (A) and paragraph (3) receives—

(i) a permanent seal or other marker on the student's secondary school diploma or its equivalent; and

(ii) documentation of proficiency on the student's official academic transcript; and

(D) an assurance that a student is not charged a fee for providing information under paragraph (3)(A).

(3) STUDENT PARTICIPATION IN A SEAL OF BILITERACY PROGRAM.—

(A) IN GENERAL.—To participate in a Seal of Biliteracy program, a student shall provide information to the State that serves the student at such time, in such manner, and including such information and assurances as the State may require, including an assurance that the student has met the criteria established by the State under paragraph (2)(A).

(B) STUDENT ELIGIBILITY FOR PARTICIPATION.—A student who gained proficiency in a second language outside of school may apply under subparagraph (A) to participate in a Seal of Biliteracy program.

(4) USE OF FUNDS.—Grant funds made available under this subsection shall be used for—

(A) the administrative costs of establishing or improving, and carrying out, a Seal of Biliteracy program that meets the requirements of paragraph (2); and

(B) public outreach and education about the Seal of Biliteracy program.

(5) REPORT.—Not later than 18 months after receiving a grant under this subsection, a State shall issue a report to the Secretary describing the implementation of the Seal of Biliteracy program for which the State received the grant.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2023 through 2027.

(b) DEFINITIONS.—In this section:

(1) The terms ''English learner'', ''secondary school'', and ''State'' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) The term ''Native American languages'' has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(3) The term ''Seal of Biliteracy program'' means any program described in subsection (b)(1) that is established or improved, and carried out, with funds received under this section.

(4) The term ''second language'' means any language other than English (or a Native American language, pursuant to subsection (b)(1)(B)), including Braille, American Sign Language, or a Classical language.

(5) The term ''Secretary'' means the Secretary of Education.

AMENDMENT NO. 478 OFFERED BY MS. BROWNLEY OF CALIFORNIA

Add at the end of title LI of division E the following:

SEC. _____. VA PAYMENTS OR ALLOWANCES FOR BENEFICIARY TRAVEL.

Section 111(g) of title 38, United States Code, is amended—

(1) by striking ''(1) Beginning one year after the date of the enactment of the Caregivers and Veterans Omnibus Health Services Act of 2010, the Secretary may'' and inserting ''The Secretary shall'';

(2) by striking ''to be'' and inserting ''to be at least''; and

(3) by striking paragraph (2).

AMENDMENT NO. 479 OFFERED BY MRS. CAMMACK OF FLORIDA

At the end of title LII, add the following new section:

SEC. 52___. DEPARTMENT OF HOMELAND SECURITY REPORT RELATING TO ESTABLISHMENT OF PRECLEARANCE FACILITY IN TAIWAN.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees a report that includes an assessment of establishing a preclearance facility in Taiwan.

(2) ELEMENTS.—The assessment required under paragraph (1) shall include the following:

(A) An assessment with respect to the feasibility and advisability of establishing a CBP Preclearance facility in Taiwan.

(B) An assessment with respect to the national security, homeland security, and law enforcement benefits of establishing a CBP Preclearance facility in Taiwan.

(C) An assessment of the impacts preclearance operations in Taiwan will have with respect to—

(i) trade and travel, including impacts on passengers traveling to the United States; and

(ii) CBP staffing.

(D) Country-specific information relating to—

(i) anticipated benefits to the United States; and

(ii) security vulnerabilities associated with such preclearance operations.

(b) DEFINITIONS.—In this section—

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(B) the Committee on Commerce, Science, and Transportation, the Committee on Finance, and the Joint Committee on Taxation of the Senate.

(2) The term ''CBP'' means U.S. Customs and Border Protection.

AMENDMENT NO. 480 OFFERED BY MRS. CAMMACK OF FLORIDA

Add at the end of title LII of division E the following:

SEC. 5206. HUMAN TRAFFICKING TRAINING.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 is amended by inserting after section 884 (6 U.S.C. 464) the following new section:

''SEC. 884A. HUMAN TRAFFICKING TRAINING.

''(a) IN GENERAL.—The Director of the Federal Law Enforcement Training Centers (FLETC) is authorized, in accordance with this section, to establish a human trafficking awareness training program within the Federal Law Enforcement Training Centers.

''(b) TRAINING PURPOSES.—The human trafficking awareness training program referred to in subsection (a), shall, if established, provide to State, local, Tribal, territorial, and educational institution law enforcement personnel training courses relating to the following:

''(1) An in-depth understanding of the definition of human trafficking.

''(2) An ability to recognize indicators of human trafficking.

''(3) Information on industries and common locations known for human trafficking.

''(4) Human trafficking response measures, including a victim-centered approach.

''(5) Human trafficking reporting protocols.

''(6) An overview of Federal statutes and applicable State law related to human trafficking.

''(7) Additional resources to assist with suspected human trafficking cases, as necessary.

''(c) INTEGRATION WITH EXISTING PROGRAMS.—To the extent practicable, human trafficking awareness training, including principles and learning objectives, should be integrated into other training programs operated by the Federal Law Enforcement Training Centers.

''(d) COORDINATION.—The Director of FLETC, or the designee of such Director, shall coordinate with the Director of the Department's Blue Campaign, or the designee of such Director, in the development and delivery of human trafficking awareness training programs.

''(e) HUMAN TRAFFICKING DEFINED.—In this section, the term 'human trafficking' means an act or practice described in paragraph (11) or (12) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,300,000 for each of fiscal years 2023 through 2028.''.

(b) TECHNICAL AMENDMENT.—Subsection (a) of section 434 of the Homeland Security Act of 2002 (6 U.S.C. 242) is amended by striking ''paragraph (9) or (10)'' and inserting ''paragraph (11) or (12)''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 884 the following new item:

''Sec. 884A. Human trafficking training.''.

AMENDMENT NO. 481 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the appropriate place in division E, insert:

SECTION ___. PRESUMPTION OF CAUSE OF DISABILITY OR DEATH DUE TO EMPLOYMENT IN FIRE PROTECTION ACTIVITIES.

(a) CERTAIN DISEASES PRESUMED TO BE WORK-RELATED CAUSE OF DISABILITY OR DEATH FOR FEDERAL EMPLOYEES IN FIRE PROTECTION ACTIVITIES.—

(1) PRESUMPTION RELATING TO EMPLOYEES IN FIRE PROTECTION ACTIVITIES.—Subchapter I of chapter 81 of title 5, United States Code, is amended by inserting after section 8143a the following:

''§ 8143b. Employees in fire protection activities.

''(a) CERTAIN DISEASES DEEMED TO BE PROXIMATELY CAUSED BY EMPLOYMENT IN FIRE PROTECTION ACTIVITIES.—

''(1) IN GENERAL.—For a claim under this subchapter of disability or death of an employee who has been employed for a minimum of 5 years in aggregate as an employee in fire protection activities, a disease specified on the list established under paragraph (2) shall be deemed to be proximately caused by the employment of such employee.

''(2) ESTABLISHMENT OF INITIAL LIST.—There is established under this section the following list of diseases:

''(A) Bladder cancer.

''(B) Brain cancer.

''(C) Chronic obstructive pulmonary disease.

''(D) Colorectal cancer.

''(E) Esophageal cancer.

''(F) Kidney cancer.

''(G) Leukemias.

''(H) Lung cancer.

''(I) Mesothelioma.

''(J) Multiple myeloma.

''(K) Non-Hodgkin lymphoma.

''(L) Prostate cancer.

''(M) Skin cancer (melanoma).

''(N) A sudden cardiac event or stroke while, or not later than 24 hours after, engaging in the activities described in subsection (b)(1)(C).

''(O) Testicular cancer.

''(P) Thyroid cancer.

''(3) ADDITIONS TO THE LIST.—

''(A) IN GENERAL.—The Secretary shall periodically review the list established under this section in consultation with the Director of the National Institute on Occupational Safety and Health and shall add a disease to the list by rule, upon a showing by a petitioner or on the Secretary's own determination, in accordance with this paragraph.

''(B) BASIS FOR DETERMINATION.—The Secretary shall add a disease to the list upon a showing by a petitioner or the Secretary's own determination, based on the weight of the best available scientific evidence, that there is a significant risk to employees in fire protection activities of developing such disease.

''(C) AVAILABLE EXPERTISE.—In determining significant risk for purposes of subparagraph (B), the Secretary may accept as authoritative and may rely upon recommendations, risk assessments, and scientific studies (including analyses of National Firefighter Registry data pertaining to Federal firefighters) by the National Institute for Occupational Safety and Health, the National Toxicology Program, the National Academies of Sciences, Engineering, and Medicine, and the International Agency for Research on Cancer.

''(4) PETITIONS TO ADD TO THE LIST.—

''(A) IN GENERAL.—Any person may petition the Secretary to add a disease to the list under this section.

''(B) CONTENT OF PETITION.—Such petition shall provide information to show that there is sufficient evidence of a significant risk to employees in fire protection activities of developing such illness or disease from their employment.

''(C) TIMELY AND SUBSTANTIVE DECISIONS.—Not later than 18 months after receipt of a petition, the Secretary shall either grant or deny the petition by publishing in the Federal Register a written explanation of the reasons for the Secretary's decision. The Secretary may not deny a petition solely on the basis of competing priorities, inadequate resources, or insufficient time for review.

''(D) NOTIFICATION TO CONGRESS.—Not later than 30 days after making any decision to approve or deny a petition under this paragraph, the Secretary shall notify the Committee on Education and Labor of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate of such decision.

''(b) DEFINITIONS.—In this section:

''(1) EMPLOYEE IN FIRE PROTECTION ACTIVITIES.—The term 'employee in fire protection activities' means an employee employed as a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous material worker, who—

''(A) is trained in fire suppression;

''(B) has the legal authority and responsibility to engage in fire suppression;

''(C) is engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk, including the prevention, control, suppression, or management of wildland fires; and

''(D) performs such activities as a primary responsibility of his or her job.

''(2) SECRETARY.—The term 'Secretary' means Secretary of Labor.''.

(2) RESEARCH COOPERATION.—Not later than 120 days after the date of enactment of this Act, the Secretary of Labor shall establish a process by which a Federal employee in fire protection activities filing a claim related to a disease on the list established by section 8143b of title 5, United States Code, will be informed about and offered the opportunity to contribute to science by voluntarily enrolling in the National Firefighter Registry or a similar research or public health initiative conducted by the Centers for Disease Control and Prevention.

(3) AGENDA FOR FURTHER REVIEW.—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(A) evaluate the best available scientific evidence of the risk to an employee in fire protection activities of developing breast cancer, gynecological cancer, and rhabdomyolysis;

(B) add breast cancer, gynecological cancer, and rhabdomyolysis to the list established under section 8143b of title 5, United States Code, by rule in accordance with subsection (a)(3) of such section, if the Secretary determines that such evidence supports such addition; and

(C) submit a report of the Secretary's findings under subparagraph (A) and the Secretary's determination under subparagraph (B) to the Committee on Education and Labor of the House and the Committee on Homeland Security and Governmental Affairs of the Senate.

(4) REPORT ON FEDERAL WILDLAND FIREFIGHTERS.—The Director of the National Institute for Occupational Safety and Health shall conduct a comprehensive study on long-term health effects that Federal wildland firefighters who are eligible to receive workers' compensation under chapter 81 of title 5, United States Code, experience after being exposed to fires, smoke, and toxic fumes when in service. Such study shall include—

(A) the race, ethnicity, age, gender, and time of service of such Federal wildland firefighters participating in the study; and

(B) recommendations to Congress on what legislative actions are needed to support such Federal wildland firefighters in preventing health issues from this toxic exposure, similar to veterans that are exposed to burn pits.

(5) APPLICATION.—The amendments made by this section shall apply to claims for compensation filed on or after the date of enactment of this Act.

(6) REPORT ON AFFECTED EMPLOYEES.—Beginning 1 year after the date of enactment of this Act, the Secretary shall include in each annual report on implementation of the Federal Employees' Compensation Act program and issues arising under it that the Secretary makes pursuant to section 8152 of title 5, United States Code, the total number and demographics of employees with diseases and conditions described in the amendments made by this Act as of the date of such annual report, disaggregated by the specific condition or conditions, for the purposes of understanding the scope of the problem. The Secretary may include any information they deem necessary and, as appropriate, may make recommendations for additional actions that could be taken to minimize the risk of adverse health impacts for Federal employees in fire protection activities.

(b) SUBROGATION OF CONTINUATION OF PAY.—

(1) SUBROGATION OF THE UNITED STATES.—Section 8131 of title 5, United States Code, is amended—

(A) in subsection (a), by inserting ''continuation of pay or'' before ''compensation''; and

(B) in subsection (c), by inserting ''continuation of pay or'' before ''compensation already paid''.

(2) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 of title 5, United States Code, is amended—

(A) by inserting ''continuation of pay or'' before ''compensation'' the first and second place it appears;

(B) by striking ''in his behalf'' and inserting ''on his behalf'';

(C) by inserting ''continuation of pay and'' before ''compensation'' the third place it appears; and

(D) by striking the 4th sentence and inserting the following: ''If continuation of pay or compensation has not been paid to the beneficiary, the money or property shall be credited against continuation of pay or compensation payable to him by the United States for the same injury.''.

(c) PROTECTION OF FIREFIGHTERS FROM TOXIC CHEMICALS AND OTHER CONTAMINANTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that evaluates the health and safety impacts on employees engaged in fire protection activities that result from the employees' exposure to toxic chemicals and other contaminants that could cause human health problems. The report may include information on—

(A) the degree to which such programs and policies include consideration of the possibility of toxic exposure of such employees who may come into contact with residue from fibers, combusted building materials

such as asbestos, household chemicals, polymers, flame-retardant chemicals, and other potentially toxic contaminants;

(B) the availability and proper maintenance of professional protective equipment and secure storage of such equipment in employees' homes and automotive vehicles;

(C) the availability of home instructions for employees regarding toxins and contaminants, and the appropriate procedures to counteract exposure to same;

(D) the employees' interests in protecting the health and safety of family members from exposure to toxic chemicals and other contaminants to which the employees may have been exposed; and

(E) other related factors.

(2) CONTEXT.—In preparing the report required under paragraph (1), the Comptroller General of the United States may, as appropriate, provide information in a format that delineates high risk urban areas from rural communities.

(3) DEPARTMENT OF LABOR CONSIDERATION.—After issuance of the report required under paragraph (1), the Secretary of Labor shall consider such report's findings and assess its applicability for purposes of the amendments made by subsection (b).

(d) INCREASE IN TIME-PERIOD FOR FECA CLAIMANT TO SUPPLY SUPPORTING DOCUMENTATION TO OFFICE OF WORKER'S COMPENSATION.—Not later than 60 days after the date of enactment of this Act, the Secretary of Labor shall—

(1) amend section 10.121 of title 20, Code of Federal Regulations, by striking ''30 days'' and inserting ''60 days''; and

(2) modify the Federal Employees Compensation Act manual to reflect the changes to such section made by the Secretary pursuant to paragraph (1).

AMENDMENT NO. 482 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of title LIII of division E of the bill, add the following:

SEC. _____. SAFETY STANDARDS.

(a) IN GENERAL.—Section 4502 of title 46, United States Code, is amended—

(1) in subsection (i)(4) by striking ''each of fiscal years 2018 through 2021'' and inserting ''fiscal year 2023''; and

(2) in subsection (j)(4) by striking ''each of fiscal years 2018 through 2021'' and inserting ''fiscal year 2023''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 9 of the Maritime Debris Act (33 U.S.C. 1958) is amended—

(1) in subsection (a) by striking ''each of fiscal years 2018 through 2021'' and inserting ''fiscal year 2023''; and

(2) in subsection (b) by striking ''2702(1)'' and inserting ''4902(1)''.

AMENDMENT NO. 483 OFFERED BY MR. CARTER OF LOUISIANA

Add at the end of subtitle E of title VIII the following:

SEC. 8____. EXTENSION OF PARTICIPATION IN 8(A) PROGRAM.

(a) IN GENERAL.—A covered small business concern may, subject to the regulations issued by the Administrator of the Small Business Administration under subsection (b), elect to extend the period in which such covered small business concern participates in the program established under section 8(a) of such Act (15 U.S.C. 637(a)) by one year.

(b) EMERGENCY RULEMAKING AUTHORITY.—Not later than 45 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out this section without regard to the notice requirements under section 553(b) of title 5, United States Code.

(c) COVERED SMALL BUSINESS CONCERN DEFINED.—

(1) IN GENERAL.—In this section, the term ''covered small business concern'' means a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) that—

(A) participated in the program established under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) at any point during the period beginning on September 10, 2020, and ending on the date of the enactment of this Act, including a small business concern that graduated during such period;

(B) was not terminated or early graduated from such program during such period; and

(C) did not voluntarily elect to cease participating in such program during such period as an alternative to termination or early graduation from such program, as determined by the Administrator of the Small Business Administration.

AMENDMENT NO. 484 OFFERED BY MR. CASTRO OF TEXAS

At the appropriate place in title LVIII, insert the following:

SEC. ___. DOCUMENTING AND RESPONDING TO DISCRIMINATION AGAINST MIGRANTS ABROAD.

(a) INFORMATION TO INCLUDE IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d))—

(A) in paragraph (11)(C), by striking ''and'' at the end;

(B) in paragraph (12)(C)(ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(13) wherever applicable, violence or discrimination that affects the fundamental freedoms or human rights of migrants located in a foreign country.''; and

(2) in section 502B(b) (22 U.S.C. 2304(b)), by inserting after the ninth sentence the following: ''Wherever applicable, such report shall also include information regarding violence or discrimination that affects the fundamental freedoms or human rights of migrants permanently or temporarily located in a foreign country.''.

(b) REVIEW AT DIPLOMATIC AND CONSULAR POSTS.—In preparing the annual country reports on human rights practices required under section 116 or 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n and 2304), as amended by subsection (a), the Secretary of State shall obtain information from each diplomatic and consular post with respect to—

(1) incidents of violence against migrants located in the country in which such post is located;

(2) an analysis of the factors enabling or aggravating such incidents, such as government policy, societal pressure, or the actions of external actors; and

(3) the response, whether public or private, of the personnel of such post with respect to such incidents.

(c) MIGRANT.—For the purposes of this section and the amendments made by this section, the term ''migrant'' includes economic migrants, guest workers, refugees, asylum-seekers, stateless persons, trafficked persons, undocumented migrants, and unaccompanied children, in addition to other individuals who change their country of usual residence temporarily or permanently.

AMENDMENT NO. 485 OFFERED BY MR. CASTRO OF TEXAS

Add at the end of subtitle G of division E the following:

SEC. ___. LAW ENFORCEMENT AUTHORITY OF THE INSPECTOR GENERAL OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

Section 6(f)(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting ''International Development Finance Corporation,'' before ''Environmental''.

AMENDMENT NO. 486 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 1236, insert after line 17 the following:

SEC. 5103. IMPROVEMENT OF VET CENTERS AT DEPARTMENT OF VETERANS AFFAIRS.

(a) PRODUCTIVITY EXPECTATIONS FOR READJUSTMENT COUNSELORS OF VET CENTERS.—

(1) EVALUATION OF PRODUCTIVITY EXPECTATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall evaluate productivity expectations for readjustment counselors of Vet Centers, including by obtaining systematic feedback from counselors on such expectations, including with respect to following:

(A) Any potential effects of productivity expectations, whether positive or negative, on client care and the welfare of readjustment counselors.

(B) Distances readjustment counselors may travel to appointments, especially with respect to serving rural veterans.

(C) The possibility that some veterans may not want to use nor benefit from telehealth or group counseling.

(D) Availability and access of veteran populations to broadband and telehealth.

(E) Any effect of productivity expectations on readjustment counselors, including with respect to recruitment, retention, and welfare.

(F) Whether productivity expectations provide incentives or pressure to inaccurately report client visits.

(G) Whether directors and readjustment counselors of Vet Centers need additional training or guidance on how productivity expectations are calculated.

(H) Such other criteria as the Secretary considers appropriate.

(2) SYSTEMATIC FEEDBACK.—

(A) IN GENERAL.—The Secretary shall—

(i) make every effort to ensure that all readjustment counselors of Vet Centers are given the opportunity to fully provide feedback, positive or negative, including through a survey containing open- and close-ended questions, on all items under paragraph (1);

(ii) in obtaining feedback under paragraph (1), ensure that the items under paragraph (1) are adequately and completely addressed in a way that permits responses to be relevant to the evaluation of productivity expectations;

(iii) collect and safely store the feedback obtained under paragraph (1)—

(I) in an electronic database that cannot be altered by any party;

(II) in an anonymized manner, in order to protect the privacy of each respondent; and

(III) in a manner that allows for evaluation by third parties of the feedback, such as audit of the feedback by the Government Accountability Office; and

(iv) provide the feedback obtained under paragraph (1) in an anonymized manner to the working group established under subsection (c).

(B) GOVERNMENT ACCOUNTABILITY OFFICE AUDIT.—Not less frequently than once each year during the five-year period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall audit the feedback obtained from readjustment counselors of Vet Centers under paragraph (1).

(3) IMPLEMENTATION OF CHANGES.—Not later than 90 days after the date of the completion of the evaluation required by paragraph (1), the Secretary shall implement any needed changes to the productivity expectations described in such paragraph in order to ensure—

(A) quality of care and access to care for veterans; and

(B) the welfare of readjustment counselors.

(4) REPORT TO CONGRESS.—Not later than 180 days after the date of the completion of the evaluation required by paragraph (1), the Secretary shall submit to Congress a report on—

(A) the findings of the evaluation; and

(B) any planned or implemented changes described in paragraph (3).

(5) PLAN FOR REASSESSMENT AND IMPLEMENTATION.—

(A) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary shall develop and implement a plan for—

(i) reassessing productivity expectations for readjustment counselors of Vet Centers, in consultation with such counselors; and

(ii) implementing any needed changes to such expectations, as the Secretary determines appropriate.

(B) REASSESSMENTS.—Under the plan required by subparagraph (A), the Secretary shall conduct a reassessment described in such paragraph not less frequently than once each year.

(b) STAFFING MODEL FOR VET CENTERS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement a staffing model for Vet Centers that incorporates key practices in the design of such staffing model.

(2) ELEMENTS.—In developing the staffing model under paragraph (1), the Secretary shall—

(A) involve key stakeholders, including readjustment counselors, outreach specialists, and directors of Vet Centers;

(B) incorporate key work activities and the frequency and time required to conduct such activities;

(C) ensure the data used in the model is high quality to provide assurance that staffing estimates are reliable; and

(D) incorporate—

(i) risk factors, including case complexity;

(ii) geography;

(iii) availability, advisability, and willingness of veterans to use telehealth or group counseling; and

(iv) such other factors as the Secretary considers appropriate.

(3) PLAN FOR ASSESSMENTS AND UPDATES.—Not later than one year after the date of the enactment of this Act, the Secretary shall develop a plan for—

(A) assessing and updating the staffing model developed and implemented under paragraph (1) not less frequently than once every four years; and

(B) implementing any needed changes to such model, as the Secretary determines appropriate.

(c) WORKING GROUP OF READJUSTMENT COUNSELORS, OUTREACH SPECIALISTS, AND DIRECTORS OF VET CENTERS.—

(1) IN GENERAL.—In conducting the evaluation of productivity expectations under subsection (a) (1) and developing the staffing model for Vet Centers under subsection (b)(1), the Secretary of Veterans Affairs shall establish a working group to assess—

(A) the efficacy, impact, and composition of performance metrics for such expectations with respect to—

(i) quality of care and access to care for veterans; and

(ii) the welfare of readjustment counselors and other employees of Vet Centers; and

(B) key considerations for the development of such staffing model, including with respect to—

(i) quality of care and access to care for veterans and other individuals eligible for care through Vet Centers; and

(ii) recruitment, retention, and welfare of employees of Vet Centers.

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of readjustment counselors, outreach specialists, and directors of Vet Centers.

(3) FEEDBACK AND RECOMMENDATIONS.—The working group established under paragraph (1) shall provide to the Secretary—

(A) feedback from readjustment counselors, outreach specialists, and directors of Vet Centers; and

(B) recommendations on how to improve—

(i) quality of care and access to care for veterans; and

(ii) the welfare of readjustment counselors and other employees of Vet Centers.

(d) IMPROVEMENTS OF HIRING PRACTICES AT VET CENTERS.—

(1) STANDARDIZATION OF POSITION DESCRIPTIONS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall standardize descriptions of position responsibilities at Vet Centers.

(B) REPORTING REQUIREMENT.—In each of the first two annual reports submitted under section 7309(e) of title 38, United States Code, after the date of the enactment of this Act, the Secretary shall include a description of the actions taken by the Secretary to carry out subparagraph (A).

(2) EXPANSION OF REPORTING REQUIREMENTS ON READJUSTMENT COUNSELING TO INCLUDE ACTIONS TO REDUCE STAFFING VACANCIES AND TIME TO HIRE.—Section 7309(e)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(D) A description of actions taken by the Secretary to reduce—

''(i) vacancies in counselor positions in the Readjustment Counseling Service; and

''(ii) the time it takes to hire such counselors.''.

(e) REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE ON VET CENTER INFRASTRUCTURE AND FUTURE INVESTMENTS.—

(1) 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 Congress a report on physical infrastructure and future investments with respect to Vet Centers.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of—

(i) the condition of the physical infrastructure of all assets of Vet Centers, whether owned or leased by the Department of Veterans Affairs; and

(ii) the short-, medium-, and long-term plans of the Department to maintain and upgrade the physical infrastructure of Vet Centers to address the operational needs of Vet Centers as of the date of the submittal of the report and future needs.

(B) An assessment of management and strategic planning for the physical infrastructure of Vet Centers, including whether the Department should buy or lease existing or additional locations in areas with stable or growing populations of veterans.

(C) An assessment of whether, as of the date of the submittal of the report, Vet Center buildings, mobile Vet Centers, community access points, and similar infrastructure are sufficient to care for veterans or if such infrastructure is negatively affecting care due to limited space for veterans and Vet Center personnel or other factors.

(D) An assessment of the areas with the greatest need for investments in—

(i) improved physical infrastructure, including upgraded Vet Centers; or

(ii) additional physical infrastructure for Vet Centers, including new Vet Centers owned or leased by the Department.

(E) A description of the authorities and resources that may be required for the Secretary to make such investments.

(F) A review of all annual reports submitted under 7309(e) of title 38, United States Code, before the date of the submittal of the report under paragraph (1).

(f) PILOT PROGRAM TO COMBAT FOOD INSECURITY AMONG VETERANS AND FAMILY MEMBERS OF VETERANS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to award grants to eligible entities to support partnerships that address food insecurity among veterans and family members of veterans who receive services through Vet Centers or other facilities of the Department as determined by the Secretary.

(2) DURATION OF PILOT.—The Secretary shall carry out the pilot program for a three-year period beginning on the date of the establishment of the pilot program.

(3) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary may provide eligible entities receiving grant funding under the pilot program with training and technical assistance on the provision of food insecurity assistance services to veterans and family members of veterans.

(4) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is—

(A) a nonprofit organization;

(B) an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code;

(C) a public agency;

(D) a community-based organization; or

(E) an institution of higher education.

(5) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefor at such time, in such manner, and containing such information and commitments as the Secretary may require.

(6) SELECTION.—The Secretary shall select eligible entities that submit applications under paragraph (5) for the award of grants under the pilot program using a competitive process that takes into account the following:

(A) Capacity of the applicant entity to serve veterans and family members of veterans.

(B) Demonstrated need of the population the applicant entity would serve.

(C) Demonstrated need of the applicant entity for assistance from the grant.

(D) Such other criteria as the Secretary considers appropriate.

(7) DISTRIBUTION.—The Secretary shall ensure, to the extent practicable, an equitable geographic distribution of grants awarded under this subsection.

(8) MINIMUM PROGRAM REQUIREMENTS.—Any grant awarded under this subsection shall be used—

(A) to coordinate with the Secretary with respect to the provision of assistance to address food insecurity among veterans and family members of veterans described in paragraph (1);

(B) to increase participation in nutrition counseling programs and provide educational materials and counseling to veterans and family members of veterans to address food insecurity and healthy diets among those individuals;

(C) to increase access to and enrollment in Federal assistance programs, including the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),

the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), and any other assistance program that the Secretary considers advisable; and

(D) to fulfill such other criteria as the Secretary considers appropriate to further the purpose of the grant and serve veterans.

(9) PROVISION OF INFORMATION.—Each entity that receives a grant under this subsection shall provide to the Secretary, at least once each year during the duration of the grant term, data on—

(A) the number of veterans and family members of veterans screened for, and enrolled in, programs described in subparagraphs (B) and (C) of paragraph (8);

(B) other services provided by the entity to veterans and family members of veterans using funds from the grant; and

(C) such other data as the Secretary may require.

(10) REPORT ON DATA COLLECTED.—For each year of operation of the pilot program, the Secretary shall submit to the appropriate committees of Congress a report on the data collected under paragraph (9) during such year.

(11) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(A) IN GENERAL.—Not later than one year after the date on which the pilot program terminates, the Comptroller General of the United States shall submit to Congress a report evaluating the effectiveness and outcomes of the activities carried out under this subsection in reducing food insecurity among veterans and family members of veterans.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A summary of the activities carried out under this subsection.

(ii) An assessment of the effectiveness and outcomes of the grants awarded under this subsection, including with respect to eligibility screening contacts, application assistance consultations, and changes in food insecurity among the population served by the grant.

(iii) Best practices regarding the use of partnerships to improve the effectiveness and outcomes of public benefit programs to address food insecurity among veterans and family members of veterans.

(iv) An assessment of the feasibility and advisability of making the pilot program permanent and expanding to other locations.

(12) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out the pilot program established under paragraph (1) $15,000,000 for each fiscal year in which the program is carried out, beginning with the fiscal year in which the program is established.

(B) ADMINISTRATIVE EXPENSES.—Of the amounts authorized to be appropriated under subparagraph (A), not more than ten percent may be used for administrative expenses of the Department of Veterans Affairs associated with administering grants under this subsection.

(13) DEFINITIONS.—In this subsection:

(A) The term ''appropriate committees of Congress'' means—

(i) the Committee on Veterans' Affairs, the Committee on Appropriations, and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(ii) the Committee on Veterans' Affairs, the Committee on Appropriations, and the Committee on Agriculture of the House of Representatives.

(B) The term ''facilities of the Department'' has the meaning given that term in section 1701(3) of title 38, United States Code.

(C) The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(D) The term ''public agency'' means a department, agency, other unit, or instrumentality of Federal, State, Tribal, or local government.

(E) The term ''State'' has the meaning given that term in section 101(20) of title 38, United States Code.

(F) The term ''veteran'' means an individual who served in the Armed Forces, including an individual who served in a reserve component of the Armed Forces, and who was discharged or released therefrom, regardless of the conditions of such discharge or release.

(g) DEFINITION OF VET CENTER.—In this section, the term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

AMENDMENT NO. 487 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the appropriate place in subtitle E of title XII, insert the following:

SEC. ___. MODIFICATION TO UNITED STATES MEMBERSHIP IN INTERPARLIAMENTARY GROUP.

Section 1316(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2001) is amended to read as follows:

''(b) MEMBERSHIP.—The Cyprus, Greece, Israel, and the United States 3+1 Interparliamentary Group shall include a group, to be known as the 'United States group', that consists of—

''(1) not more than 6 United States Senators, who shall be appointed jointly by the majority leader and the minority leader of the Senate; and

''(2) not more than 6 Members of the United States House of Representatives, who shall be appointed jointly by the Speaker and minority leader of the House of Representatives.''.

AMENDMENT NO. 488 OFFERED BY MR. CLEAVER OF MISSOURI

Page 1262, after line 23, insert the following:

SEC. 5403. PROMOTING DIVERSITY AND INCLUSION IN THE APPRAISAL PROFESSION.

(a) IN GENERAL.—The Financial Institutions Reform, Recovery, and Enforcement Act of 1989 is amended—

(1) in section 1103(a) (12 U.S.C. 3332(a))—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon;

(C) in paragraph (5), by striking the period at the end and inserting a semicolon;

(D) in paragraph (6), by striking the period at the end and inserting ''a semicolon; and''; and

(E) by adding at the end the following new paragraph:

''(7) administer the grant program under section 1122(j).'';

(2) in section 1106 (12 U.S.C. 3335)—

(A) by inserting ''(a) IN GENERAL.—'' before ''The Appraisal Subcommittee'';

(B) by striking the comma after ''comment'';

(C) by inserting before ''Any regulations'' the following:

''(b) REGULATIONS.—''; and

(D) in subsection (a) (as so designated by subparagraph (A) of this paragraph), by adding at the end the following: ''The Appraisal Subcommittee may coordinate, and enter into agreements, with private industry stakeholders (including appraisal management companies and industry associations) to facilitate activities and practices that ensure diversity among individuals newly hired as appraisers in their first employment positions in the appraisal industry.''; and

(3) in section 1122 (12 U.S.C. 3351), by adding at the end the following new subsection:

''(j) GRANT PROGRAM TO PROMOTE DIVERSITY AND INCLUSION IN THE APPRAISAL PROFESSION.—

''(1) IN GENERAL.—The Appraisal Subcommittee shall carry out a program under this subsection to makes grants to State agencies, nonprofit organizations, and institutions of higher education to promote diversity and inclusion in the appraisal profession.

''(2) ELIGIBLE ACTIVITIES.—Activities carried out with amounts from a grant under this Act shall be designed to promote diversity and inclusion in the appraisal profession, and may include—

''(A) funding scholarships;

''(B) providing training and education;

''(C) providing implicit bias training for appraisers; and

''(D) other activities as determined appropriate to further the purposes of this grant program by the Appraisal Subcommittee.

''(3) ALLOCATION OF FUNDS.—In making grants under this subsection, the Appraisal Subcommittee shall—

''(A) allocate 50 percent of the funds made available to part B institutions (as such term is defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)) or universities with degree programs approved by the Appraiser Qualifications Board or a relevant State regulatory agency for—

''(i) scholarships for students of color who want to pursue a career in real estate appraisal; and

''(ii) subsidizing living expenses for those students while in training; and

''(B) allocate 20 percent of the funds to cover the cost of fulfilling the experience requirements or other applicable requirements that the students described under subparagraph (A) will need to complete in order to become appraisers.

''(4) ADMINISTRATIVE COSTS.—The Appraisal Subcommittee may use 1 percent of amounts appropriated pursuant to paragraph (6) to cover the administrative costs of carrying out this subsection.

''(5) REPORTS.—For each fiscal year during which grants are made under the program under this subsection, the Appraisal Subcommittee shall submit a report to the Congress regarding implementation of the program and describing the grants made, activities conducted using grant amounts, and the number of individuals served by such grants, disaggregated by race, ethnicity, age, and gender.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Appraisal Subcommittee for carrying out the amendments made by this section, including for making grants authorized by such amendments, $50,000,000 for each of fiscal years 2023 through 2027

AMENDMENT NO. 489 OFFERED BY MR. COHEN OF TENNESSEE

Add at the end of title LVIII of division E the following:

SEC. _____. EXTENDING THE STATUTE OF LIMITATIONS FOR CERTAIN MONEY LAUNDERING OFFENSES.

Section 1956 of title 18, United States Code, is amended by adding at the end the following:

''(j) SEVEN-YEAR LIMITATION.—Notwithstanding section 3282, no person shall be prosecuted, tried, or punished for a violation of this section or section 1957 if the specified unlawful activity constituting the violation is the activity defined in subsection (c)(7)(B) of this section, unless the indictment is

found or the information is instituted not later than 7 years after the date on which the offense was committed.''.

AMENDMENT NO. 490 OFFERED BY MR. COHEN OF TENNESSEE

Add at the end of title LVIII of division E the following:

SEC. ___. FOREIGN CORRUPTION ACCOUNTABILITY SANCTIONS AND CRIMINAL ENFORCEMENT.

(a) IN GENERAL.—

(1) FINDINGS.—Congress finds the following:

(A) When public officials and their allies use the mechanisms of government to engage in extortion or bribery, they impoverish their countries' economic health and harm citizens.

(B) By empowering the United States Government to hold to account foreign public officials and their associates who engage in extortion or bribery, the United States can deter malfeasance and ultimately serve the citizens of fragile countries suffocated by corrupt bureaucracies.

(C) The Special Inspector General for Afghan Reconstruction's 2016 report ''Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'' included the recommendation, ''Congress should consider enacting legislation that authorizes sanctions against foreign government officials or their associates who engage in corruption.''.

(2) AUTHORIZATION OF IMPOSITION OF SANCTIONS.—

(A) IN GENERAL.—The Secretary of State may impose the sanctions described in subparagraph (B) with respect to any foreign person who is an individual the Secretary of State determines—

(i) engages in public corruption activities against a United States person, including—

(I) soliciting or accepting bribes;

(II) using the authority of the state to extort payments; or

(III) engaging in extortion; or

(ii) conspires to engage in, or knowingly and materially assists, sponsors, or provides significant financial, material, or technological support for any of the activities described in clause (i).

(B) SANCTIONS DESCRIBED.—

(i) INADMISSIBILITY TO UNITED STATES.—A foreign person who is subject to sanctions under this subsection shall be—

(I) inadmissible to the United States;

(II) ineligible to receive a visa or other documentation to enter the United States; and

(III) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The visa or other entry documentation of a foreign person who is subject to sanctions under this subsection shall be revoked regardless of when such visa or other entry documentation is issued.

(II) EFFECT OF REVOCATION.—A revocation under subclause (I) shall—

(aa) take effect immediately; and

(bb) automatically cancel any other valid visa or entry documentation that is in the foreign person's possession.

(C) EXCEPTION TO COMPLY WITH LAW ENFORCEMENT OBJECTIVES AND AGREEMENT REGARDING HEADQUARTERS OF UNITED NATIONS.—Sanctions described under subparagraph (B) shall not apply to a foreign person if admitting the person into the United States—

(i) would further important law enforcement objectives; or

(ii) 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 of the United States.

(D) TERMINATION OF SANCTIONS.—The Secretary of State may terminate the application of sanctions under this paragraph with respect to a foreign person if the Secretary of State determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

(i) the person is no longer engaged in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity;

(ii) the Secretary of State has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under this part in the future; or

(iii) the termination of the sanctions is in the national security interests of the United States.

(E) REGULATORY AUTHORITY.—The Secretary of State shall issue such regulations, licenses, and orders as are necessary to carry out this paragraph.

(F) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' means—

(i) the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives; and

(ii) the Committee on the Judiciary and the Committee on Foreign Relations of the Senate.

(3) REPORTS TO CONGRESS.—

(A) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees, in accordance with subparagraph (B), a report that includes—

(i) a list of each foreign person with respect to whom the Secretary of State imposed sanctions pursuant to paragraph (2) during the year preceding the submission of the report;

(ii) the number of foreign persons with respect to which the Secretary of State—

(I) imposed sanctions under paragraph (2)(A) during that year; and

(II) terminated sanctions under paragraph (2)(D) during that year;

(iii) the dates on which such sanctions were imposed or terminated, as the case may be;

(iv) the reasons for imposing or terminating such sanctions;

(v) the total number of foreign persons considered under paragraph (2)C) for whom sanctions were not imposed; and

(vi) recommendations as to whether the imposition of additional sanctions would be an added deterrent in preventing public corruption.

(B) DATES FOR SUBMISSION.—

(i) INITIAL REPORT.—The Secretary of State shall submit the initial report under subparagraph (A) not later than 120 days after the date of the enactment of this Act.

(ii) SUBSEQUENT REPORTS.—The Secretary of State shall submit a subsequent report under subparagraph (A) on December 10, or the first day thereafter on which both Houses of Congress are in session, of—

(I) the calendar year in which the initial report is submitted if the initial report is submitted before December 10 of that calendar year; and

(II) each calendar year thereafter.

(C) FORM OF REPORT.—

(i) IN GENERAL.—Each report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(ii) EXCEPTION.—The name of a foreign person to be included in the list required by subparagraph (A)(i) may be submitted in the classified annex authorized by clause (i) only if the Secretary of State—

(I) determines that it is vital for the national security interests of the United States to do so; and

(II) uses the annex in a manner consistent with congressional intent and the purposes of this subsection.

(D) PUBLIC AVAILABILITY.—

(i) IN GENERAL.—The unclassified portion of the report required by subparagraph (A) shall be made available to the public, including through publication in the Federal Register.

(ii) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The Secretary of State shall publish the list required by subparagraph (A)(i) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

(E) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives; and

(ii) the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate.

(4) SUNSET.—

(A) IN GENERAL.—The authority to impose sanctions under paragraph (2) and the requirements to submit reports under paragraph (3) shall terminate on the date that is 6 years after the date of enactment of this Act.

(B) CONTINUATION IN EFFECT OF SANCTIONS.—Sanctions imposed under paragraph (2) on or before the date specified in subparagraph (A), and in effect as of such date, shall remain in effect until terminated in accordance with the requirements of paragraph (2)(D).

(5) DEFINITIONS.—In this subsection:

(A) ENTITY.—The term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization.

(B) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(C) UNITED STATES PERSON.—The term ''United States person'' means a person that is a United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

(D) PERSON.—The term ''person'' means an individual or entity.

(E) PUBLIC CORRUPTION.—The term ''public corruption'' means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

(b) JUSTICE FOR VICTIMS OF KLEPTOCRACY.—

(1) FORFEITED PROPERTY.—

(A) IN GENERAL.—Chapter 46 of title 18, United States Code, is amended by adding at the end the following:

''§ 988. Accounting of certain forfeited property

''(a) ACCOUNTING.—The Attorney General shall make available to the public an accounting of any property relating to foreign government corruption that is forfeited to the United States under section 981 or 982.

''(b) FORMAT.—The accounting described under subsection (a) shall be published on the website of the Department of Justice in a format that includes the following:

''(1) A heading as follows: 'Assets stolen from the people of _____ and recovered by the United States', the blank space being filled with the name of the foreign government that is the target of corruption.

''(2) The total amount recovered by the United States on behalf of the foreign people that is the target of corruption at the time when such recovered funds are deposited into the Department of Justice Asset Forfeiture Fund or the Department of the Treasury Forfeiture Fund

''(c) UPDATED WEBSITE.—The Attorney General shall update the website of the Department of Justice to include an accounting of any new property relating to foreign government corruption that has been forfeited to the United States under section 981 or 982 not later than 14 days after such forfeiture, unless such update would compromise an ongoing law enforcement investigation.''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 46 of title 18, United States Code, is amended by adding at the end the following:

''988. Accounting of certain forfeited property.''.

(2) SENSE OF CONGRESS.—It is the sense of Congress that recovered assets be returned for the benefit of the people harmed by the corruption under conditions that reasonably ensure the transparent and effective use, administration and monitoring of returned proceeds.

AMENDMENT NO. 491 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of division E, add the following:

TITLE LIX—GLOBAL HEALTH SECURITY ACT OF 2022

SEC. 5901. SHORT TITLE.

This title may be cited as the ''Global Health Security Act of 2022''.

SEC. 5902. FINDINGS.

Congress finds the following:

(1) In December 2009, President Obama released the National Strategy for Countering Biological Threats, which listed as one of seven objectives ''Promote global health security: Increase the availability of and access to knowledge and products of the life sciences that can help reduce the impact from outbreaks of infectious disease whether of natural, accidental, or deliberate origin''.

(2) In February 2014, the United States and nearly 30 other nations launched the Global Health Security Agenda (GHSA) to address several high-priority, global infectious disease threats. The GHSA is a multi-faceted, multi-country initiative intended to accelerate partner countries' measurable capabilities to achieve specific targets to prevent, detect, and respond to infectious disease threats, whether naturally occurring, deliberate, or accidental.

(3) In 2015, the United Nations adopted the Sustainable Development Goals (SDGs), which include specific reference to the importance of global health security as part of SDG 3 ''ensure healthy lives and promote well-being for all at all ages'' as follows: ''strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks''.

(4) On November 4, 2016, President Obama signed Executive Order No. 13747, ''Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats''.

(5) In October 2017 at the GHSA Ministerial Meeting in Uganda, the United States and more than 40 GHSA member countries supported the ''Kampala Declaration'' to extend the GHSA for an additional 5 years to 2024.

(6) In December 2017, President Trump released the National Security Strategy, which includes the priority action: ''Detect and contain biothreats at their source: We will work with other countries to detect and mitigate outbreaks early to prevent the spread of disease. We will encourage other countries to invest in basic health care systems and to strengthen global health security across the intersection of human and animal health to prevent infectious disease outbreaks''.

(7) In September 2018, President Trump released the National Biodefense Strategy, which includes objectives to ''strengthen global health security capacities to prevent local bioincidents from becoming epidemics'', and ''strengthen international preparedness to support international response and recovery capabilities''.

(8) In January 2021, President Biden issued Executive Order 13987 (86 Fed. Reg. 7019; relating to Organizing and Mobilizing the United States Government to Provide a Unified and Effective Response to Combat COVID–19 and to Provide United States Leadership on Global Health and Security), as well as National Security Memorandum on United States Global Leadership to Strengthen the International COVID–19 Response and to Advance Global Health Security and Biological Preparedness, which include objectives to strengthen and reform the World Health Organization, increase United States leadership in the global response to COVID–19, and to finance and advance global health security and pandemic preparedness.

SEC. 5903. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) promote and invest in global health security and pandemic preparedness as a core national security interest;

(2) advance the aims of the Global Health Security Agenda;

(3) collaborate with other countries to detect and mitigate outbreaks early to prevent the spread of disease;

(4) encourage and support other countries to advance pandemic preparedness by investing in basic resilient and sustainable health care systems; and

(5) strengthen global health security across the intersection of human and animal health to prepare for and prevent infectious disease outbreaks and combat the growing threat of antimicrobial resistance.

SEC. 5904. GLOBAL HEALTH SECURITY AGENDA INTERAGENCY REVIEW COUNCIL.

(a) ESTABLISHMENT.—The President shall establish a Global Health Security Agenda Interagency Review Council (in this section referred to as the ''Council'') to perform the general responsibilities described in subsection (c) and the specific roles and responsibilities described in subsection (e).

(b) MEETINGS.—The Council shall meet not less than four times per year to advance its mission and fulfill its responsibilities.

(c) GENERAL RESPONSIBILITIES.—The Council shall be responsible for the following activities:

(1) Provide policy-level recommendations to participating agencies on Global Health Security Agenda (GHSA) goals, objectives, and implementation, and other international efforts to strengthen pandemic preparedness and response.

(2) Facilitate interagency, multi-sectoral engagement to carry out GHSA implementation.

(3) Provide a forum for raising and working to resolve interagency disagreements concerning the GHSA, and other international efforts to strengthen pandemic preparedness and response.

(4)(A) Review the progress toward and work to resolve challenges in achieving United States commitments under the GHSA, including commitments to assist other countries in achieving the GHSA targets.

(B) The Council shall consider, among other issues, the following:

(i) The status of United States financial commitments to the GHSA in the context of commitments by other donors, and the contributions of partner countries to achieve the GHSA targets.

(ii) The progress toward the milestones outlined in GHSA national plans for those countries where the United States Government has committed to assist in implementing the GHSA and in annual work-plans outlining agency priorities for implementing the GHSA.

(iii) The external evaluations of United States and partner country capabilities to address infectious disease threats, including the ability to achieve the targets outlined within the WHO Joint External Evaluation tool, as well as gaps identified by such external evaluations.

(d) PARTICIPATION.—The Council shall be headed by the Assistant to the President for National Security Affairs, in coordination with the heads of relevant Federal agencies. The Council shall consist of representatives from the following agencies:

(1) The Department of State.

(2) The Department of Defense.

(3) The Department of Justice.

(4) The Department of Agriculture.

(5) The Department of Health and Human Services.

(6) The Department of the Treasury.

(7) The Department of Labor.

(8) The Department of Homeland Security.

(9) The Office of Management and Budget.

(10) The Office of the Director of National Intelligence.

(11) The United States Agency for International Development.

(12) The Environmental Protection Agency.

(13) The Centers for Disease Control and Prevention.

(14) The Office of Science and Technology Policy.

(15) The National Institutes of Health.

(16) The National Institute of Allergy and Infectious Diseases.

(17) Such other agencies as the Council determines to be appropriate.

(e) SPECIFIC ROLES AND RESPONSIBILITIES.—

(1) IN GENERAL.—The heads of agencies described in subsection (d) shall—

(A) make the GHSA and its implementation and global pandemic preparedness a high priority within their respective agencies, and include GHSA- and global pandemic preparedness-related activities within their respective agencies' strategic planning and budget processes;

(B) designate a senior-level official to be responsible for the implementation of this title;

(C) designate, in accordance with subsection (d), an appropriate representative at the Assistant Secretary level or higher to participate on the Council;

(D) keep the Council apprised of GHSA-related activities undertaken within their respective agencies;

(E) maintain responsibility for agency-related programmatic functions in coordination with host governments, country teams, and GHSA in-country teams, and in conjunction with other relevant agencies;

(F) coordinate with other agencies that are identified in this section to satisfy programmatic goals, and further facilitate coordination of country teams, implementers, and donors in host countries; and

(G) coordinate across national health security action plans and with GHSA and other

partners, as appropriate, to which the United States is providing assistance.

(2) ADDITIONAL ROLES AND RESPONSIBILITIES.—In addition to the roles and responsibilities described in paragraph (1), the heads of agencies described in subsection (d) shall carry out their respective roles and responsibilities described in subsections (b) through (i) of section 3 of Executive Order 13747 (81 Fed. Reg. 78701; relating to Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats), as in effect on the day before the date of the enactment of this Act.

SEC. 5905. UNITED STATES COORDINATOR FOR GLOBAL HEALTH SECURITY.

(a) IN GENERAL.—The President shall appoint an individual to the position of United States Coordinator for Global Health Security, who shall be responsible for the coordination of the interagency process for responding to global health security emergencies. As appropriate, the designee shall coordinate with the President's Special Coordinator for International Disaster Assistance.

(b) CONGRESSIONAL BRIEFING.—Not less frequently than twice each year, the employee designated under this section shall provide to the appropriate congressional committees a briefing on the responsibilities and activities of the individual under this section.

SEC. 5906. SENSE OF CONGRESS.

It is the sense of the Congress that, given the complex and multisectoral nature of global health threats to the United States, the President—

(1) should consider appointing an individual with significant background and expertise in public health or emergency response management to the position of United States Coordinator for Global Health Security, as required by section 5905(a), who is an employee of the National Security Council at the level of Deputy Assistant to the President or higher; and

(2) in providing assistance to implement the strategy required under section 5907(a), should—

(A) coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies to implement the strategy;

(B) seek to fully utilize the unique capabilities of each relevant Federal department and agency while collaborating with and leveraging the contributions of other key stakeholders; and

(C) utilize open and streamlined solicitations to allow for the participation of a wide range of implementing partners through the most appropriate procurement mechanisms, which may include grants, contracts, cooperative agreements, and other instruments as necessary and appropriate.

SEC. 5907. STRATEGY AND REPORTS.

(a) STRATEGY.—The President shall coordinate the development and implementation of a strategy to implement the policy aims described in section 5903, which shall—

(1) seek to strengthen United States diplomatic leadership and improve the effectiveness of United States foreign assistance for global health security to prevent, detect, and respond to infectious disease threats, including through advancement of the Global Health Security Agenda (GHSA), the International Health Regulations (2005), and other relevant frameworks that contribute to global health security and pandemic preparedness;

(2) establish specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans for United States foreign assistance for global health security that promote learning and reflect international best practices relating to global health security, transparency, and accountability;

(3) establish mechanisms to improve coordination and avoid duplication of effort between the United States Government and partner countries, donor countries, the private sector, multilateral organizations, and other key stakeholders;

(4) prioritize working with partner countries with demonstrated—

(A) need, as identified through the Joint External Evaluation process, the Global Health Security Index classification of health systems, national action plans for health security, GHSA Action Packages, and other complementary or successor indicators of global health security and pandemic preparedness; and

(B) commitment to transparency, including budget and global health data transparency, complying with the International Health Regulations (2005), investing in domestic health systems, and achieving measurable results;

(5) reduce long-term reliance upon United States foreign assistance for global health security by promoting partner country ownership, improved domestic resource mobilization, co-financing, and appropriate national budget allocations for global health security and pandemic preparedness and response;

(6) assist partner countries in building the technical capacity of relevant ministries, systems, and networks to prepare, execute, monitor, and evaluate effective national action plans for health security, including mechanisms to enhance budget and global health data transparency, as necessary and appropriate;

(7) support and be aligned with country-owned global health security policy and investment plans developed with input from key stakeholders, as appropriate;

(8) facilitate communication and collaboration, as appropriate, among local stakeholders in support of a multi-sectoral approach to global health security;

(9) support the long-term success of programs by building the capacity of local organizations and institutions in target countries and communities;

(10) develop community resilience to infectious disease threats and emergencies;

(11) support global health budget and workforce planning in partner countries, including training in financial management and budget and global health data transparency;

(12) align United States foreign assistance for global health security with national action plans for health security in partner countries, developed with input from key stakeholders, including the private sector, to the greatest extent practicable and appropriate;

(13) strengthen linkages between complementary bilateral and multilateral foreign assistance programs, including efforts of the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and Gavi, the Vaccine Alliance, that contribute to the development of more resilient health systems and supply chains in partner countries with the capacity, resources, and personnel required to prevent, detect, and respond to infectious disease threats;

(14) support innovation and public-private partnerships to improve pandemic preparedness and response, including for the development and deployment of effective, accessible, and affordable infectious disease tracking tools, diagnostics, therapeutics, and vaccines;

(15) support collaboration with and among relevant public and private research entities engaged in global health security; and

(16) support collaboration between United States universities and public and private institutions in partner countries that promote global health security and innovation.

(b) STRATEGY SUBMISSION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees the strategy required under subsection (a) that provides a detailed description of how the United States intends to advance the policy set forth in section 5903 and the agency-specific plans described in paragraph (2).

(2) AGENCY-SPECIFIC PLANS.—The strategy required under subsection (a) shall include specific implementation plans from each relevant Federal department and agency that describe—

(A) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(B) the efforts of the department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date on which the strategy required under subsection (a) is submitted to the appropriate congressional committees under subsection (b), and not later than October 1 of each year thereafter, the President shall submit to the appropriate congressional committees a report that describes the status of the implementation of the strategy.

(2) CONTENTS.—The report required under paragraph (1) shall—

(A) identify any substantial changes made in the strategy during the preceding calendar year;

(B) describe the progress made in implementing the strategy;

(C) identify the indicators used to establish benchmarks and measure results over time, as well as the mechanisms for reporting such results in an open and transparent manner;

(D) contain a transparent, open, and detailed accounting of expenditures by relevant Federal departments and agencies to implement the strategy, including, to the extent practicable, for each Federal department and agency, the statutory source of expenditures, amounts expended, partners, targeted populations, and types of activities supported;

(E) describe how the strategy leverages other United States global health and development assistance programs and bilateral and multilateral institutions;

(F) assess efforts to coordinate United States global health security programs, activities, and initiatives with key stakeholders;

(G) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders, including key stakeholders, in an open, transparent manner; and

(H) describe the progress achieved and challenges concerning the United States Government's ability to advance GHSA and pandemic preparedness, including data disaggregated by priority country using indicators that are consistent on a year-to-year basis and recommendations to resolve, mitigate, or otherwise address the challenges identified therein.

(d) FORM.—The strategy required under subsection (a) and the report required under subsection (c) shall be submitted in unclassified form but may contain a classified annex.

SEC. 5908. ESTABLISHMENT OF FUND FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREPAREDNESS.

(a) NEGOTIATIONS FOR ESTABLISHMENT OF A FUND FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREPAREDNESS.—The Secretary of State, in coordination with the Secretary of the Treasury, the Administrator of the United States Agency for International Development, the Secretary of Health and Human Services, and the heads of other relevant Federal departments and agencies as necessary and appropriate, should seek to enter into negotiations with donors, relevant United Nations agencies, including the World Health Organization, and other key multilateral stakeholders, for the establishment of—

(1) a multilateral, catalytic financing mechanism for global health security and pandemic preparedness, which may be known as the Fund for Global Health Security and Pandemic Preparedness (in this title referred to as ''the Fund''), in accordance with the provisions of this section; and

(2) an Advisory Board to the Fund in accordance with section 5909.

(b) PURPOSE.—The purpose of the Fund should be to close critical gaps in global health security and pandemic preparedness and build capacity in eligible partner countries in the areas of global health security, infectious disease control, and pandemic preparedness, such that it—

(1) prioritizes capacity building and financing availability in eligible partner countries;

(2) incentivizes countries to prioritize the use of domestic resources for global health security and pandemic preparedness;

(3) leverages government, nongovernment, and private sector investments;

(4) regularly responds to and evaluates progress based on clear metrics and benchmarks, such as the Joint External Evaluation and Global Health Security Index;

(5) aligns with and complements ongoing bilateral and multilateral efforts and financing, including through the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and Gavi, the Vaccine Alliance; and

(6) accelerates country compliance with the International Health Regulations (2005) and fulfillment of the Global Health Security Agenda 2024 Framework, in coordination with the ongoing Joint External Evaluation national action planning process.

(c) EXECUTIVE BOARD.—

(1) IN GENERAL.—The Fund should be governed by an Executive Board, which should be composed of not more than 20 representatives of donor governments, foundations, academic institutions, civil society, and the private sector that meet a minimum threshold in annual contributions and agree to uphold transparency measures.

(2) DUTIES.—The Executive Board should be charged with approving strategies, operations, and grant-making authorities, such that it is able to conduct effective fiduciary, monitoring, and evaluation efforts, and other oversight functions. In addition, the Executive Board should—

(A) be comprised only of contributors to the Fund at not less than the minimum threshold to be established pursuant to paragraph (1);

(B) determine operational procedures such that the Fund is able to effectively fulfill its mission; and

(C) provide oversight and accountability for the Fund in collaboration with the Inspector General to be established pursuant to section 5910(e)(1)(A).

(3) COMPOSITION.—The Executive Board should include—

(A) representatives of the governments of founding permanent member countries who, in addition to the requirements in paragraph (1), qualify based upon meeting an established initial contribution threshold, which should be not less than 10 percent of total initial contributions, and a demonstrated commitment to supporting the International Health Regulations (2005);

(B) term members, who are from academic institutions, civil society, and the private sector and are selected by the permanent members on the basis of their experience and commitment to innovation, best practices, and the advancement of global health security objectives; and

(C) representatives of the World Health Organization, and the chair of the Global Health Security Steering Group.

(4) QUALIFICATIONS.—Individuals appointed to the Executive Board should have demonstrated knowledge and experience across a variety of sectors, including human and animal health, agriculture, development, defense, finance, research, and academia.

(5) CONFLICTS OF INTEREST.—

(A) TECHNICAL EXPERTS.—The Executive Board may include independent technical experts, provided they are not affiliated with or employed by a recipient country or organization.

(B) MULTILATERAL BODIES AND INSTITUTIONS.—Executive Board members appointed under paragraph (3)(C) should recuse themselves from matters presenting conflicts of interest, including financing decisions relating to such bodies and institutions.

(6) UNITED STATES REPRESENTATION.—

(A) IN GENERAL.—

(i) FOUNDING PERMANENT MEMBER.—The Secretary of State shall seek to establish the United States as a founding permanent member of the Fund.

(ii) UNITED STATES REPRESENTATION.—The United States shall be represented on the Executive Board by an officer or employee of the United States appointed by the President.

(B) EFFECTIVE AND TERMINATION DATES.—

(i) EFFECTIVE DATE.—This paragraph shall take effect upon the date the Secretary of State certifies and transmits to Congress an agreement establishing the Fund.

(ii) TERMINATION DATE.—The membership established pursuant to subparagraph (A) shall terminate upon the date of termination of the Fund.

(7) REMOVAL PROCEDURES.—The Fund should establish procedures for the removal of members of the Executive Board who engage in a consistent pattern of human rights abuses, fail to uphold global health data transparency requirements, or otherwise violate the established standards of the Fund, including in relation to corruption.

(8) ENFORCEABILITY.—Any agreement concluded under the authorities provided by this section shall be legally effective and binding upon the United States, as may be provided in the agreement, upon—

(A) the enactment of appropriate implementing legislation which provides for the approval of the specific agreement or agreements, including attachments, annexes, and supporting documentation, as appropriate; or

(B) if concluded and submitted as a treaty, receiving the necessary consent of the Senate.

(9) ELIGIBLE PARTNER COUNTRY DEFINED.—In this section, the term ''eligible partner country'' means a country with demonstrated—

(A) need, as identified through the Joint External Evaluation process, the Global Health Security Index classification of health systems, national action plans for health security, and other complementary or successor indicators of global health security and pandemic preparedness; and

(B) commitment to transparency, including budget and global health data transparency, complying with the International Health Regulations (2005), investing in domestic health systems, and achieving measurable results, and in which the Fund for Global Health Security and Pandemic Preparedness established under this section may finance global health security and pandemic preparedness assistance programs under this title.

SEC. 5909. FUND AUTHORITIES.

(a) PROGRAM OBJECTIVES.—

(1) IN GENERAL.—In carrying out the purpose set forth in section 5908, the Fund, acting through the Executive Board, should provide grants, including challenge grants, technical assistance, concessional lending, catalytic investment funds, and other innovative funding mechanisms, as appropriate, to—

(A) help eligible partner countries close critical gaps in health security, as identified through the Joint External Evaluation process, the Global Health Security Index classification of health systems, and national action plans for health security and other complementary or successor indicators of global health security and pandemic preparedness; and

(B) support measures that enable such countries, at both national and sub-national levels, and in partnership with civil society and the private sector, to strengthen and sustain resilient health systems and supply chains with the resources, capacity, and personnel required to prevent, detect, mitigate, and respond to infectious disease threats before they become pandemics.

(2) ACTIVITIES SUPPORTED.—The activities to be supported by the Fund should include efforts to—

(A) enable eligible partner countries to formulate and implement national health security and pandemic preparedness action plans, advance action packages under the Global Health Security Agenda, and adopt and uphold commitments under the International Health Regulations (2005) and other related international health agreements, as appropriate;

(B) support global health security budget planning in eligible partner countries, including training in financial management and budget and global health data transparency;

(C) strengthen the health security workforce, including hiring, training, and deploying experts to improve frontline preparedness for emerging epidemic and pandemic threats;

(D) improve infection control and the protection of healthcare workers within healthcare settings;

(E) combat the threat of antimicrobial resistance;

(F) strengthen laboratory capacity and promote biosafety and biosecurity through the provision of material and technical assistance;

(G) reduce the risk of bioterrorism, zoonotic disease spillover, and accidental biological release;

(H) build technical capacity to manage global health security related supply chains, including for personal protective equipment, oxygen, testing reagents, and other lifesaving supplies, through effective forecasting, procurement, warehousing, and delivery from central warehouses to points of service in both the public and private sectors;

(I) enable bilateral, regional, and international partnerships and cooperation, including through pandemic early warning systems and emergency operations centers, to identify and address transnational infectious disease threats exacerbated by natural and man-made disasters, human displacement, and zoonotic infection;

(J) establish partnerships for the sharing of best practices and enabling eligible countries to meet targets and indicators under the Joint External Evaluation process, the Global Health Security Index classification of health systems, and national action plans for health security relating to the detection, treatment, and prevention of neglected tropical diseases;

(K) build the technical capacity of eligible partner countries to prepare for and respond to second order development impacts of infectious disease outbreaks, while accounting for the differentiated needs and vulnerabilities of marginalized populations;

(L) develop and utilize metrics to monitor and evaluate programmatic performance and identify best practices, including in accordance with Joint External Evaluation benchmarks, Global Health Security Agenda targets, and Global Health Security Index indicators;

(M) develop and deploy mechanisms to enhance the transparency and accountability of global health security and pandemic preparedness programs and data, in compliance with the International Health Regulations (2005), including through the sharing of trends, risks, and lessons learned; and

(N) develop and implement simulation exercises, produce and release after action reports, and address related gaps.

(3) IMPLEMENTATION OF PROGRAM OBJECTIVES.—In carrying out the objectives of paragraph (1), the Fund should work to eliminate duplication and waste by upholding strict transparency and accountability standards and coordinating its programs and activities with key partners working to advance global health security and pandemic preparedness, including—

(A) governments, civil society, faith-based, and nongovernmental organizations, research and academic institutions, and private sector entities in eligible partner countries;

(B) the pandemic early warning systems and emergency operations centers to be established under section 5909;

(C) the World Health Organization;

(D) the Global Health Security Agenda;

(E) the Global Health Security Initiative;

(F) the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(G) the United Nations Office for the Coordination of Humanitarian Affairs, UNICEF, and other relevant funds, programs, and specialized agencies of the United Nations;

(H) Gavi, the Vaccine Alliance;

(I) the Coalition for Epidemic Preparedness Innovations (CEPI);

(J) the Global Polio Eradication Initiative; and

(K) the United States Coordinator for Global Health Security and Diplomacy established under section 5.

(b) PRIORITY.—In providing assistance under this section, the Fund should give priority to low-and lower-middle income countries with—

(1) low scores on the Global Health Security Index classification of health systems;

(2) measurable gaps in global health security and pandemic preparedness identified under Joint External Evaluations and national action plans for health security;

(3) demonstrated political and financial commitment to pandemic preparedness; and

(4) demonstrated commitment to upholding global health budget and data transparency and accountability standards, complying with the International Health Regulations (2005), investing in domestic health systems, and achieving measurable results.

(c) ELIGIBLE GRANT RECIPIENTS.—Governments and nongovernmental organizations should be eligible to receive grants as described in this section.

SEC. 5910. FUND ADMINISTRATION.

(a) APPOINTMENT OF AN ADMINISTRATOR.—The Executive Board of the Fund should appoint an Administrator who should be responsible for managing the day-to-day operations of the Fund.

(b) AUTHORITY TO SOLICIT AND ACCEPT CONTRIBUTIONS.—The Fund should be authorized to solicit and accept contributions from governments, the private sector, foundations, individuals, and nongovernmental entities of all kinds.

(c) ACCOUNTABILITY OF FUNDS AND CRITERIA FOR PROGRAMS.—As part of the negotiations described in section 5908(a), the Secretary of the State, shall, consistent with subsection (d)—

(1) take such actions as are necessary to ensure that the Fund will have in effect adequate procedures and standards to account for and monitor the use of funds contributed to the Fund, including the cost of administering the Fund; and

(2) seek agreement on the criteria that should be used to determine the programs and activities that should be assisted by the Fund.

(d) SELECTION OF PARTNER COUNTRIES, PROJECTS, AND RECIPIENTS.—The Executive Board should establish—

(1) eligible partner country selection criteria, to include transparent metrics to measure and assess global health security and pandemic preparedness strengths and vulnerabilities in countries seeking assistance;

(2) minimum standards for ensuring eligible partner country ownership and commitment to long-term results, including requirements for domestic budgeting, resource mobilization, and co-investment;

(3) criteria for the selection of projects to receive support from the Fund;

(4) standards and criteria regarding qualifications of recipients of such support;

(5) such rules and procedures as may be necessary for cost-effective management of the Fund; and

(6) such rules and procedures as may be necessary to ensure transparency and accountability in the grant-making process.

(e) ADDITIONAL TRANSPARENCY AND ACCOUNTABILITY REQUIREMENTS.—

(1) INSPECTOR GENERAL.—

(A) IN GENERAL.—The Secretary of State shall seek to ensure that the Fund maintains an independent Office of the Inspector General and ensure that the office has the requisite resources and capacity to regularly conduct and publish, on a publicly accessible website, rigorous financial, programmatic, and reporting audits and investigations of the Fund and its grantees.

(B) SENSE OF CONGRESS ON CORRUPTION.—It is the sense of Congress that—

(i) corruption within global health programs contribute directly to the loss of human life and cannot be tolerated; and

(ii) in making financial recoveries relating to a corrupt act or criminal conduct under a grant, as determined by the Inspector General, the responsible grant recipient should be assessed at a recovery rate of up to 150 percent of such loss.

(2) ADMINISTRATIVE EXPENSES.—The Secretary of State shall seek to ensure the Fund establishes, maintains, and makes publicly available a system to track the administrative and management costs of the Fund on a quarterly basis.

(3) FINANCIAL TRACKING SYSTEMS.—The Secretary of State shall ensure that the Fund establishes, maintains, and makes publicly available a system to track the amount of funds disbursed to each grant recipient and sub-recipient during a grant's fiscal cycle.

SEC. 5911. FUND ADVISORY BOARD.

(a) IN GENERAL.—There should be an Advisory Board to the Fund.

(b) APPOINTMENTS.—The members of the Advisory Board should be composed of—

(1) individuals with experience and leadership in the fields of development, global health, epidemiology, medicine, biomedical research, and social sciences; and

(2) representatives of relevant United Nations agencies, including the World Health Organization, and nongovernmental organizations with on-the-ground experience in implementing global health programs in low and lower-middle income countries.

(c) RESPONSIBILITIES.—The Advisory Board should provide advice and guidance to the Executive Board of the Fund on the development and implementation of programs and projects to be assisted by the Fund and on leveraging donations to the Fund.

(d) PROHIBITION ON PAYMENT OF COMPENSATION.—

(1) IN GENERAL.—Except for travel expenses (including per diem in lieu of subsistence), no member of the Advisory Board should receive compensation for services performed as a member of the Board.

(2) UNITED STATES REPRESENTATIVE.—Notwithstanding any other provision of law (including an international agreement), a representative of the United States on the Advisory Board may not accept compensation for services performed as a member of the Board, except that such representative may accept travel expenses, including per diem in lieu of subsistence, while away from the representative's home or regular place of business in the performance of services for the Board.

(e) CONFLICTS OF INTEREST.—Members of the Advisory Board should be required to disclose any potential conflicts of interest prior to serving on the Advisory Board.

SEC. 5912. REPORTS TO CONGRESS ON THE FUND.

(a) STATUS REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, and the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees a report detailing the progress of international negotiations to establish the Fund.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the establishment of the Fund, and annually thereafter for the duration of the Fund, the Secretary of State, shall submit to the appropriate congressional committees a report on the Fund.

(2) REPORT ELEMENTS.—The report shall include a description of—

(A) the goals of the Fund;

(B) the programs, projects, and activities supported by the Fund;

(C) private and governmental contributions to the Fund; and

(D) the criteria utilized to determine the programs and activities that should be assisted by the Fund.

(c) GAO REPORT ON EFFECTIVENESS.—Not later than 2 years after the date that the Fund comes into effect, the Comptroller General of the United States shall submit to the appropriate congressional committees a report evaluating the effectiveness of the Fund, including—

(1) the effectiveness of the programs, projects, and activities supported by the Fund; and

(2) an assessment of the merits of continued United States participation in the Fund.

SEC. 5913. UNITED STATES CONTRIBUTIONS.

(a) IN GENERAL.—Subject to submission of the certification under this section, the

President is authorized to make available for United States contributions to the Fund such funds as may be authorized to be made available for such purpose.

(b) NOTIFICATION.—The Secretary of State shall notify the appropriate congressional committees not later than 15 days in advance of making a contribution to the Fund, including—

(1) the amount of the proposed contribution;

(2) the total of funds contributed by other donors; and

(3) the national interests served by United States participation in the Fund.

(c) LIMITATION.—At no point during the five years after enactment of this Act shall a United States contribution to the Fund cause the cumulative total of United States contributions to the Fund to exceed 33 percent of the total contributions to the Fund from all sources.

(d) WITHHOLDINGS.—

(1) SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—If at any time the Secretary of State determines that the Fund has provided assistance to a country, the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) has repeatedly provided support for acts of international terrorism, the United States shall withhold from its contribution to the Fund for the next fiscal year an amount equal to the amount expended by the Fund to the government of such country.

(2) EXCESSIVE SALARIES.—If at any time during the five years after enactment of this Act, the Secretary of State determines that the salary of any individual employed by the Fund exceeds the salary of the Vice President of the United States for that fiscal year, then the United States should withhold from its contribution for the next fiscal year an amount equal to the aggregate amount by which the salary of each such individual exceeds the salary of the Vice President of the United States.

(3) ACCOUNTABILITY CERTIFICATION REQUIREMENT.—The Secretary of State may withhold not more than 20 percent of planned United States contributions to the Fund until the Secretary certifies to the appropriate congressional committees that the Fund has established procedures to provide access by the Office of Inspector General of the Department of State, as cognizant Inspector General, the Inspector General of the Department of Health and Human Services, the Inspector General of the United States Agency for International Development, and the Comptroller General of the United States to the Fund's financial data and other information relevant to United States contributions to the Fund (as determined by the Inspector General of the Department of State, in consultation with the Secretary of State).

SEC. 5914. COMPLIANCE WITH THE FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2016.

Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–191; 22 U.S.C. 2394c note) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) the Global Health Security Act of 2022.''.

SEC. 5915. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional Committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) GLOBAL HEALTH SECURITY.—The term ''global health security'' means activities supporting epidemic and pandemic preparedness and capabilities at the country and global levels in order to minimize vulnerability to acute public health events that can endanger the health of populations across geographical regions and international boundaries.

SEC. 5916. SUNSET.

This title, and the amendments made by this title shall cease to be effective 5 fiscal years after the enactment of this Act.

AMENDMENT NO. 492 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of division E, insert the following:

TITLE LIX—PROTECTION OF SAUDI DISSIDENTS

SEC. 5901. RESTRICTIONS ON TRANSFERS OF DEFENSE ARTICLES AND SERVICES, DESIGN AND CONSTRUCTION SERVICES, AND MAJOR DEFENSE EQUIPMENT TO SAUDI ARABIA.

(a) INITIAL PERIOD.—During the 120-day period beginning on the date of the enactment of this Act, the President may not sell, authorize a license for the export of, or otherwise transfer any defense articles or defense services, design and construction services, or major defense equipment under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to an intelligence, internal security, or law enforcement agency or instrumentality of the Government of Saudi Arabia, or to any person acting as an agent of or on behalf of such agency or instrumentality.

(b) SUBSEQUENT PERIODS.—

(1) IN GENERAL.—During the 120-day period beginning after the end of the 120-day period described in subsection (a), and each 120-day period thereafter, the President may not sell, authorize a license for the export of, or otherwise transfer any defense articles or services, design and construction services, or major defense equipment under the Arms Export Control Act (22 U.S.C. 2751 et seq.), regardless of the amount of such articles, services, or equipment, to an intelligence, internal security, or law enforcement agency or instrumentality of the Government of Saudi Arabia, or to any person acting as an agent of or on behalf of such agency or instrumentality, unless the President has submitted to the chairman and ranking member of the appropriate congressional committees a certification described in paragraph (2).

(2) CERTIFICATION.—A certification described in this paragraph is a certification that contains a determination of the President that, during the 120-day period preceding the date of submission of the certification, the United States Government has not determined that the Government of Saudi Arabia has conducted any of the following activities:

(A) Forced repatriation, intimidation, or killing of dissidents in other countries.

(B) The unjust imprisonment in Saudi Arabia of United States citizens or aliens lawfully admitted for permanent residence or the prohibition on these individuals and their family members from exiting Saudi Arabia.

(C) Torture of detainees in the custody of the Government of Saudi Arabia.

(c) EXCEPTION.—The restrictions in this section shall not apply with respect to the sale, authorization of a license for export, or transfer of any defense articles or services, design and construction services, or major defense equipment under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for use in—

(1) the defense of the territory of Saudi Arabia from external threats; or

(2) the defense of United States military or diplomatic personnel or United States facilities located in Saudi Arabia.

(d) WAIVER.—

(1) IN GENERAL.—The President may waive the restrictions in this section if the President submits to the appropriate congressional committees a report not later than 15 days before the granting of such waiver that contains—

(A) a determination of the President that such a waiver is in the vital national security interests of the United States; and

(B) a detailed justification for the use of such waiver and the reasons why the restrictions in this section cannot be met.

(2) FORM.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

(e) SUNSET.—This section shall terminate on the date that is 3 years after the date of the enactment of this Act.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate.

SEC. 5902. REPORT ON CONSISTENT PATTERN OF ACTS OF INTIMIDATION OR HARASSMENT DIRECTED AGAINST INDIVIDUALS IN THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Section 6 of the Arms Export Control Act (22 U.S.C. 2756) states the following: ''No letters of offer may be issued, no credits or guarantees may be extended, and no export licenses may be issued under this Act with respect to any country determined by the President to be engaged in a consistent pattern of acts of intimidation or harassment directed against individuals in the United States''.

(2) Section 6 of the Arms Export Control Act further requires the President to report any such determination promptly to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate.

(b) REPORT ON ACTS OF INTIMIDATION OR HARASSMENT AGAINST INDIVIDUALS IN THE UNITED STATES.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on—

(1) whether any official of the Government of Saudi Arabia engaged in a consistent pattern of acts of intimidation or harassment directed against Jamal Khashoggi or any individual in the United States; and

(2) whether any United States-origin defense articles were used in the activities described in paragraph (1).

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 5903. REPORT AND CERTIFICATION WITH RESPECT TO SAUDI DIPLOMATS AND DIPLOMATIC FACILITIES IN THE UNITED STATES.

(a) REPORT ON SAUDI DIPLOMATS AND DIPLOMATIC FACILITIES IN UNITED STATES.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report covering the three-year period preceding such date of enactment regarding whether and to what extent covered persons used diplomatic credentials, visas, or covered facilities to facilitate monitoring, tracking, surveillance, or harassment of, or harm to, other nationals of Saudi Arabia living in the United States.

(b) CERTIFICATION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and each 120-day period thereafter, the President shall, if the President determines that such is the case, submit to the appropriate congressional committees a certification that the United States Government has not determined covered persons to be using diplomatic credentials, visas, or covered facilities to facilitate serious harassment of, or harm to, other nationals of Saudi Arabia living in the United States during the time period covered by each such certification.

(2) FAILURE TO SUBMIT CERTIFICATION.—If the President does not submit a certification under paragraph (1), the President shall—

(A) close one or more covered facilities for such period of time until the President does submit such a certification; and

(B) submit to the appropriate congressional committee a report that contains—

(i) a detailed explanation of why the President is unable to make such a certification;

(ii) a list and summary of engagements of the United States Government with the Government of Saudi Arabia regarding the use of diplomatic credentials, visas, or covered facilities described in paragraph (1); and

(iii) a description of actions the United States Government has taken or intends to take in response to the use of diplomatic credentials, visas, or covered facilities described in paragraph (1).

(c) FORM.—The report required by subsection (a) and the certification and report required by subsection (b) shall be submitted in unclassified form but may contain a classified annex.

(d) WAIVER.—

(1) IN GENERAL.—The President may waive the restrictions in this section if the President submits to the appropriate congressional committees a report not later than 15 days before the granting of such waiver that contains—

(A) a determination of the President that such a waiver is in the vital national security interests of the United States; and

(B) a detailed justification for the use of such waiver and the reasons why the restrictions in this section cannot be met.

(2) FORM.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

(e) SUNSET.—This section shall terminate on the date that is 3 years after the date of the enactment of this Act.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) The term ''covered facility'' means a diplomatic or consular facility of Saudi Arabia in the United States.

(3) The term ''covered person'' means a national of Saudi Arabia credentialed to a covered facility.

SEC. 5904. REPORT ON THE DUTY TO WARN OBLIGATION OF THE GOVERNMENT OF THE UNITED STATES.

(a) FINDINGS.—Congress finds that Intelligence Community Directive 191 provides that—

(1) when an element of the intelligence community of the United States collects or acquires credible and specific information indicating an impending threat of intentional killing, serious bodily injury, or kidnapping directed at a person, the agency must ''warn the intended victim or those responsible for protecting the intended victim, as appropriate'' unless an applicable waiver of the duty is granted by the appropriate official within the element; and

(2) when issues arise with respect to whether the threat information rises to the threshold of ''duty to warn'', the directive calls for resolution in favor of warning the intended victim.

(b) REPORT ON DUTY TO WARN.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of other relevant United States intelligence agencies, shall submit to the appropriate congressional committees a report with respect to—

(1) whether and how the intelligence community fulfilled its duty to warn Jamal Khashoggi of threats to his life and liberty pursuant to Intelligence Community Directive 191; and

(2) in the case of the intelligence community not fulfilling its duty to warn as described in paragraph (1), why the intelligence community did not fulfill this duty.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may contain a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) The term ''duty to warn'' has the meaning given that term in Intelligence Community Directive 191, as in effect on July 21, 2015.

(3) The term ''intelligence community'' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(4) The term ''relevant United States intelligence agency'' means any element of the intelligence community that may have possessed intelligence reporting regarding threats to Jamal Khashoggi.

AMENDMENT NO. 493 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of title LVIII of division E, insert the following:

SEC. 5806. FEDRAMP AUTHORIZATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''FedRAMP Authorization Act''.

(b) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following:

''§ 3607. Definitions

''(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to this section through section 3616.

''(b) ADDITIONAL DEFINITIONS.—In this section through section 3616:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

''(3) AUTHORIZATION TO OPERATE; FEDERAL INFORMATION.—The terms 'authorization to operate' and 'Federal information' have the meaning given those term in Circular A–130 of the Office of Management and Budget entitled 'Managing Information as a Strategic Resource', or any successor document.

''(4) CLOUD COMPUTING.—The term 'cloud computing' has the meaning given the term in Special Publication 800–145 of the National Institute of Standards and Technology, or any successor document.

''(5) CLOUD SERVICE PROVIDER.—The term 'cloud service provider' means an entity offering cloud computing products or services to agencies.

''(6) FEDRAMP.—The term 'FedRAMP' means the Federal Risk and Authorization Management Program established under section 3608.

''(7) FEDRAMP AUTHORIZATION.—The term 'FedRAMP authorization' means a certification that a cloud computing product or service has—

''(A) completed a FedRAMP authorization process, as determined by the Administrator; or

''(B) received a FedRAMP provisional authorization to operate, as determined by the FedRAMP Board.

''(8) FEDRAMP AUTHORIZATION PACKAGE.—The term 'FedRAMP authorization package' means the essential information that can be used by an agency to determine whether to authorize the operation of an information system or the use of a designated set of common controls for all cloud computing products and services authorized by FedRAMP.

''(9) FEDRAMP BOARD.—The term 'FedRAMP Board' means the board established under section 3610.

''(10) INDEPENDENT ASSESSMENT SERVICE.—The term 'independent assessment service' means a third-party organization accredited by the Administrator to undertake conformity assessments of cloud service providers and the products or services of cloud service providers.

''(11) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''§ 3608. Federal Risk and Authorization Management Program

''There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator, subject to section 3614, shall establish a Government-wide program that provides a standardized, reusable approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

''§ 3609. Roles and responsibilities of the General Services Administration

''(a) ROLES AND RESPONSIBILITIES.—The Administrator shall—

''(1) in consultation with the Secretary, develop, coordinate, and implement a process to support agency review, reuse, and standardization, where appropriate, of security assessments of cloud computing products and services, including, as appropriate, oversight of continuous monitoring of cloud computing products and services, pursuant to guidance issued by the Director pursuant to section 3614;

''(2) establish processes and identify criteria consistent with guidance issued by the

Director under section 3614 to make a cloud computing product or service eligible for a FedRAMP authorization and validate whether a cloud computing product or service has a FedRAMP authorization;

''(3) develop and publish templates, best practices, technical assistance, and other materials to support the authorization of cloud computing products and services and increase the speed, effectiveness, and transparency of the authorization process, consistent with standards and guidelines established by the Director of the National Institute of Standards and Technology and relevant statutes;

''(4) establish and update guidance on the boundaries of FedRAMP authorization packages to enhance the security and protection of Federal information and promote transparency for agencies and users as to which services are included in the scope of a FedRAMP authorization;

''(5) grant FedRAMP authorizations to cloud computing products and services consistent with the guidance and direction of the FedRAMP Board;

''(6) establish and maintain a public comment process for proposed guidance and other FedRAMP directives that may have a direct impact on cloud service providers and agencies before the issuance of such guidance or other FedRAMP directives;

''(7) coordinate with the FedRAMP Board, the Director of the Cybersecurity and Infrastructure Security Agency, and other entities identified by the Administrator, with the concurrence of the Director and the Secretary, to establish and regularly update a framework for continuous monitoring under section 3553;

''(8) provide a secure mechanism for storing and sharing necessary data, including FedRAMP authorization packages, to enable better reuse of such packages across agencies, including making available any information and data necessary for agencies to fulfill the requirements of section 3613;

''(9) provide regular updates to applicant cloud service providers on the status of any cloud computing product or service during an assessment process;

''(10) regularly review, in consultation with the FedRAMP Board—

''(A) the costs associated with the independent assessment services described in section 3611; and

''(B) the information relating to foreign interests submitted pursuant to section 3612;

''(11) in coordination with the Director of the National Institute of Standards and Technology, the Director, the Secretary, and other stakeholders, as appropriate, determine the sufficiency of underlying standards and requirements to identify and assess the provenance of the software in cloud services and products;

''(12) support the Federal Secure Cloud Advisory Committee established pursuant to section 3616; and

''(13) take such other actions as the Administrator may determine necessary to carry out FedRAMP.

''(b) WEBSITE.—

''(1) IN GENERAL.—The Administrator shall maintain a public website to serve as the authoritative repository for FedRAMP, including the timely publication and updates for all relevant information, guidance, determinations, and other materials required under subsection (a).

''(2) CRITERIA AND PROCESS FOR FEDRAMP AUTHORIZATION PRIORITIES.—The Administrator shall develop and make publicly available on the website described in paragraph (1) the criteria and process for prioritizing and selecting cloud computing products and services that will receive a FedRAMP authorization, in consultation with the FedRAMP Board and the Chief Information Officers Council.

''(c) EVALUATION OF AUTOMATION PROCEDURES.—

''(1) IN GENERAL.—The Administrator, in coordination with the Secretary, shall assess and evaluate available automation capabilities and procedures to improve the efficiency and effectiveness of the issuance of FedRAMP authorizations, including continuous monitoring of cloud computing products and services.

''(2) MEANS FOR AUTOMATION.—Not later than 1 year after the date of enactment of this section, and updated regularly thereafter, the Administrator shall establish a means for the automation of security assessments and reviews.

''(d) METRICS FOR AUTHORIZATION.—The Administrator shall establish annual metrics regarding the time and quality of the assessments necessary for completion of a FedRAMP authorization process in a manner that can be consistently tracked over time in conjunction with the periodic testing and evaluation process pursuant to section 3554 in a manner that minimizes the agency reporting burden.

''§ 3610. FedRAMP Board

''(a) ESTABLISHMENT.—There is established a FedRAMP Board to provide input and recommendations to the Administrator regarding the requirements and guidelines for, and the prioritization of, security assessments of cloud computing products and services.

''(b) MEMBERSHIP.—The FedRAMP Board shall consist of not more than 7 senior officials or experts from agencies appointed by the Director, in consultation with the Administrator, from each of the following:

''(1) The Department of Defense.

''(2) The Department of Homeland Security.

''(3) The General Services Administration.

''(4) Such other agencies as determined by the Director, in consultation with the Administrator.

''(c) QUALIFICATIONS.—Members of the FedRAMP Board appointed under subsection (b) shall have technical expertise in domains relevant to FedRAMP, such as—

''(1) cloud computing;

''(2) cybersecurity;

''(3) privacy;

''(4) risk management; and

''(5) other competencies identified by the Director to support the secure authorization of cloud services and products.

''(d) DUTIES.—The FedRAMP Board shall—

''(1) in consultation with the Administrator, serve as a resource for best practices to accelerate the process for obtaining a FedRAMP authorization;

''(2) establish and regularly update requirements and guidelines for security authorizations of cloud computing products and services, consistent with standards and guidelines established by the Director of the National Institute of Standards and Technology, to be used in the determination of FedRAMP authorizations;

''(3) monitor and oversee, to the greatest extent practicable, the processes and procedures by which agencies determine and validate requirements for a FedRAMP authorization, including periodic review of the agency determinations described in section 3613(b);

''(4) ensure consistency and transparency between agencies and cloud service providers in a manner that minimizes confusion and engenders trust; and

''(5) perform such other roles and responsibilities as the Director may assign, with concurrence from the Administrator.

''(e) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING PRODUCTS AND SERVICES.—The FedRAMP Board may consult with the Chief Information Officers Council to establish a process, which may be made available on the website maintained under section 3609(b), for prioritizing and accepting the cloud computing products and services to be granted a FedRAMP authorization.

''§ 3611. Independent assessment

''The Administrator may determine whether FedRAMP may use an independent assessment service to analyze, validate, and attest to the quality and compliance of security assessment materials provided by cloud service providers during the course of a determination of whether to use a cloud computing product or service.

''§ 3612. Declaration of foreign interests

''(a) IN GENERAL.—An independent assessment service that performs services described in section 3611 shall annually submit to the Administrator information relating to any foreign interest, foreign influence, or foreign control of the independent assessment service.

''(b) UPDATES.—Not later than 48 hours after there is a change in foreign ownership or control of an independent assessment service that performs services described in section 3611, the independent assessment service shall submit to the Administrator an update to the information submitted under subsection (a).

''(c) CERTIFICATION.—The Administrator may require a representative of an independent assessment service to certify the accuracy and completeness of any information submitted under this section.

''§ 3613. Roles and responsibilities of agencies

''(a) IN GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3614—

''(1) promote the use of cloud computing products and services that meet FedRAMP security requirements and other risk-based performance requirements as determined by the Director, in consultation with the Secretary;

''(2) confirm whether there is a FedRAMP authorization in the secure mechanism provided under section 3609(a)(8) before beginning the process of granting a FedRAMP authorization for a cloud computing product or service;

''(3) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received a FedRAMP authorization, use the existing assessments of security controls and materials within any FedRAMP authorization package for that cloud computing product or service; and

''(4) provide to the Director data and information required by the Director pursuant to section 3614 to determine how agencies are meeting metrics established by the Administrator.

''(b) ATTESTATION.—Upon completing an assessment or authorization activity with respect to a particular cloud computing product or service, if an agency determines that the information and data the agency has reviewed under paragraph (2) or (3) of subsection (a) is wholly or substantially deficient for the purposes of performing an authorization of the cloud computing product or service, the head of the agency shall document as part of the resulting FedRAMP authorization package the reasons for this determination.

''(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE REQUIRED.—Upon issuance of an agency authorization to operate based on a FedRAMP authorization, the head of the agency shall provide a copy of its authorization to operate letter and any supplementary

information required pursuant to section 3609(a) to the Administrator.

''(d) SUBMISSION OF POLICIES REQUIRED.—Not later than 180 days after the date on which the Director issues guidance in accordance with section 3614(1), the head of each agency, acting through the chief information officer of the agency, shall submit to the Director all agency policies relating to the authorization of cloud computing products and services.

''(e) PRESUMPTION OF ADEQUACY.—

''(1) IN GENERAL.—The assessment of security controls and materials within the authorization package for a FedRAMP authorization shall be presumed adequate for use in an agency authorization to operate cloud computing products and services.

''(2) INFORMATION SECURITY REQUIREMENTS.—The presumption under paragraph (1) does not modify or alter—

''(A) the responsibility of any agency to ensure compliance with subchapter II of chapter 35 for any cloud computing product or service used by the agency; or

''(B) the authority of the head of any agency to make a determination that there is a demonstrable need for additional security requirements beyond the security requirements included in a FedRAMP authorization for a particular control implementation.

''§ 3614. Roles and responsibilities of the Office of Management and Budget

''The Director shall—

''(1) in consultation with the Administrator and the Secretary, issue guidance that—

''(A) specifies the categories or characteristics of cloud computing products and services that are within the scope of FedRAMP;

''(B) includes requirements for agencies to obtain a FedRAMP authorization when operating a cloud computing product or service described in subparagraph (A) as a Federal information system; and

''(C) encompasses, to the greatest extent practicable, all necessary and appropriate cloud computing products and services;

''(2) issue guidance describing additional responsibilities of FedRAMP and the FedRAMP Board to accelerate the adoption of secure cloud computing products and services by the Federal Government;

''(3) in consultation with the Administrator, establish a process to periodically review FedRAMP authorization packages to support the secure authorization and reuse of secure cloud products and services;

''(4) oversee the effectiveness of FedRAMP and the FedRAMP Board, including the compliance by the FedRAMP Board with the duties described in section 3610(d); and

''(5) to the greatest extent practicable, encourage and promote consistency of the assessment, authorization, adoption, and use of secure cloud computing products and services within and across agencies.

''§ 3615. Reports to Congress; GAO report

''(a) REPORTS TO CONGRESS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Director shall submit to the appropriate congressional committees a report that includes the following:

''(1) During the preceding year, the status, efficiency, and effectiveness of the General Services Administration under section 3609 and agencies under section 3613 and in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for secure cloud computing products and services.

''(2) Progress towards meeting the metrics required under section 3609(d).

''(3) Data on FedRAMP authorizations.

''(4) The average length of time to issue FedRAMP authorizations.

''(5) The number of FedRAMP authorizations submitted, issued, and denied for the preceding year.

''(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting under this section.

''(7) The number and characteristics of authorized cloud computing products and services in use at each agency consistent with guidance provided by the Director under section 3614.

''(8) A review of FedRAMP measures to ensure the security of data stored or processed by cloud service providers, which may include—

''(A) geolocation restrictions for provided products or services;

''(B) disclosures of foreign elements of supply chains of acquired products or services;

''(C) continued disclosures of ownership of cloud service providers by foreign entities; and

''(D) encryption for data processed, stored, or transmitted by cloud service providers.

''(b) GAO REPORT.—Not later than 180 days after the date of enactment of this section, the Comptroller General of the United States shall report to the appropriate congressional committees an assessment of the following:

''(1) The costs incurred by agencies and cloud service providers relating to the issuance of FedRAMP authorizations.

''(2) The extent to which agencies have processes in place to continuously monitor the implementation of cloud computing products and services operating as Federal information systems.

''(3) How often and for which categories of products and services agencies use FedRAMP authorizations.

''(4) The unique costs and potential burdens incurred by cloud computing companies that are small business concerns (as defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)) as a part of the FedRAMP authorization process.

''§ 3616. Federal Secure Cloud Advisory Committee

''(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

''(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the 'Committee') to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities.

''(2) PURPOSES.—The purposes of the Committee are the following:

''(A) To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:

''(i) Measures to increase agency reuse of FedRAMP authorizations.

''(ii) Proposed actions that can be adopted to reduce the burden, confusion, and cost associated with FedRAMP authorizations for cloud service providers.

''(iii) Measures to increase the number of FedRAMP authorizations for cloud computing products and services offered by small businesses concerns (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

''(iv) Proposed actions that can be adopted to reduce the burden and cost of FedRAMP authorizations for agencies.

''(B) Collect information and feedback on agency compliance with and implementation of FedRAMP requirements.

''(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

''(3) DUTIES.—The duties of the Committee include providing advice and recommendations to the Administrator, the FedRAMP Board, and agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing products and services.

''(b) MEMBERS.—

''(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Director, as follows:

''(A) The Administrator or the Administrator's designee, who shall be the Chair of the Committee.

''(B) At least 1 representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

''(C) At least 2 officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

''(D) At least 1 official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

''(E) At least 1 individual representing an independent assessment service.

''(F) At least 5 representatives from unique businesses that primarily provide cloud computing services or products, including at least 2 representatives from a small business concern (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

''(G) At least 2 other representatives of the Federal Government as the Administrator determines necessary to provide sufficient balance, insights, or expertise to the Committee.

''(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 90 days after the date of enactment of this section.

''(3) PERIOD OF APPOINTMENT; VACANCIES.—

''(A) IN GENERAL.—Each non-Federal member of the Committee shall be appointed for a term of 3 years, except that the initial terms for members may be staggered 1-, 2-, or 3-year terms to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

''(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(c) MEETINGS AND RULES OF PROCEDURES.—

''(1) MEETINGS.—The Committee shall hold not fewer than 3 meetings in a calendar year, at such time and place as determined by the Chair.

''(2) INITIAL MEETING.—Not later than 120 days after the date of enactment of this section, the Committee shall meet and begin the operations of the Committee.

''(3) RULES OF PROCEDURE.—The Committee may establish rules for the conduct of the business of the Committee if such rules are not inconsistent with this section or other applicable law.

''(d) EMPLOYEE STATUS.—

''(1) IN GENERAL.—A member of the Committee (other than a member who is appointed to the Committee in connection with

another Federal appointment) shall not be considered an employee of the Federal Government by reason of any service as such a member, except for the purposes of section 5703 of title 5, relating to travel expenses.

''(2) PAY NOT PERMITTED.—A member of the Committee covered by paragraph (1) may not receive pay by reason of service on the Committee.

''(e) APPLICABILITY TO THE FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

''(f) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from the Committee, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

''(g) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as agencies.

''(h) REPORTS.—

''(1) INTERIM REPORTS.—The Committee may submit to the Administrator and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

''(2) ANNUAL REPORTS.—Not later than 540 days after the date of enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by adding at the end the following new items:

''3607. Definitions.
''3608. Federal Risk and Authorization Management Program.
''3609. Roles and responsibilities of the General Services Administration.
''3610. FedRAMP Board.
''3611. Independent assessment.
''3612. Declaration of foreign interests.
''3613. Roles and responsibilities of agencies.
''3614. Roles and responsibilities of the Office of Management and Budget.
''3615. Reports to Congress; GAO report.
''3616. Federal Secure Cloud Advisory Committee.''.

(d) SUNSET.—

(1) IN GENERAL.—Effective on the date that is 5 years after the date of enactment of this Act, chapter 36 of title 44, United States Code, is amended by striking sections 3607 through 3616.

(2) CONFORMING AMENDMENT.—Effective on the date that is 5 years after the date of enactment of this Act, the table of sections for chapter 36 of title 44, United States Code, is amended by striking the items relating to sections 3607 through 3616.

(e) RULE OF CONSTRUCTION.—Nothing in this section or any amendment made by this section shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

AMENDMENT NO. 494 OFFERED BY MR. CONNOLLY OF VIRGINIA

Insert in the appropriate place in division E the following:

SEC. ___. AMENDMENT.

Section 1115 of title 31, United States Code, is amended—

(1) by amending subsection (b)(5) to read as follows:

''(5) provide a description of how the performance goals are to be achieved, including—

''(A) the human capital, training, data and evidence, information technology, and skill sets required to meet the performance goals;

''(B) the technology modernization investments, system upgrades, staff technology skills and expertise, stakeholder input and feedback, and other resources and strategies needed and required to meet the performance goals;

''(C) clearly defined milestones;

''(D) an identification of the organizations, program activities, regulations, policies, operational processes, and other activities that contribute to each performance goal, both within and external to the agency;

''(E) a description of how the agency is working with other agencies and the organizations identified in subparagraph (D) to measure and achieve its performance goals as well as relevant Federal Government performance goals; and

''(F) an identification of the agency officials responsible for the achievement of each performance goal, who shall be known as goal leaders;''; and

(2) by amending subsection (g) to read as follows:

''(g) PREPARATION OF PERFORMANCE PLAN.—The Performance Improvement Officer of each agency (or the functional equivalent) shall collaborate with the Chief Human Capital Officer (or the functional equivalent), the Chief Information Officer (or the functional equivalent), the Chief Data Officer (or the functional equivalent), and the Chief Financial Officer (or the functional equivalent) of that agency to prepare that portion of the annual performance plan described under subsection (b)(5) for that agency.''.

AMENDMENT NO. 496 OFFERED BY MR. COSTA OF CALIFORNIA

Add at the end of title LVIII of division E the following:

SEC. ____. IMPROVING INVESTIGATION AND PROSECUTION OF CHILD ABUSE CASES.

The Victims of Child Abuse Act of 1990 (34 U.S.C. 20301 et seq.) is amended—

(1) in section 211 (34 U.S.C. 20301)—

(A) in paragraph (1)—

(i) by striking ''3,300,000'' and inserting ''3,400,000''; and

(ii) by striking '', and drug abuse is associated with a significant portion of these'';

(B) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively;

(C) by inserting afer paragraph (2) the following:

''(3) a key to a child victim healing from abuse is access to supportive and healthy families and communities;''; and

(D) in paragraph (9)(B), as so redesignated, by inserting '', and operations of centers'' before the period at the end;

(2) in section 212 (34 U.S.C. 20302)—

(A) in paragraph (5), by inserting ''coordinated team'' before ''response''; and

(B) in paragraph (8), by inserting ''organizational capacity'' before ''support'';

(3) in section 213 (34 U.S.C. 20303)—

(A) in subsection (a)—

(i) in the heading, by inserting ''AND MAINTENANCE'' after ''ESTABLISHMENT'';

(ii) in the matter preceding paragraph (1)—

(I) by striking '', in coordination with the Director of the Office of Victims of Crime,''; and

(II) by inserting ''and maintain'' after ''establish'';

(iii) in paragraph (3)—

(I) by striking ''and victim advocates'' and inserting ''victim advocates, multidisciplinary team leadership, and children's advocacy center staff''; and

(II) by striking ''and'' at the end;

(iv) by redesignating paragraph (4) as paragraph (5);

(v) by inserting after paragraph (3) the following:

''(4) provide technical assistance, training, coordination, and organizational capacity support for State chapters; and''; and

(vi) in paragraph (5), as so redesignated, by striking ''and oversight to'' and inserting ''organizational capacity support, and oversight of'';

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by inserting ''and maintain'' after ''establish''; and

(II) in the matter following subparagraph (B), by striking ''and technical assistance to aid communities in establishing'' and inserting ''training and technical assistance to aid communities in establishing and maintaining''; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) in clause (ii), by inserting ''Center'' after ''Advocacy''; and

(bb) in clause (iii), by striking ''of, assessment of, and intervention in'' and inserting ''and intervention in child''; and

(II) in subparagraph (B), by striking ''centers and interested communities'' and inserting ''centers, interested communities, and chapters''; and

(C) in subsection (c)—

(i) in paragraph (2)—

(I) in subparagraph (B), by striking ''evaluation, intervention, evidence gathering, and counseling'' and inserting ''investigation and intervention in child abuse''; and

(II) in subparagraph (E), by striking ''judicial handling of child abuse and neglect'' and inserting ''multidisciplinary response to child abuse'';

(ii) in paragraph (3)(A)(i), by striking ''so that communities can establish multidisciplinary programs that respond to child abuse'' and inserting ''and chapters so that communities can establish and maintain multidisciplinary programs that respond to child abuse and chapters can establish and maintain children's advocacy centers in their State'';

(iii) in paragraph (4)(B)—

(I) in clause (iii), by striking ''and'' at the end;

(II) in by redesignating clause (iv) as clause (v); and

(III) by inserting after clause (iii) the following:

''(iv) best result in supporting chapters in each State; and''; and

(iv) in paragraph (6), by inserting ''under this Act'' after ''recipients'';

(4) in section 214 (34 U.S.C. 20304)—

(A) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Administrator shall make grants to—

''(1) establish and maintain a network of care for child abuse victims where investigation, prosecutions, and interventions are continually occurring and coordinating activities within local children's advocacy centers and multidisciplinary teams;

''(2) develop, enhance, and coordinate multidisciplinary child abuse investigations, intervention, and prosecution activities;

''(3) promote the effective delivery of the evidence-based, trauma-informed Children's Advocacy Center Model and the multidisciplinary response to child abuse; and

''(4) develop and disseminate practice standards for care and best practices in programmatic evaluation, and support State chapter organizational capacity and local children's advocacy center organizational capacity and operations in order to meet such practice standards and best practices.'';

(B) in subsection (b), by striking '', in coordination with the Director of the Office of Victims of Crime,'';

(C) in subsection (c)(2)—

(i) in subparagraph (C), by inserting ''to the greatest extent practicable, but in no case later than 72 hours,'' after ''hours''; and

(ii) by striking subparagraphs (D) through (I) and inserting the following:

''(D) Forensic interviews of child victims by trained personnel that are used by law enforcement, health, and child protective service agencies to interview suspected abuse victims about allegations of abuse.

''(E) Provision of needed follow up services such as medical care, mental healthcare, and victims advocacy services.

''(F) A requirement that, to the extent practicable, all interviews and meetings with a child victim occur at the children's advocacy center or an agency with which there is a linkage agreement regarding the delivery of multidisciplinary child abuse investigation, prosecution, and intervention services.

''(G) Coordination of each step of the investigation process to eliminate duplicative forensic interviews with a child victim.

''(H) Designation of a director for the children's advocacy center.

''(I) Designation of a multidisciplinary team coordinator.

''(J) Assignment of a volunteer or staff advocate to each child in order to assist the child and, when appropriate, the child's family, throughout each step of intervention and judicial proceedings.

''(K) Coordination with State chapters to assist and provide oversight, and organizational capacity that supports local children's advocacy centers, multidisciplinary teams, and communities working to implement a multidisciplinary response to child abuse in the provision of evidence-informed initiatives, including mental health counseling, forensic interviewing, multidisciplinary team coordination, and victim advocacy.

''(L) Such other criteria as the Administrator shall establish by regulation.''; and

(D) by striking subsection (f) and inserting the following:

''(f) GRANTS TO STATE CHAPTERS FOR ASSISTANCE TO LOCAL CHILDREN'S ADVOCACY CENTERS.—In awarding grants under this section, the Administrator shall ensure that a portion of the grants is distributed to State chapters to enable State chapters to provide oversight, training, and technical assistance to local centers on evidence-informed initiatives including mental health, counseling, forensic interviewing, multidisciplinary team coordination, and victim advocacy.'';

(5) in section 214A (34 U.S.C. 20305)—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''attorneys and other allied'' and inserting ''prosecutors and other attorneys and allied''; and

(ii) in paragraph (2)(B), by inserting ''Center'' after ''Advocacy''; and

(B) in subsection (b)(1), by striking subparagraph (A) and inserting the following:

''(A) a significant connection to prosecutors who handle child abuse cases in State courts, such as a membership organization or support service providers; and''; and

(6) by striking section 214B (34 U.S.C. 20306) and inserting the following:

''SEC. 214B. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out sections 213, 214, and 214A, $40,000,000 for each of fiscal years 2023 through 2029.''.

AMENDMENT NO. 497 OFFERED BY MR. CRENSHAW OF TEXAS

Add at the end of subtitle A of title XIII the following:

SEC. 13___. SENSE OF CONGRESS REGARDING THE STATUS OF CHINA.

It is the sense of Congress that—

(1) the People's Republic of China is a fully industrialized nation and no longer a developing nation; and

(2) any international agreement that provides or accords China a favorable status or treatment as a ''developing nation'' should be updated to reflect the status of China.

AMENDMENT NO. 498 OFFERED BY MR. CRENSHAW OF TEXAS

Add at the end of subtitle A of title XIII the following:

SEC. 13___. REPORT ON PROVIDING ACCESS TO UNCENSORED MEDIA IN CHINA.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall provide to Congress a classified report on what is needed to provide access to free and uncensored media in the Chinese market.

AMENDMENT NO. 499 OFFERED BY MS. DEAN OF PENNSYLVANIA

Add at the end of title LIV of division E the following:

SEC. 54___. COMBATING TRADE-BASED MONEY LAUNDERING.

(a) FINDINGS.—Congress finds the following:

(1) Trade-based money laundering is among the most widely used and least understood forms of money laundering, disguising proceeds of crime by moving value through international trade transactions in an attempt to legitimize illicit origins of money or products.

(2) The transnational nature and complexity of trade-based money laundering make detection and investigation exceedingly difficult.

(3) Drug trafficking organizations, terrorist organizations, and other transnational criminal organizations have succeeded at trade-based money laundering despite the best efforts of United States law enforcement.

(4) Trade-based money laundering includes other offenses such as tax evasion, disruption of markets, profit loss for businesses, and corruption of government officials, and constitutes a persistent threat to the economy and security of the United States.

(5) Trade-based money laundering can result in the decreased collection of customs duties as a result of the undervaluation of imports and fraudulent cargo manifests.

(6) Trade-based money laundering can decrease tax revenue collected as a result of the sale of underpriced goods in the marketplace.

(7) Trade-based money laundering is one mechanism by which counterfeiters infiltrate supply chains, threatening the quality and safety of consumer, industrial, and military products.

(8) Drug trafficking organizations collaborate with Chinese criminal networks to launder profits from drug trafficking through Chinese messaging applications.

(9) On March 16, 2021, the Commander of the United States Southern Command, Admiral Faller, testified to the Committee on Armed Services of the Senate that transnational criminal organizations ''market in drugs and people and guns and illegal mining, and one of the prime sources that underwrites their efforts is Chinese money-laundering''.

(10) The deaths and violence associated with drug traffickers, the financing of terrorist organizations and other violent nonstate actors, and the adulteration of supply chains with counterfeit goods showcase the danger trade-based money laundering poses to the United States.

(11) Trade-based money laundering undermines national security and the rule of law in countries where it takes place.

(12) Illicit profits for transnational criminal organizations and other criminal organizations can lead to instability globally.

(13) The United States is facing a drug use and overdose epidemic, as well as an increase in consumption of synthetic drugs, such as methamphetamine and fentanyl, which is often enabled by Chinese money laundering organizations operating in coordination with drug-trafficking organizations and transnational criminal organizations in the Western Hemisphere that use trade-based money laundering to disguise the proceeds of drug trafficking.

(14) The presence of drug traffickers in the United States and their intrinsic connection to international threat networks, as well as the use of licit trade to further their motives, is a national security concern.

(15) Drug-trafficking organizations frequently use the trade-based money laundering scheme known as the ''Black Market Peso Exchange'' to move their ill-gotten gains out of the United States and into Central and South America.

(16) United States ports and U.S. Customs and Border Protection do not have the capacity to properly examine the 60,000,000 shipping containers that pass through United States ports annually, with only 2 to 5 percent of that cargo actively inspected.

(17) Trade-based money laundering can only be combated effectively if the intelligence community, law enforcement agencies, the Department of State, the Department of Defense, the Department of the Treasury, the Department of Homeland Security, the Department of Justice, and the private sector work together.

(18) Drug-trafficking organizations, terrorist organizations, and other transnational criminal organizations disguise the proceeds of their illegal activities behind sophisticated mechanisms that operate seamlessly between licit and illicit trade and financial transactions, making it almost impossible to address without international cooperation.

(19) The United States has established Trade Transparency Units with 18 partner countries, including with major drug-producing and transit countries, to facilitate the increased exchange of import-export data to combat trade-based money laundering.

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

(1) the activities of transnational criminal organizations and their networks, and the means by which such organizations and networks move and launder their ill-gotten gains, such as through the use of illicit economies, illicit trade, and trade-based money laundering, pose a threat to the national interests and national security of the United States and allies and partners of the United States around the world;

(2) in addition to considering the countering of illicit economies, illicit trade, and trade-based money laundering as a national priority and committing to detect, address, and prevent such activities, the President should—

(A) continue to assess, in the periodic national risk assessments on money laundering, terrorist financing, and proliferation financing conducted by the Department of the Treasury, the ongoing risks of trade-based money laundering;

(B) finalize the assessment described in the Explanatory Statement accompanying the Financial Services and General Government Appropriations Act, 2020 (division C of the Consolidated Appropriations Act, 2020 (Public Law 116–93)), which directs the Financial

Crimes Enforcement Network of the Department of the Treasury to thoroughly assess the risk that trade-based money laundering and other forms of illicit finance pose to national security;

(C) work expeditiously to develop, finalize, and execute a strategy, as described in section 6506 of the Anti-Money Laundering Act of 2020 (title LXV of division F of Public Law 116–283; 134 Stat. 4631), drawing on the multiple instruments of United States national power available, to counter—

(i) the activities of transnational criminal organizations, including illicit trade and trade-based money laundering; and

(ii) the illicit economies such organizations operate in;

(D) coordinate with international partners to implement that strategy, exhorting those partners to strengthen their approaches to combating transnational criminal organizations; and

(E) review that strategy on a biennial basis and improve it as needed in order to most effectively address illicit economies, illicit trade, and trade-based money laundering by exploring the use of emerging technologies and other new avenues for interrupting and putting an end to those activities; and

(3) the Trade Transparency Unit program of the Department of Homeland Security should take steps to strengthen its work, including in countries that the Department of State has identified as major money laundering jurisdictions under section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h).

AMENDMENT NO. 500 OFFERED BY MR. DEFAZIO OF OREGON

At the appropriate place in title LIII, insert the following:

SEC. _____. EXTENSION.

Section 1246 of the Disaster Recovery Reform Act of 2018 is amended—

(1) by striking ''3 years'' and inserting ''4 ½ years''; and

(2) by inserting ''and every 3 months thereafter,'' before ''the Administrator shall submit''.

AMENDMENT NO. 501 OFFERED BY MRS. DEMINGS OF FLORIDA

Add at the end of title XI the following:

SEC. 11___. PURCHASE OF RETIRED HANDGUNS BY FEDERAL LAW ENFORCEMENT OFFICERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of General Services shall establish a program under which a Federal law enforcement officer may purchase a retired handgun from the Federal agency that issued the handgun to such officer.

(b) LIMITATIONS.—A Federal law enforcement officer may purchase a retired handgun under subsection (a) if—

(1) the purchase is made during the 6-month period beginning on the date the handgun was so retired;

(2) with respect to such purchase, the officer has passed a background check within 30 days of purchase under the national instant criminal background check system established under the Brady Handgun Violence Prevention Act; and

(3) with respect to such purchase, the officer is in good standing with the Federal agency that employs such officer.

(c) COST.—A handgun purchased under this section shall be sold at the fair market value for such handgun taking into account the age and condition of the handgun.

(d) SENSE OF CONGRESS ON USE OF FUNDS.—It is the sense of Congress that any amounts received by the Government from the sale of a handgun under this section should be transferred and used to fund evidence-based gun violence prevention or gun safety education and training programs.

(e) DEFINITIONS.—In this section—

(1) the term ''Federal law enforcement officer'' has the meaning given that term in section 115(c)(1) of title 18, United States Code;

(2) the term ''handgun'' has the meaning given that term in section 921(a) of title 18, United States Code; and

(3) the term ''retired handgun'' means any handgun that has been declared surplus by the applicable agency.

AMENDMENT NO. 502 OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of title LIV, add the following:

SEC. 54___. DISCLOSURE OF DISABILITY, VETERAN, AND MILITARY STATUS.

Section 304(b)(4) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803(b)(4)) is amended by striking ''age,'' and inserting ''age, veteran and military status, disability status,''.

AMENDMENT NO. 503 OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of title LI, add the following:

SEC. 51___. SECRETARY OF VETERANS AFFAIRS STUDY ON VA HOME LOAN BENEFIT.

(a) STUDY.—The Secretary of Veterans Affairs shall conduct a study to identify the means by which the Secretary informs lenders and veterans about the availability of a loan guaranteed by the Department of Veterans Affairs under chapter 37 of title 38, United States Code, for any purpose described in section 3710(a) of such title.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Veterans Affairs 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 the results of the study conducted under subsection (a), and shall publish such report on the website of the Department of Veterans Affairs.

AMENDMENT NO. 504 OFFERED BY MRS. DINGELL OF MICHIGAN

At the appropriate place in title LVIII, insert the following:

SEC. ___. REPORT ON HUMANITARIAN SITUATION AND FOOD SECURITY IN LEBANON.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the President, acting through the Secretary of State and the Secretary of Defense and in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report that contains an evaluation of the humanitarian situation in Lebanon, as well as the impact of the deficit of wheat imports due to Russia's further invasion of Ukraine, initiated on February 24, 2022.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) The projected increase in malnutrition in Lebanon.

(2) The estimated increase in the number of food insecure individuals in Lebanon.

(3) The estimated number of individuals who will be faced with acute malnutrition due to food price inflation in Lebanon.

(4) Actions the United States Government is taking to address the aforementioned impacts.

(5) Any cooperation between the United States Government with allies and partners to address the aforementioned impacts.

(6) The potential impact of food insecurity on Department of Defense goals and objectives in Lebanon.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' 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.

AMENDMENT NO. 505 OFFERED BY MRS. DINGELL OF MICHIGAN

At the end of title LI of division E, insert the following new section:

SEC. 51___. GAO STUDY ON POST-MARKET SURVEILLANCE OF MEDICAL DEVICES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the efforts of the Under Secretary of Veterans Affairs for Health relating to post-market surveillance of implantable medical devices.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the findings of the study under subsection (a). Such report shall include the following:

(1) A description of the process used by the Veterans Health Administration for documenting implantable medical devices issued to patients.

(2) An evaluation of the capability of the Veterans Health Administration to identify, in a timely manner, adverse events and safety issues relating to implantable medical devices.

(3) An evaluation of the process for, and potential barriers to, the Under Secretary of Veterans Affairs for Health notifying patients of an implantable medical device recall.

(4) An evaluation of the accessibility of the adverse event reporting systems of the Veterans Health Administration for patients with disabilities.

(5) Recommendations to address gaps in such adverse event reporting systems, to better identify adverse events and safety issues from implantable medical devices.

AMENDMENT NO. 506 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of title LVIII of division E, insert the following:

SEC. 5806. DESIGNATION OF EL PASO COMMUNITY HEALING GARDEN NATIONAL MEMORIAL.

(a) DESIGNATION.—The Healing Garden located at 6900 Delta Drive, El Paso, Texas, is designated as the ''El Paso Community Healing Garden National Memorial''.

(b) EFFECT OF DESIGNATION.—The national memorial designated by this section is not a unit of the National Park System and the designation of the El Paso Community Healing Garden National Memorial shall not require or authorize Federal funds to be expended for any purpose related to that national memorial.

AMENDMENT NO. 507 OFFERED BY MS. ESCOBAR OF TEXAS

Add at the end of title LVIII of division E the following:

SEC. 58___. ADMINISTRATOR OF GENERAL SERVICES STUDY ON COUNTERFEIT ITEMS ON E-COMMERCE PLATFORMS OF THE GENERAL SERVICES ADMINISTRATION.

The Administrator of General Services shall—

(1) conduct a study that tracks the number of counterfeit items on e-commerce platforms of the General Services Administration annually to ensure that the products being advertised are from legitimate vendors; and

(2) submit an annual report on the findings of such study to the Committees on Armed Services, Oversight and Reform, Small Business, and Homeland Security of the House of Representatives.

AMENDMENT NO. 508 OFFERED BY MR. ESPAILLAT OF NEW YORK

Page 1348, insert after line 23 the following (and conform the table of contents accordingly):

SEC. 5806. REPORT ON REMOVAL OF SERVICE MEMBERS.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act and monthly thereafter, the Secretary of Homeland Security, in coordination with the Secretary of Veteran Affairs, the Secretary of Defense, and the Secretary of State shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, the Committees on Veteran Affairs of the House of Representatives and the Senate, and the Committees on Appropriations of the House of Representatives and the Senate a report detailing how many noncitizen service members, veterans and immediate family members of service members were removed during the period beginning on January 1, 2010, and ending on the date of the report.

(b) ELEMENTS.—The report required by subsection (a) shall include the following for each person removed:

(1) the individual's name;

(2) the individual's address;

(3) the individual's contact information;

(4) any known U.S. citizen family members in the U.S.;

(5) where the individual was removed to; and

(6) the reason for removal.

(c) GAO REPORT.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall update GAO report number-19-416 to identify progress made and further actions needed to better handle, identify, and track cases involving veterans.

(d) CONFIDENTIALITY.—The report under subsection (a) may not be published and shall be exempt from disclosure under section 552(b)(3)(B) of title 5, United States Code.

AMENDMENT NO. 509 OFFERED BY MR. ESPAILLAT OF NEW YORK

At the end of title LI, insert the following:

SEC. 51___. COMPETITIVE PAY FOR HEALTH CARE PROVIDERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7451(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) The director of each medical center of the Department of Veterans Affairs shall submit to the Secretary of Veterans Affairs an annual locality pay survey and rates of basic pay for covered positions at such medical center to ensure that pay rates remain competitive in the local labor market.

''(B) Not less than once per fiscal year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on rates of basic pay for covered positions at medical centers of the Department.''.

AMENDMENT NO. 510 OFFERED BY MR. FITZGERALD OF WISCONSIN

Add at the end of subtitle E of title VIII the following new section:

SEC. 8___. ACCESS TO CONTRACT BUNDLING DATA.

Section 15(p) of the Small Business Act (15 U.S.C. 644(p)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) DEFINITIONS.—In this subsection:

''(A) BUNDLED CONTRACT.—The term 'bundled contract' has the meaning given such term in section 3(o) of the Small Business Act (15 U.S.C. 632(o)).

''(B) CONSOLIDATED CONTRACT.—The term 'consolidated contract' means a contract resulting from the consolidation of contracting requirements (as defined in section 44(a) of the Small Business Act (15 U.S.C. 657q(a))).'';

(2) in paragraph (4)—

(A) in the heading, by inserting ''AND CONSOLIDATION'' after ''BUNDLING'';

(B) in subparagraph (A), by inserting ''and consolidation'' after ''contract bundling''; and

(C) in subparagraph (B)—

(i) in clause (i), by inserting ''or consolidated'' after ''of bundled''; and

(ii) in clause (ii)—

(I) in the matter preceding subclause (I), by inserting ''or consolidated'' after ''previously bundled'';

(II) in subclause (I), by inserting ''or consolidated'' after ''were bundled''; and

(III) in subclause (II)—

(aa) by inserting ''or consolidated'' after ''to each bundled'';

(bb) in item (aa), by inserting ''or consolidation'' after ''the bundling'';

(cc) in item (bb), by inserting ''or consolidating'' after ''by bundling'';

(dd) in item (cc), by inserting ''or consolidated'' after ''the bundled'';

(ee) in item (dd), by inserting ''or consolidating'' after ''the bundling''; and

(ff) in item (ee)—

(AA) by inserting ''or consolidating'' after ''the bundling''; and

(BB) by inserting ''bundled or'' after ''as prime contractors for the''; and

(3) in paragraph (5)(B), by striking ''provide, upon request'' and all that follows and inserting the following: ''provide to the Administration procurement information referred to in this subsection for the contracting agency, including the data and information described in paragraph (2) and the information described in paragraph (4).''.

AMENDMENT NO. 511 OFFERED BY MR. FOSTER OF ILLINOIS

Add at the end of title LIV of division E the following:

SEC. 5403. STRENGTHENING CYBERSECURITY FOR THE FINANCIAL SECTOR.

(a) REGULATION AND EXAMINATION OF CREDIT UNION ORGANIZATIONS AND SERVICE PROVIDERS.—Section 206A of the Federal Credit Union Act (12 U.S.C. 1786a) is amended—

(1) in subsection (a)(1), by striking ''that'' and inserting ''an'';

(2) in subsection (c)(2), by inserting after ''shall notify the Board'' the following: '', in a manner and method prescribed by the Board,''; and

(3) by striking subsection (f) and inserting the following:

''(f) EXERCISE OF AUTHORITY.—To minimize duplicative efforts, prior to conducting any examination of a credit union organization under the authority provided to the Board under this section, the Board shall first seek to collect any information which the Board intends to acquire through such examination from—

''(1) any Federal regulatory agencies that supervise any activity of that credit union organization; and

''(2) any Federal banking agency that supervises any other person who maintains an ownership interest in that credit union organization.''.

(b) GAO STUDY ON FHFA'S REGULATION OF SERVICE PROVIDERS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study on the Federal Housing Finance Agency's authority and regulation of service providers to its regulated entities, including the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Home Loan Banks.

(2) REPORT.—Not later than the end of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to Congress containing—

(A) all findings and determinations made in carrying out the study required under paragraph (1);

(B) an analysis of the Federal Housing Finance Agency's existing authority, how service providers to the Federal Housing Finance Agency's regulated entities are currently regulated, and risks to the regulated entities associated with third-party service providers; and

(C) recommendations for legislative and administrative action.

AMENDMENT NO. 512 OFFERED BY MS. FOXX OF NORTH CAROLINA

At the end of title LVI of division E insert the following:

SEC. ___. INSPECTOR GENERAL FOR THE OFFICE OF MANAGEMENT AND BUDGET.

(a) ESTABLISHMENT OF OFFICE.—Section 12 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph, (1) by inserting ''the Director of the Office of Management and Budget,'' after ''means'' ; and

(2) in paragraph (2), by inserting ''the Office of Management and Budget,'' after ''means''.

(b) SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE OFFICE OF MANAGEMENT AND BUDGET.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding after section 8N the following new section:

''SEC. 8O. SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE OFFICE OF MANAGEMENT AND BUDGET.

''The Inspector General of the Office of Management and Budget shall only have jurisdiction over those matters that have been specifically assigned to the Office under law.''.

(c) APPOINTMENT.—Not later than 120 days after the date of the enactment of this Act, the President shall appoint an individual to serve as the Inspector General of the Office of Management and Budget in accordance with section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.).

AMENDMENT NO. 513 OFFERED BY MS. LOIS FRANKEL OF FLORIDA

Add at the end of title LVIII the following new section:

SEC. 58___. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN CONTRACTORS OR GRANTEES THAT REQUIRE NONDISPARAGEMENT OR NONDISCLOSURE CLAUSE RELATED TO SEXUAL HARASSMENT AND SEXUAL ASSAULT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense or any other Federal agency may be obligated or expended for any Federal contract or grant in excess of $1,000,000, awarded after the date of enactment of this Act, unless the contractor or grantee agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires the employee or contractor to agree to a nondisparagement or nondisclosure clause related to sexual harassment and sexual assault, as defined under any applicable Federal, State, or Tribal law—

(A) as a condition of employment, promotion, compensation, benefits, or change in employment status or contractual relationship; or

(B) as a term, condition, or privilege of employment; or

(2) take any action to enforce any predispute nondisclosure or nondisparagement provision of an existing agreement with an employee or independent contractor that covers sexual harassment and sexual assault, as defined under any applicable Federal, State, or Tribal law.

AMENDMENT NO. 514 OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of title LV of division E, insert the following:

SEC. 5505. BERRYESSA SNOW MOUNTAIN NATIONAL MONUMENT EXPANSION.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Board on Geographic Names established by section 2 of the Act of July 25, 1947 (61 Stat. 456, chapter 330; 43 U.S.C. 364a).

(2) MAP.—The term ''Map'' means the map entitled ''Proposed Walker Ridge (Molok Luyuk) Addition Berryessa Snow Mountain National Monument'' and dated October 26, 2021.

(3) MOLOK LUYUK.—The term ''Molok Luyuk'' means Condor Ridge (in the Patwin language).

(4) NATIONAL MONUMENT.—The term ''National Monument'' means the Berryessa Snow Mountain National Monument established by Presidential Proclamation 9298, dated July 10, 2015 (80 Fed. Reg. 41975), including all land, interests in the land, and objects on the land identified in that Presidential Proclamation.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) WALKER RIDGE (MOLOK LUYUK) ADDITION.—The term ''Walker Ridge (Molok Luyuk) Addition'' means the approximately 3,925 acres of Federal land (including any interests in, or objects on, the land) administered by the Bureau of Land Management in Lake County, California, and identified as ''Proposed Walker Ridge (Molok Luyuk) Addition'' on the Map.

(b) NATIONAL MONUMENT EXPANSION.—

(1) BOUNDARY MODIFICATION.—The boundary of the National Monument is modified to include the Walker Ridge (Molok Luyuk) Addition.

(2) MAP.—

(A) CORRECTIONS.—The Secretary may make clerical and typographical corrections to the Map.

(B) PUBLIC AVAILABILITY; EFFECT.—The Map and any corrections to the Map under subparagraph (A) shall—

(i) be publicly available on the website of the Bureau of Land Management; and

(ii) have the same force and effect as if included in this section.

(3) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall administer the Walker Ridge (Molok Luyuk) Addition—

(A) as part of the National Monument;

(B) in accordance with Presidential Proclamation 9298, dated July 10, 2015 (80 Fed. Reg. 41975); and

(C) in accordance with applicable laws (including regulations).

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Secretary and the Secretary of Agriculture shall jointly develop a comprehensive management plan for the National Monument in accordance with, and in a manner that fulfills the purposes described in, Presidential Proclamation 9298, dated July 10, 2015 (80 Fed. Reg. 41975).

(2) TRIBAL CONSULTATION.—The Secretary and the Secretary of Agriculture shall consult with affected federally recognized Indian Tribes in—

(A) the development of the management plan under paragraph (1); and

(B) making management decisions relating to the National Monument.

(3) CONTINUED ENGAGEMENT WITH INDIAN TRIBES.—The management plan developed under paragraph (1) shall set forth parameters for continued meaningful engagement with affected federally recognized Indian Tribes in the implementation of the management plan.

(4) EFFECT.—Nothing in this section affects the conduct of fire mitigation or suppression activities at the National Monument, including through the use of existing agreements.

(d) AGREEMENTS AND PARTNERSHIPS.—To the maximum extent practicable and in accordance with applicable laws, on request of an affected federally recognized Indian Tribe, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) shall enter into agreements, contracts, and other cooperative and collaborative partnerships with the federally recognized Indian Tribe regarding management of the National Monument under relevant Federal authority, including—

(1) the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.);

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(3) the Tribal Self-Governance Act of 1994 (25 U.S.C. 5361 et seq.);

(4) the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.);

(5) the good neighbor authority under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a);

(6) Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian Tribal governments);

(7) Secretarial Order 3342, issued by the Secretary on October 21, 2016 (relating to identifying opportunities for cooperative and collaborative partnerships with federally recognized Indian Tribes in the management of Federal lands and resources); and

(8) Joint Secretarial Order 3403, issued by the Secretary and the Secretary of Agriculture on November 15, 2021 (relating to fulfilling the trust responsibility to Indian Tribes in the stewardship of Federal lands and waters).

(e) DESIGNATION OF CONDOR RIDGE (MOLOK LUYUK) IN LAKE AND COLUSA COUNTIES, CALIFORNIA.—

(1) IN GENERAL.—The parcel of Federal land administered by the Bureau of Land Management located in Lake and Colusa Counties in the State of California and commonly referred to as ''Walker Ridge'' shall be known and designated as ''Condor Ridge (Molok Luyuk)''.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the parcel of Federal land described in paragraph (1) shall be deemed to be a reference to ''Condor Ridge (Molok Luyuk)''.

(3) MAP AND LEGAL DESCRIPTION.—

(A) PREPARATION.—

(i) INITIAL MAP.—The Board shall prepare a map and legal description of the parcel of Federal land designated by subsection (a).

(ii) CORRECTIONS.—The Board and the Director of the Bureau of Land Management may make clerical and typographical corrections to the map and legal description prepared under clause (i).

(B) CONSULTATION.—In preparing the map and legal description under subparagraph (A)(i), the Board shall consult with—

(i) the Director of the Bureau of Land Management; and

(ii) affected federally recognized Indian Tribes.

(C) PUBLIC AVAILABILITY; EFFECT.—The map and legal description prepared under subparagraph (A)(i) and any correction to the map or legal description made under subparagraph (A)(ii) shall—

(i) be publicly available on the website of the Board, the Bureau of Land Management, or both; and

(ii) have the same force and effect as if included in this section.

AMENDMENT NO. 515 OFFERED BY MR. GARBARINO OF NEW YORK

Add at the end of subtitle F of title VIII the following new section:

SEC. 8_____. DUTIES OF SMALL BUSINESS DEVELOPMENT CENTER COUNSELORS.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) CYBER STRATEGY TRAINING FOR SMALL BUSINESS DEVELOPMENT CENTERS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'cyber strategy' means resources and tactics to assist in planning for cybersecurity and defending against cyber risks and cyber attacks; and

''(B) the term 'lead small business development center' means a small business development center that has received a grant from the Administration.

''(2) CERTIFICATION PROGRAM.—The Administrator shall establish a cyber counseling certification program, or approve a similar existing program, to certify the employees of lead small business development centers to provide cyber planning assistance to small business concerns.

''(3) NUMBER OF CERTIFIED EMPLOYEES.—The Administrator shall ensure that the number of employees of each lead small business development center who are certified in providing cyber planning assistance under this subsection is not fewer than the lesser of—

''(A) 5; or

''(B) 10 percent of the total number of employees of the lead small business development center.

''(4) CONSIDERATION OF SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.—In carrying out this subsection, the Administrator, to the extent practicable, shall consider any cyber strategy methods included in the Small Business Development Center Cyber Strategy developed under section 1841(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2662).

''(5) REIMBURSEMENT FOR CERTIFICATION.—

''(A) IN GENERAL.—Subject to the availability of appropriations and subparagraph (B), the Administrator shall reimburse a lead small business development center for costs relating to the certification of an employee of the lead small business development center under the program established under paragraph (2).

''(B) LIMITATION.—The total amount reimbursed by the Administrator under subparagraph (A) may not exceed $350,000 in any fiscal year.''.

AMENDMENT NO. 516 OFFERED BY MR. GARBARINO OF NEW YORK

At the end of title LI, insert the following new section:

SEC. 51____. DEPARTMENT OF VETERANS AFFAIRS PROGRAM TO PROVIDE GRANTS FOR CERTAIN VETERANS SERVICE ORGANIZATIONS AFFECTED BY THE COVID–19 PANDEMIC.

(a) GRANT PROGRAM.—The Secretary of Veterans Affairs shall carry out a program under which the Secretary shall make grants to eligible organizations to offset costs relating to the COVID–19 pandemic incurred during the covered 2020 period.

(b) ELIGIBLE ORGANIZATIONS.—To be eligible to receive a grant under the program, an

organization shall be a veterans service organization that—

(1) as a result of the COVID–19 pandemic, experienced a loss of 50 percent or greater gross revenue during the covered 2020 period (compared to the gross revenue collected during the covered 2019 period); and

(2) submits to the Secretary an application in such form, at such time, and containing such information as the Secretary determines appropriate, including—

(A) information demonstrating the loss specified in paragraph (1); and

(B) a plan for the use of such grant.

(c) USE OF GRANT AMOUNTS.—A veterans service organization that receives a grant under this section may only use the grant in accordance with the plan referred to in subsection (b)(2)(B) for the following expenses of the organization:

(1) Rent.

(2) Utilities.

(3) Scheduled mortgage payments.

(4) Scheduled debt payments.

(5) Other ordinary and necessary business expenses, including maintenance costs, administrative costs (including fees and licensing), State and local taxes and fees, operating leases, and insurance payments.

(d) AMOUNT OF GRANT.—A grant made to a veterans service organization under the program shall be in an amount equal to the aggregate cost of the activities specified in the plan referred to in subsection (b)(2)(B), except that any such grant may not exceed $50,000.

(e) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the grant program.

(f) DEFINITIONS.—In this section:

(1) The term ''covered 2019 period'' means the period beginning on April 1, 2019, and ending on December 31, 2019.

(2) The term ''covered 2020 period'' means the period beginning on April 1, 2020, and ending on December 31, 2020.

(3) The term ''veterans service organization'' means an organization that is chartered under part B of subtitle II of title 36, United States Code, and includes any local or area chapter, post, or other unit.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000, to remain available until expended.

AMENDMENT NO. 517 OFFERED BY MR. GARCÍA OF ILLINOIS

Page 1262, after line 23, insert the following:

SEC. _____. REVIEW OF IMF LOAN SURCHARGE POLICY.

(a) FINDINGS.—The Congress finds as follows:

(1) The International Monetary Fund (in this section referred to as the ''IMF'') imposes a surcharge, in addition to standard interest and service fees, of 200 basis points on outstanding credit provided through its General Resources Account that exceeds 187.5 percent of the IMF country quota, and an additional 100 basis points if that credit has been outstanding for over 36 or 51 months, depending on the facility.

(2) According to the IMF, ''These level and time-based surcharges are intended to help mitigate credit risk by providing members with incentives to limit their demand for Fund assistance and encourage timely repurchases while at the same time generating income for the Fund to accumulate precautionary balances.''.

(3) According to a 2021 report by the European Network on Debt and Development, surcharges increase the average cost of borrowing from the IMF by over 64 percent for surcharged countries. Surcharges increased Ukraine's borrowing costs on its IMF lending program by nearly 27 percent, Jordan's by 72 percent, and Egypt's by over 104 percent.

(4) As a result of Russia's invasion, the World Bank predicts that Ukraine will experience an economic contraction of 45 percent in 2022. Yet Ukraine is expected to pay the IMF an estimated $483,000,000 in surcharges from 2021 through 2027.

(5) The Ukraine Comprehensive Debt Payment Relief Act of 2022 (H.R.7081), which requires the Department of Treasury to make efforts to secure debt relief for Ukraine, was passed by the House of Representatives on May 11, 2022, with overwhelming bipartisan support, by a vote of 362 Yeas to 56 Nays.

(6) As a result of the war in Ukraine and other factors, the World Bank predicted that global growth rates will slow to 2.9 percent in 2022, down nearly half from 2021. External public debt of developing economies is at record levels, and the World Bank, IMF, and United Nations have all warned of coming defaults and a potential global debt crisis. As food and energy prices rise, the World Food Program has estimated that 750,000 people are at immediate risk of starvation or death, and 323,000,000 people may experience acute food insecurity before the end of the year.

(7) Since 2020, the number of countries paying surcharges to the IMF has increased from 9 to 16. A December 2021 IMF policy paper, notes that under the IMF's model-based World Economic Outlook scenario ''the number of surcharge-paying members would increase to 38 in FY 2024 and FY 2025'' and that under the Fund's ''adverse scenario, the number of surcharge-paying members and the amount of surcharge income would increase even more sharply''.

(8) An April 2022 brief from the United Nations Global Crisis Response Group on Food, Energy and Finance on the impacts of the war in Ukraine on developing countries called for the immediate suspension of surcharge payments for a minimum of 2 years, because ''[s]urcharges do not make sense during a global crisis since the need for more financing does not stem from national conditions but from the global economy shock''.

(b) REVIEW OF SURCHARGE POLICY AT THE INTERNATIONAL MONETARY FUND.—The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to use the voice and vote of the United States to—

(1) initiate an immediate review by the IMF of the surcharge policy of the IMF to be completed, and its results and underlying data published, within 365 days; and

(2) suspend and waive surcharge payments during the pendency of the review.

(c) COMPONENTS OF THE REVIEW OF SURCHARGE POLICY.—The review referred to in subsection (b) shall include the following:

(1) A borrower-by-borrower analysis of surcharges in terms of cost and as a percentage of national spending on debt service on IMF loans, food security, and health for the 5-year period beginning at the start of the COVID-19 pandemic.

(2) Evaluation of the policy's direct impact on—

(A) disincentivizing large and prolonged reliance on Fund credit;

(B) mitigating the credit risks taken by the IMF;

(C) improving borrower balance of payments and debt sustainability, particularly during periods of contraction, unrest, and pandemic;

(D) promoting fiscally responsible policy reforms;

(E) disincentivizing borrowers from seeking opaque and potentially predatory bilateral loans; and

(F) improving the ability of borrowers to repay private creditors and access the private credit market.

(3) Recommendations for—

(A) Identifying alternative sources of funding for the IMF's precautionary balances that prioritize stable funding sources and equitable burden-sharing among IMF members;

(B) Determining whether the Fund should maintain, reform, temporarily suspend or eliminate the use of surcharges.

(4) The review process must incorporate extensive consultation with relevant experts, particularly those from countries that are currently paying or have recently paid surcharges. These experts should include government officials responsible for overseeing economic development, social services, and defense, United Nations officials, economic research institutes, academics, and civil society organizations.

AMENDMENT NO. 518 OFFERED BY MS. GARCIA OF TEXAS

Page 1129, line 14, strike ''$25,000,000'' and insert ''$30,000,000''.

At the end of title LIII of division E of the bill, add the following:

SEC. 5306. CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE TRAINING AND EDUCATION.

(a) IN GENERAL.—Section 51706 of title 46, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) DESIGNATION.—The Secretary of Transportation may designate a covered training entity as a center of excellence for domestic maritime workforce training and education.'';

(2) by striking subsection (b) and inserting the following:

''(b) GRANT PROGRAM.—

''(1) IN GENERAL.—The Secretary may award maritime career training grants to centers of excellence designated under subsection (a) for the purpose of developing, offering, or improving educational or career training programs for American workers related to the United States maritime industry.

''(2) REQUIRED INFORMATION.—To receive a grant under this subsection, a center of excellence designated under subsection (a) shall submit to the Secretary a grant proposal that includes a detailed description of—

''(A) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to United States maritime industry workers;

''(B) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of United States maritime industry workers;

''(C) any previous experience of the center of excellence in providing United States maritime industry educational or career training programs;

''(D) how the grant would address shortcomings in existing educational and career training opportunities available to United States maritime industry workers; and

''(E) the extent to which employers, including small and medium-sized firms, have demonstrated a commitment to employing United States maritime industry workers who would benefit from the project for which the grant proposal is submitted.

''(3) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds, the Secretary shall award a grant under this subsection based on—

''(A) a determination of the merits of the grant proposal submitted by the center of excellence designated under subsection (a) to

develop, offer, or improve educational or career training programs to be made available to United States maritime industry workers;

''(B) an evaluation of the likely employment opportunities available to United States maritime industry workers who complete a maritime educational or career training program that the center of excellence designated under subsection (a) proposes to develop, offer, or improve; and

''(C) an evaluation of prior demand for training programs by workers served by the centers of excellence designated under subsection (a) as well as the availability and capacity of existing maritime training programs to meet future demand for training programs.

''(4) COMPETITIVE AWARDS.—

''(A) IN GENERAL.—The Secretary shall award grants under this subsection to a center of excellence designated under subsection (a) on a competitive basis.

''(B) TIMING OF GRANT NOTICE.—The Secretary shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

''(C) TIMING OF GRANTS.—The Secretary shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

''(D) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Administrator for use for grants under this subsection.

''(E) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

''(F) PROHIBITED USE.—A center of excellence designated under subsection (a) that has received funds awarded under section 54101(a)(2) for training purposes shall not be eligible for grants under this subsection in the same fiscal year.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $30,000,000.''; and

(3) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) COVERED TRAINING ENTITY.—The term 'covered training entity' means an entity that—

''(A) is located in a State that borders on the—

''(i) Gulf of Mexico;

''(ii) Atlantic Ocean;

''(iii) Long Island Sound;

''(iv) Pacific Ocean;

''(v) Great Lakes; or

''(vi) Mississippi River System; and

''(B) is—

''(i) a postsecondary educational institution (as such term is defined in section 3 (39) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302));

''(ii) a postsecondary vocational institution (as such term is defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c));

''(iii) a public or private nonprofit entity that offers 1 or more other structured experiential learning training programs for American workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or 1 or more employers in the United States maritime industry;

''(iv) an entity sponsoring an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

''(v) a maritime training center designated prior to the date of enactment of the National Defense Authorization Act for Fiscal Year 2023.''; and

(B) by adding at the end the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(4) UNITED STATES MARITIME INDUSTRY.—The term 'United States maritime industry' means the design, construction, repair, operation, manning, and supply of vessels in all segments of the maritime transportation system of the United States, including—

''(A) the domestic and foreign trade;

''(B) the coastal, offshore, and inland trade, including energy activities conducted under the Outer Continental Shelf Lands Act(43 U.S.C. 1331 et seq.);

''(C) non-commercial maritime activities, including—

''(i) recreational boating; and

''(ii) oceanographic and limnological research as described in section 2101(24).''.

(b) PUBLIC REPORT.—Not later than December 15 in each of calendar years 2022 through 2024, the Secretary of Transportation shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(1) describing each grant awarded under this subsection during the preceding fiscal year; and

(2) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training.

(c) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) promulgate guidelines for the submission of grant proposals under section 51706(b) of title 46, United States Code (as amended by this section); and

(2) publish and maintain such guidelines on the website of the Department of Transportation.

(d) ASSISTANCE FOR SMALL SHIPYARDS.—Section 54101(e) of title 46, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) ALLOCATION OF FUNDS.—

''(A) IN GENERAL.—The Administrator may not award more than 25 percent of the funds appropriated to carry out this section for any fiscal year to any small shipyard in one geographic location that has more than 600 employees.

''(B) INELIGIBILITY.—A maritime training center that has received funds awarded under this section 51706 of title 46, United States Code, shall not be eligible for grants under this subsection for training purposes in the same fiscal year.''.

AMENDMENT NO. 519 OFFERED BY MR. TONY GONZALES OF TEXAS

Add at the end of title XI the following:

SEC. 11___. NATIONAL DIGITAL RESERVE CORPS.

(a) IN GENERAL.—Subpart I of part III of title 5, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 104—NATIONAL DIGITAL RESERVE CORPS

''SEC. 10401. DEFINITIONS.

''In this chapter:

''(1) ACTIVE RESERVIST.—The term 'active reservist' means a reservist holding a position to which such reservist has been appointed under section 10403(c)(2).

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the General Services Administration.

''(3) COVERED EXECUTIVE AGENCY.—The term 'covered Executive agency' means an Executive agency as defined in section 105, except that such term includes the United States Postal Service, the Postal Regulatory Commission, and the Executive Office of the President.

''(4) PROGRAM.—The term 'Program' means the program established under section 10402(a).

''(5) RESERVIST.—The term 'reservist' means an individual who is a member of the National Digital Reserve Corps.

''SEC. 10402. ESTABLISHMENT.

''(a) ESTABLISHMENT.—There is established in the General Services Administration a program to establish, manage, and assign a reserve of individuals with relevant skills and credentials, to be know as the 'National Digital Reserve Corps', to help address the digital and cybersecurity needs of covered Executive agencies.

''(b) IMPLEMENTATION.—

''(1) GUIDANCE.—Not later than six months after the date of the enactment of this section, the Administrator shall issue guidance for the National Digital Reserve Corps, which shall include procedures for coordinating with covered Executive agencies to—

''(A) identify digital and cybersecurity needs which may be addressed by the National Digital Reserve Corps; and

''(B) assign active reservists to address such needs.

''(2) RECRUITMENT AND INITIAL ASSIGNMENTS.—Not later than one year after the date of the enactment of this section, the Administrator shall begin recruiting reservists and assigning active reservists under the Program.

''SEC. 10403. ORGANIZATION.

''(a) ADMINISTRATION.—

''(1) IN GENERAL.—The National Digital Reserve Corps shall be administered by the Administrator.

''(2) RESPONSIBILITIES.—In carrying out the Program, the Administrator shall—

''(A) establish standards for serving as a reservist, including educational attainment, professional qualifications, and background checks;

''(B) ensure the standards established under subparagraph (A) are met;

''(C) recruit individuals to the National Digital Reserve Corps;

''(D) activate and deactivate reservists as necessary;

''(E) coordinate with covered Executive agencies to—

''(i) determine the digital and cybersecurity needs which reservists shall be assigned to address;

''(ii) ensure reservists have access, resources, and equipment required to address digital and cybersecurity needs which such reservists are assigned to address; and

''(iii) analyze potential assignments for reservists to determine outcomes, develop anticipated assignment timelines, and identify covered Executive agency partners;

''(F) ensure reservists acquire and maintain appropriate security clearances; and

''(G) determine what additional resources, if any, are required to successfully implement the Program.

''(b) NATIONAL DIGITAL RESERVE CORPS PARTICIPATION.—

''(1) SERVICE OBLIGATION AGREEMENT.—

''(A) IN GENERAL.—An individual may become a reservist only if such individual enters into a written agreement with the Administrator to become a reservist.

''(B) CONTENTS.—The agreement under subparagraph (A) shall—

''(i) require the individual seeking to become a reservist to serve as a reservist for a three-year period, during which such individual shall serve not less then 30 days per year as an active reservist; and

''(ii) set forth all other the rights and obligations of the individual and the General Services Administration.

''(2) COMPENSATION.—The Administrator shall determine the appropriate compensation for service as a reservists, except that the annual pay for such service shall not exceed $10,000.

''(3) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of active reservists, provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38.

''(4) PENALTIES.—

''(A) IN GENERAL.—A reservist that fails to accept an appointment under subsection (c)(2) or fails to carry out the duties assigned to reservist under such an appointment shall, after notice and an opportunity to be heard—

''(i) cease to be a reservist; and

''(ii) be fined an amount equal to the sum of—

''(I) an amount equal to the amounts, if any, paid under section 10405 with respect to such reservist, and

''(II) the difference between the amount of compensation such reservist would have received if the reservist completed the entire term of service as a reservist agreed to in the agreement described in paragraph (1) and the amount of compensation such reservist has received under such agreement.

''(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to a failure of a reservist to accept an appointment under subsection (c)(2) or to carry out the duties assigned to the reservist under such an appointment if—

''(i) the failure was due to the death or disability of such reservist; or

''(ii) the Administrator determines that subparagraph (A) should not apply with respect to the failure.

''(c) HIRING AUTHORITY.—

''(1) CORPS LEADERSHIP.—The Administrator may appoint, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303 and 3328) of this title, qualified candidates to positions in the competitive service in the General Service Administration for which the primary duties are related to the management or administration of the National Digital Reserve Corps, as determined by the Administrator.

''(2) CORPS RESERVISTS.—

''(A) IN GENERAL.—The Administrator may appoint, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303 and 3328), qualified reservists to temporary positions in the competitive service for the purpose of assigning such reservists under section 10404 and to otherwise carry out the National Digital Reserve Corps.

''(B) APPOINTMENT LIMITS.—

''(i) IN GENERAL.—The Administrator may not appoint an individual under this paragraph if, during the 365-day period ending on the date of such appointment, such individual has been an officer or employee of the executive or legislative branch of the United States Government, of any independent agency of the United States, or of the District of Columbia for not less than 130 days.

''(ii) AUTOMATIC APPOINTMENT TERMINATION.—The appointment of an individual under this paragraph shall terminate upon such individual being employed as an officer or employee of the executive or legislative branch of the United States Government, of any independent agency of the United States, or of the District of Columbia for 130 days during the previous 365 days.

''(C) EMPLOYEE STATUS.—An individual appointed under this paragraph shall be considered a special Government employee (as such term is defined in section 202(a) of title 18).

''(D) ADDITIONAL EMPLOYEES.—Individuals appointed under this paragraph shall be in addition to any employees of the General Services Administration whose duties relate to the digital or cybersecurity needs of the General Services Administration.

''SEC. 10404. ASSIGNMENTS.

''(a) IN GENERAL.—The Administrator may assign active reservists to address the digital and cybersecurity needs of covered Executive agencies, including cybersecurity services, digital education and training, data triage, acquisition assistance, guidance on digital projects, development of technical solutions, and bridging public needs and private sector capabilities.

''(b) ASSIGNMENT-SPECIFIC ACCESS, RESOURCES, SUPPLIES, OR EQUIPMENT.—The head of a covered Executive agency shall, to the extent practicable, provide each active reservist assigned to address a digital or cybersecurity need of such covered Executive agency under subsection (a) with any specialized access, resources, supplies, or equipment required to address such digital or cybersecurity need.

''(c) DURATION.—An assignment of an individual under subsection (a) shall terminate on the earlier of—

''(1) the date determined by the Administrator;

''(2) the date on which the Administrator receives notification of the decision of the head of the covered Executive agency, the digital or cybersecurity needs of which such individual is assigned to address under subsection (a), that such assignment should terminate; or

''(3) the date on which the assigned individual ceases to be an active reservist.

''SEC. 10405. RESERVIST CONTINUING EDUCATION.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator may pay for reservists to acquire training and receive continuing education, including attending conferences and seminars and obtaining certifications, that will enable reservists to more effectively meet the digital and cybersecurity needs of covered Executive agencies.

''(b) APPLICATION.—The Administrator shall establish a process for reservists to apply for the payment of reasonable expenses related to the training or continuing education described in subsection (a).

''(c) REPORT.—Not later than one year after the date of the enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report on the expenditures under this subsection.

''SEC. 10406. CONGRESSIONAL REPORTS.

''Not later than two years after the date of the enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report on the Program, including—

''(1) the number of reservists;

''(2) a list of covered Executive agencies that have submitted requests for support from the National Digital Reserve Corps;

''(3) the nature and status of such requests; and

''(4) with respect to each such request to which active reservists have been assigned and for which work by the National Digital Reserve Corps has concluded, an evaluation of such work and the results of such work by—

''(A) the covered Executive agency that submitted the request; and

''(B) the reservists assigned to such request.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by inserting after the item related to chapter 103 the following new item:

''104. National Digital Reserve Corps 10403''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000, to remain available until fiscal year 2023, to carry out the program established under section 10402(a) of title 5, United States Code, as added by this section.

AMENDMENT NO. 520 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Add at the end of title LIV of division E the following:

SEC. 54____. GRANTS TO ELIGIBLE ENTITIES FOR ENHANCED PROTECTION OF SENIOR INVESTORS AND SENIOR POLICYHOLDERS.

(a) IN GENERAL.—Section 989A of the Investor Protection and Securities Reform Act of 2010 (15 U.S.C. 5537) is amended to read as follows:

''SEC. 989A. GRANTS TO ELIGIBLE ENTITIES FOR ENHANCED PROTECTION OF SENIOR INVESTORS AND SENIOR POLICYHOLDERS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) the securities commission (or any agency or office performing like functions) of any State; and

''(B) the insurance department (or any agency or office performing like functions) of any State.

''(2) SENIOR.—The term 'senior' means any individual who has attained the age of 62 years or older.

''(3) SENIOR FINANCIAL FRAUD.—The term 'senior financial fraud' means a fraudulent or otherwise illegal, unauthorized, or improper act or process of an individual, including a caregiver or a fiduciary, that—

''(A) uses the resources of a senior for monetary or personal benefit, profit, or gain;

''(B) results in depriving a senior of rightful access to or use of benefits, resources, belongings, or assets; or

''(C) is an action described in section 1348 of title 18, United States Code, that is taken against a senior.

''(4) TASK FORCE.—The term 'task force' means the task force established under subsection (b)(1).

''(b) GRANT PROGRAM.—

''(1) TASK FORCE.—

''(A) IN GENERAL.—The Commission shall establish a task force to carry out the grant program under paragraph (2).

''(B) MEMBERSHIP.—The task force shall consist of the following members:

''(i) A Chair of the task force, who—

''(I) shall be appointed by the Chairman of the Commission, in consultation with the Commissioners of the Commission; and

''(II) may be a representative of the Office of the Investor Advocate of the Commission, the Division of Enforcement of the Commission, or such other representative as the Commission determines appropriate.

''(ii) If the Chair is not a representative of the Office of the Investor Advocate of the Commission, a representative of such Office.

''(iii) If the Chair is not a representative of the Division of Enforcement of the Commission, a representative of such Division.

''(iv) Such other representatives as the Commission determines appropriate.

''(C) DETAIL OF EXECUTIVE AGENCY EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of that Federal agency to the Commission to assist it in carrying out its functions under this section. The detail of any such personnel shall be without interruption or loss of civil service status or privilege.

''(2) GRANTS.—The task force shall carry out a program under which the task force shall make grants, on a competitive basis, to eligible entities, which—

''(A) may use the grant funds—

''(i) to hire staff to identify, investigate, and prosecute (through civil, administrative, or criminal enforcement actions) cases involving senior financial fraud;

''(ii) to fund technology, equipment, and training for regulators, prosecutors, and law enforcement officers, in order to identify, investigate, and prosecute cases involving senior financial fraud;

''(iii) to provide educational materials and training to seniors to increase awareness and understanding of senior financial fraud;

''(iv) to develop comprehensive plans to combat senior financial fraud; and

''(v) to enhance provisions of State law to provide protection from senior financial fraud; and

''(B) may not use the grant funds for any indirect expense, such as rent, utilities, or any other general administrative cost that is not directly related to the purpose of the grant program.

''(3) AUTHORITY OF TASK FORCE.—In carrying out paragraph (2), the task force—

''(A) may consult with staff of the Commission; and

''(B) shall make public all actions of the task force relating to carrying out that paragraph.

''(c) APPLICATIONS.—An eligible entity desiring a grant under this section shall submit an application to the task force, in such form and in such a manner as the task force may determine, that includes—

''(1) a proposal for activities to protect seniors from senior financial fraud that are proposed to be funded using a grant under this section, including—

''(A) an identification of the scope of the problem of senior financial fraud in the applicable State;

''(B) a description of how the proposed activities would—

''(i) protect seniors from senior financial fraud, including by proactively identifying victims of senior financial fraud;

''(ii) assist in the investigation and prosecution of those committing senior financial fraud; and

''(iii) discourage and reduce cases of senior financial fraud; and

''(C) a description of how the proposed activities would be coordinated with other State efforts; and

''(2) any other information that the task force determines appropriate.

''(d) PERFORMANCE OBJECTIVES; REPORTING REQUIREMENTS; AUDITS.—

''(1) IN GENERAL.—The task force—

''(A) may establish such performance objectives and reporting requirements for eligible entities receiving a grant under this section as the task force determines are necessary to carry out and assess the effectiveness of the program under this section; and

''(B) shall require each eligible entity that receives a grant under this section to submit to the task force a detailed accounting of the use of grant funds, which shall be submitted at such time, in such form, and containing such information as the task force may require.

''(2) REPORT.—Not later than 2 years, and again not later than 5 years, after the date of the enactment of the Empowering States to Protect Seniors from Bad Actors Act, the task force shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report that—

''(A) specifies each recipient of a grant under this section;

''(B) includes a description of the programs that are supported by each such grant; and

''(C) includes an evaluation by the task force of the effectiveness of such grants.

''(3) AUDITS.—The task force shall annually conduct an audit of the program under this section to ensure that eligible entities to which grants are made under that program are, for the year covered by the audit, using grant funds for the intended purposes of those funds.

''(e) MAXIMUM AMOUNT.—The amount of a grant to an eligible entity under this section may not exceed $500,000, which the task force shall adjust annually to reflect the percentage change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

''(f) SUBGRANTS.—An eligible entity that receives a grant under this section may, in consultation with the task force, make a subgrant, as the eligible entity determines is necessary or appropriate—

''(1) to carry out the activities described in subsection (b)(2)(A); and

''(2) which may not be used for any activity described in subsection (b)(2)(B).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2023 through 2028.''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking the item relating to section 989A and inserting the following:

''Sec. 989A. Grants to eligible entities for enhanced protection of senior investors and senior policyholders.''.

AMENDMENT NO. 521 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Add at the end of title LIV of division E the following:

SEC. 5106. BANKING TRANSPARENCY FOR SANCTIONED PERSONS.

(a) REPORT ON FINANCIAL SERVICES BENEFITTING STATE SPONSORS OF TERRORISM, HUMAN RIGHTS ABUSERS, AND CORRUPT OFFICIALS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that includes—

(A) a copy of any license issued by the Secretary in the preceding 180 days that authorizes a financial institution to provide financial services benefitting a state sponsor of terrorism; and

(B) a list of any foreign financial institutions that, in the preceding 180 days, knowingly conducted a significant transaction or transactions, directly or indirectly, for a sanctioned person included on the Department of the Treasury's Specially Designated Nationals And Blocked Persons List who—

(i) is owned or controlled by, or acts on behalf of, the government of a state sponsor of terrorism; or

(ii) is designated pursuant to any of the following:

(I) Section 404 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112208).

(II) Subtitle F of title XII of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328, the Global Magnitsky Human Rights Accountability Act).

(III) Executive Order No. 13818.

(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) WAIVER.—The Secretary of the Treasury may waive the requirements of subsection (a) with respect to a foreign financial institution described in paragraph (1)(B) of such subsection—

(1) upon receiving credible assurances that the foreign financial institution has ceased, or will imminently cease, to knowingly conduct any significant transaction or transactions, directly or indirectly, for a person described in clause (i) or (ii) of such subparagraph (B); or

(2) upon certifying to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that the waiver is important to the national interest of the United States, with an explanation of the reasons therefor.

(c) DEFINITIONS.—For purposes of this section:

(1) FINANCIAL INSTITUTION.—The term ''financial institution'' means a United States financial institution or a foreign financial institution.

(2) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term under section 561.308 of title 31, Code of Federal Regulations.

(3) 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.

(4) UNITED STATES FINANCIAL INSTITUTION.—The term ''United States financial institution'' has the meaning given the term ''U.S. financial institution'' under section 561.309 of title 31, Code of Federal Regulations.

(d) SUNSET.—The reporting requirement under this section shall terminate on the date that is the end of the 7-year period beginning on the date of the enactment of this Act.

AMENDMENT NO. 522 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Add at the end of title LIV of division E the following:

SEC. 5403. BUREAU SERVICEMEMBER AND VETERAN CREDIT REPORTING OMBUDSPERSON.

(a) IN GENERAL.—Section 611(a) of the Fair Credit Reporting Act (15 U.S.C. 1681i(a)) is amended by adding at the end the following:

''(9) BUREAU SERVICEMEMBER AND VETERAN CREDIT REPORTING OMBUDSPERSON.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Bureau shall establish the position of servicemember and veteran credit reporting ombudsperson, who shall carry out the Bureau's responsibilities with respect to—

''(i) resolving persistent errors that are not resolved in a timely manner by a consumer reporting agency in connection with servicemembers and veterans; and

''(ii) enhancing oversight of consumer reporting agencies by—

''(I) advising the Director of the Bureau, in consultation with the Office of Enforcement and the Office of Supervision of the Bureau, on any potential violations of paragraph (5) or any other applicable law by a consumer reporting agency in connection with servicemembers and veterans, including appropriate corrective action for such a violation; and

''(II) making referrals to the Office of Supervision for supervisory action or the Office of Enforcement for enforcement action, as appropriate, in response to violations of paragraph (5) or any other applicable law by a consumer reporting agency in connection with servicemembers and veterans.

''(B) CONSULTATION WITH VETERANS SERVICE ORGANIZATIONS.—The servicemember and veteran credit reporting ombudsperson shall consult with veterans service organizations in carrying out the duties of the ombudsperson.

''(C) REPORT.—The ombudsperson shall submit to the Committees on Financial Services and Veterans' Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Veterans' Affairs of the Senate an annual report including statistics and analysis on consumer complaints the Bureau receives relating to consumer reports in connection with servicemembers and veterans, as well as a summary of the supervisory actions and enforcement actions taken with respect to consumer reporting agencies in connection with servicemembers and veterans during the year covered by the report.''.

(b) DISCRETIONARY SURPLUS FUNDS.—

(1) IN GENERAL.—The dollar amount specified under section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is reduced by $18,000,000.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2032.

AMENDMENT NO. 523 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Add at the end of title LIV of division E the following:

SEC. 5403. SENIOR INVESTOR TASKFORCE.

(a) IN GENERAL.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following:

''(k) SENIOR INVESTOR TASKFORCE.—

''(1) ESTABLISHMENT.—There is established within the Commission the Senior Investor Taskforce (in this subsection referred to as the 'Taskforce').

''(2) DIRECTOR OF THE TASKFORCE.—The head of the Taskforce shall be the Director, who shall—

''(A) report directly to the Chairman; and

''(B) be appointed by the Chairman, in consultation with the Commission, from among individuals—

''(i) currently employed by the Commission or from outside of the Commission; and

''(ii) having experience in advocating for the interests of senior investors.

''(3) STAFFING.—The Chairman shall ensure that—

''(A) the Taskforce is staffed sufficiently to carry out fully the requirements of this subsection; and

''(B) such staff shall include individuals from the Division of Enforcement, Office of Compliance Inspections and Examinations, and Office of Investor Education and Advocacy.

''(4) NO COMPENSATION FOR MEMBERS OF TASKFORCE.—All members of the Taskforce appointed under paragraph (2) or (3) shall serve without compensation in addition to that received for their services as officers or employees of the United States.

''(5) MINIMIZING DUPLICATION OF EFFORTS.—In organizing and staffing the Taskforce, the Chairman shall take such actions as may be necessary to minimize the duplication of efforts within the divisions and offices described under paragraph (3)(B) and any other divisions, offices, or taskforces of the Commission.

''(6) FUNCTIONS OF THE TASKFORCE.—The Taskforce shall—

''(A) identify challenges that senior investors encounter, including problems associated with financial exploitation and cognitive decline;

''(B) identify areas in which senior investors would benefit from changes in the regulations of the Commission or the rules of self-regulatory organizations;

''(C) coordinate, as appropriate, with other offices within the Commission, other taskforces that may be established within the Commission, self-regulatory organizations, and the Elder Justice Coordinating Council; and

''(D) consult, as appropriate, with State securities and law enforcement authorities, State insurance regulators, and other Federal agencies.

''(7) REPORT.—The Taskforce, in coordination, as appropriate, with the Office of the Investor Advocate and self-regulatory organizations, and in consultation, as appropriate, with State securities and law enforcement authorities, State insurance regulators, and Federal agencies, shall issue a report every 2 years to the Committee on Banking, Housing, and Urban Affairs and the Special Committee on Aging of the Senate and the Committee on Financial Services of the House of Representatives, the first of which shall not be issued until after the report described in section 5403(b) of the National Defense Authorization Act for Fiscal Year 2023 has been issued and considered by the Taskforce, containing—

''(A) appropriate statistical information and full and substantive analysis;

''(B) a summary of recent trends and innovations that have impacted the investment landscape for senior investors;

''(C) a summary of regulatory initiatives that have concentrated on senior investors and industry practices related to senior investors;

''(D) key observations, best practices, and areas needing improvement, involving senior investors identified during examinations, enforcement actions, and investor education outreach;

''(E) a summary of the most serious issues encountered by senior investors, including issues involving financial products and services;

''(F) an analysis with regard to existing policies and procedures of brokers, dealers, investment advisers, and other market participants related to senior investors and senior investor-related topics and whether these policies and procedures need to be further developed or refined;

''(G) recommendations for such changes to the regulations, guidance, and orders of the Commission and self-regulatory organizations and such legislative actions as may be appropriate to resolve problems encountered by senior investors; and

''(H) any other information, as determined appropriate by the Director of the Taskforce.

''(8) REQUEST FOR REPORTS.—The Taskforce shall make any report issued under paragraph (7) available to a Member of Congress who requests such a report.

''(9) SUNSET.—The Taskforce shall terminate after the end of the 10-year period beginning on the date of the enactment of this subsection.

''(10) SENIOR INVESTOR DEFINED.—For purposes of this subsection, the term 'senior investor' means an investor over the age of 65.

''(11) USE OF EXISTING FUNDS.—The Commission shall use existing funds to carry out this subsection.''.

(b) GAO STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Senior Investor Taskforce the results of a study of financial exploitation of senior citizens.

(2) CONTENTS.—The study required under paragraph (1) shall include information with respect to—

(A) economic costs of the financial exploitation of senior citizens—

(i) associated with losses by victims that were incurred as a result of the financial exploitation of senior citizens;

(ii) incurred by State and Federal agencies, law enforcement and investigatory agencies, public benefit programs, public health programs, and other public programs as a result of the financial exploitation of senior citizens;

(iii) incurred by the private sector as a result of the financial exploitation of senior citizens; and

(iv) any other relevant costs that—

(I) result from the financial exploitation of senior citizens; and

(II) the Comptroller General determines are necessary and appropriate to include in order to provide Congress and the public with a full and accurate understanding of the economic costs resulting from the financial exploitation of senior citizens in the United States;

(B) frequency of senior financial exploitation and correlated or contributing factors—

(i) information about percentage of senior citizens financially exploited each year; and

(ii) information about factors contributing to increased risk of exploitation, including such factors as race, social isolation, income, net worth, religion, region, occupation, education, home-ownership, illness, and loss of spouse; and

(C) policy responses and reporting of senior financial exploitation—

(i) the degree to which financial exploitation of senior citizens unreported to authorities;

(ii) the reasons that financial exploitation may be unreported to authorities;

(iii) to the extent that suspected elder financial exploitation is currently being reported—

(I) information regarding which Federal, State, and local agencies are receiving reports, including adult protective services, law enforcement, industry, regulators, and professional licensing boards;

(II) information regarding what information is being collected by such agencies; and

(III) information regarding the actions that are taken by such agencies upon receipt of the report and any limits on the agencies' ability to prevent exploitation, such as jurisdictional limits, a lack of expertise, resource challenges, or limiting criteria with regard to the types of victims they are permitted to serve;

(iv) an analysis of gaps that may exist in empowering Federal, State, and local agencies to prevent senior exploitation or respond effectively to suspected senior financial exploitation; and

(v) an analysis of the legal hurdles that prevent Federal, State, and local agencies from effectively partnering with each other and private professionals to effectively respond to senior financial exploitation.

(3) SENIOR CITIZEN DEFINED.—For purposes of this subsection, the term ''senior citizen'' means an individual over the age of 65.

AMENDMENT NO. 524 OFFERED BY MR. GRAVES OF LOUISIANA

At the end of title LIII of division E, add the following:

SEC. ___. DUPLICATION OF BENEFITS.

Section 312(b)(4) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)(4)) is amended by adding at the end the following:

''(D) LIMITATION ON USE OF INCOME CRITERIA.—In carrying out subparagraph (A), the President may not impose additional income criteria on a potential grant recipient who has accepted a qualified disaster loan in determining eligibility for duplications of benefit relief.''.

AMENDMENT NO. 525 OFFERED BY MR. GRAVES OF MISSOURI

At the end of title LIII of division E, insert the following:

SEC. 53___. FLIGHT INSTRUCTION OR TESTING.

(a) IN GENERAL.—An authorized flight instructor providing student instruction, flight instruction, or flight training shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(b) AUTHORIZED ADDITIONAL PILOTS.—An individual acting as an authorized additional pilot during Phase I flight testing of aircraft holding an experimental airworthiness certificate, in accordance with section 21.191 of title 14, Code of Federal Regulations, and meeting the requirements set forth in Federal Aviation Administration regulations and policy in effect as of the date of enactment of this section, shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(c) USE OF AIRCRAFT.—An individual who uses, causes to use, or authorizes to use aircraft for flights conducted under subsection (a) or (b) shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(d) REVISION OF RULES.—The requirements of this section shall become effective upon the date of enactment. The Administrator of the Federal Aviation Administration shall issue, revise, or repeal the rules, regulations, guidance, or procedures of the Federal Aviation Administration to conform to the requirements of this section.

AMENDMENT NO. 526 OFFERED BY MR. GREEN OF TEXAS

In the appropriate place in division E, insert the following:

SEC. ___. DEPARTMENT OF HOMELAND SECURITY OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES AUTHORIZATION.

(a) OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.—

(1) IN GENERAL.—Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(A) in the section heading, by striking ''**ESTABLISHMENT OF**''; and

(B) by striking subsections (a) and (b) and inserting the following new subsections:

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established within the Department an Office for Civil Rights and Civil Liberties (referred to in this section as the 'Office'). The head of the Office is the Officer for Civil Rights and Civil Liberties (referred to in this section as the 'Officer'), who shall report directly to the Secretary.

''(2) DUTIES.—The Secretary and the head of each component shall—

''(A) ensure that the Officer for Civil Rights and Civil Liberties of the Department and the Officer for Civil Rights and Civil Liberties of such component—

''(i) have the information, materials, and resources necessary to carry out the functions of the Office;

''(ii) are consulted in advance of new or proposed changes to policies, programs, initiatives, and activities impacting civil rights and civil liberties; and

''(iii) are given full and complete access to all materials and personnel necessary to carry out the functions of the Office; and

''(B) consider advice and recommendations from the Officer for Civil Rights and Civil Liberties of the Department in the development and implementation of policies, programs, initiatives, and activities impacting civil rights and civil liberties.

''(b) RESPONSIBILITIES.—The Officer shall carry out the following responsibilities:

''(1) Oversee compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights and civil liberties of individuals affected by the policies, programs, initiatives, and activities of the Department.

''(2) Review and assess information concerning abuses of civil rights and civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department.

''(3) Integrate civil rights and civil liberties protections into all policies, programs, initiatives, and activities of the Department.

''(4) Conduct civil rights and civil liberties impact assessments, as appropriate, including such assessments prior to the implementation of new Department regulations, policies, programs, initiatives, and activities.

''(5) Conduct periodic reviews and assessments of policies, programs, initiatives, and activities of the Department relating to civil rights and civil liberties, including reviews and assessments initiated by the Officer.

''(6) Provide policy advice, recommendations, and other technical assistance relating to civil rights and civil liberties to the Secretary, and the heads of components, and other personnel within the Department.

''(7) Review, assess, and investigate complaints, including complaints filed by members of the public, and information indicating possible abuses of civil rights or civil liberties at the Department, unless the Inspector General of the Department determines that any such complaint should be investigated by the Inspector General.

''(8) Initiate reviews, investigations, and assessments of the administration of the policies, programs, initiatives, and activities of the Department relating to civil rights and civil liberties.

''(9) Coordinate with the Privacy Officer to ensure that—

''(A) policies, programs, initiatives, and activities involving civil rights, civil liberties, and privacy considerations are addressed in an integrated and comprehensive manner; and

''(B) Congress receives appropriate reports regarding such policies, programs, initiatives, and activities.

''(10) Lead the equal employment opportunity programs of the Department, including complaint management and adjudication, workforce diversity, and promotion of the merit system principles.

''(11) Make publicly available through accessible communications channels, including the website of the Department—

''(A) information on the responsibilities and functions of, and how to contact, the Office;

''(B) summaries of the investigations carried out pursuant to paragraphs (7) and (8) that result in recommendations; and

''(C) summaries of impact assessments and periodic reviews and assessments carried out pursuant to paragraphs (4) and (5), respectively, that are issued by the Officer.

''(12) Engage with individuals, stakeholders, and communities the civil rights and civil liberties of which may be affected by the policies, programs, initiatives, and activities of the Department, including by—

''(A) informing such individuals, stakeholders, and communities concerning such policies, programs, initiatives, and activities;

''(B) providing information for how to report and access redress processes; and

''(C) providing Department leadership and other personnel within the Department feedback from such individuals, stakeholders, and communities on the civil rights and civil liberties impacts of such policies, programs, initiatives, and activities, and working with State, local, Tribal, and territorial homeland security partners to enhance the Department's policymaking and program implementation.

''(13) Lead a language access program for the Department to ensure the Department effectively communicates with all individuals impacted by programs and activities of the Department, including those with limited English proficiency.

''(14) Participate in the hiring or designation of a civil rights and civil liberties officer within each component and participate in the performance review process for such officer.

''(c) AUTHORITY TO INVESTIGATE.—

''(1) IN GENERAL.—For the purposes of subsection (b), the Officer shall—

''(A) have access to all materials and personnel necessary to carry out the functions of the Office under this subsection;

''(B) make such investigations and reports relating to the administration of the programs and operations of the Department as are necessary or appropriate; and

''(C) administer to or take from any person an oath, affirmation, or affidavit, whenever necessary to performance of the responsibilities of the Officer under this section.

''(2) EFFECT OF OATHS.—Any oath, affirmation, or affidavit administered or taken pursuant to paragraph (1)(C) by or before an employee of the Office designated for that purpose by the Officer shall have the same force and effect as if administered or taken by or before an officer having a seal of office.

''(d) NOTIFICATION REQUIREMENT.—In the case of a complaint made concerning allegations of abuses of civil rights and civil liberties under paragraph (7) of subsection (b), the Officer shall—

''(1) provide to the individual who made the complaint notice of the receipt of such complaint within 30 days of receiving the complaint; and

''(2) inform the complainant of the determination of the Office regarding—

''(A) the initiation of a review, assessment, or investigation by the Office;

''(B) a referral to the Inspector General of the Department; or

''(C) any other action taken.

''(e) COORDINATION WITH INSPECTOR GENERAL.—

''(1) IN GENERAL.—

''(A) REFERRAL.—Before initiating an investigation initiated by the Officer pursuant to paragraph (7) or (8) of subsection (b), the Officer shall refer the matter at issue to the Inspector General of the Department.

''(B) DETERMINATIONS AND NOTIFICATIONS BY INSPECTOR GENERAL.—Not later than seven days after the receipt of a matter at issue under subparagraph (A), the Inspector General shall—

''(i) make a determination regarding whether the Inspector General intends to initiate an investigation of such matter; and

''(ii) notify the Officer of such determination.

''(C) INVESTIGATIONS.—If the Secretary determines that a complaint warrants both the Officer and the Inspector General conducting investigations concurrently, jointly, or in

some other manner, the Secretary may authorize the Officer to conduct an investigation in such manner as the Secretary directs.

''(D) NOTIFICATION BY THE OFFICER.—If the Officer does not receive notification of a determination pursuant to subparagraph (B)(ii), the Officer shall notify the Inspector General of whether the Officer intends to initiate an investigation into the matter at issue.

''(f) RECOMMENDATIONS; RESPONSE.—

''(1) IN GENERAL.—In the case of an investigation initiated by the Officer pursuant to paragraph (7) or (8) of subsection (b), if such an investigation results in the issuance of recommendations,the Officer shall produce a report that—

''(A) includes the final findings and recommendations of the Officer;

''(B) is made publicly available in summary form;

''(C) does not include any personally identifiable information; and

''(D) may include a classified annex.

''(2) TRANSMISSION.—The Officer shall transmit to the Secretary and the head of the relevant component a copy of each report under paragraph (1).

''(3) RESPONSE.—

''(A) IN GENERAL.—Not later than 45 days after the date on which the Officer transmits to the head of a component a copy of a report pursuant to paragraph (2), such head shall submit to the Secretary and the Officer a response to such report.

''(B) RULE OF CONSTRUCTION.—In the response submitted pursuant to subparagraph (A), each recommendation contained in the report transmitted pursuant to paragraph (2) with which the head of the component at issue concurs shall be deemed an accepted recommendation of the Department.

''(C) NONCONCURRENCE; APPEAL.—If the head of a component does not concur with a recommendation contained in the report transmitted pursuant to paragraph (2), or if such head does not respond to a recommendation within 45 days in accordance with subparagraph (A), the Officer may appeal to the Secretary.

''(D) RESULT.—If the Officer appeals to the Secretary pursuant to subparagraph (C), the Secretary shall, not later than 60 days after the date on which the Officer appeals—

''(i) accept the Officer's recommendation, which recommendation shall be deemed the accepted recommendation of the Department; or

''(ii) accept the nonconcurrence of the head of the component at issue if transmitted in accordance with subparagraph (A).

''(g) REPORTING.—

''(1) IN GENERAL.—In the case of an investigation initiated by the Officer pursuant to paragraph (7) or (8) of subsection (b), if such an investigation resulted in the issuance of recommendations, the Officer shall, on an annual basis, make publicly available through accessible communications channels, including the website of the Department—

''(A) a summary of investigations that are completed, consistent with section 1062(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–1(f)(2));

''(B) the accepted recommendations of the Department, if any; and

''(C) a summary of investigations that result in final recommendations that are issued by the Officer.

''(2) PROHIBITION.—Materials made publicly available pursuant to paragraph (1) may not include any personally identifiable information related to any individual involved in the investigation at issue.

''(h) COMPONENT CIVIL RIGHTS AND CIVIL LIBERTIES OFFICERS.—

''(1) IN GENERAL.—Any component that has an Officer for Civil Rights and Civil Liberties of such component shall ensure that such Officer for Civil Rights and Civil Liberties of such component shall coordinate with and provide information to the Officer for Civil Rights and Civil Liberties of the Department on matters related to civil rights and civil liberties within each such component.

''(2) OFFICERS OF OPERATIONAL COMPONENTS.—The head of each operational component, in consultation with the Officer for Civil Rights and Civil Liberties of the Department, shall hire or designate a career appointee (as such term is defined in section 3132 of title 5, United States Code) from such component as the Officer for Civil Rights and Civil Liberties of such operational component.

''(3) RESPONSIBILITIES.—Each Officer for Civil Rights and Civil Liberties of each component—

''(A) shall have access in a timely manner to the information, materials, and information necessary to carry out the functions of such officer;

''(B) shall be consulted in advance of new or proposed changes to component policies, programs, initiatives, and activities impacting civil rights and civil liberties;

''(C) shall be given full and complete access to all component materials and component personnel necessary to carry out the functions of such officer;

''(D) may, to the extent the Officer for Civil Rights and Civil Liberties of the Department determines necessary, and subject to the approval of the Secretary, administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the responsibilities of each such component Officer under this section; and

''(E) may administer any oath, affirmation, or affidavit, and such oath, affirmation, shall have the same force and effect as if administered or taken by or before an officer having a seal of office.

''(i) ANNUAL REPORT.—Not later than March 31 of each year, the Officer shall submit to the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and any other Committee of the House of Representatives or the Senate, as the case may be, the Officer determines relevant, a report on the implementation of this section during the immediately preceding fiscal year. Each such annual report shall be prepared and submitted for supervisory review and appropriate comment or amendment by the Secretary prior to submission to such committees, and the Officer shall consider and incorporate any comments or amendments as a result of such review. Each such report shall include, for the year covered by such report, the following:

''(1) A list of Department regulations, policies, programs, initiatives, and activities for which civil rights and civil liberties impact assessments were conducted, or policy advice, recommendations, or other technical assistance was provided.

''(2) An assessment of the efforts of the Department to effectively communicate with all individuals impacted by programs and activities of the Department, including those with limited English proficiency through the language access program referred to in subsection (b)(13).

''(3) A summary of investigations under paragraph (7) or (8) of subsection (b) resulting in recommendations issued pursuant to subsection (f), together with information on the status of the implementation of such recommendations by the component at issue.

''(4) Information on the diversity and equal employment opportunity activities of the Department, including information on complaint management and adjudication of equal employment opportunity complaints, and efforts to ensure compliance throughout the Department with equal employment opportunity requirements.

''(5) A description of any efforts, including public meetings, to engage with individuals, stakeholders, and communities the civil rights and civil liberties of which may be affected by policies, programs, initiatives, and activities of the Department.

''(6) Information on total staffing for the Office, including—

''(A) the number of full-time, part-time, and contract support personnel; and

''(B) information on the number of employees whose primary responsibilities include supporting the Officer in carrying out paragraph (10) of subsection (b).

''(7) If required, a classified annex.

''(j) DEFINITION.—In this section, the term 'component' means any operational component, non-operational component, directorate, or office of the Department.''.

(2) CLERICAL AMENDMENT.—The item relating to section 705 in section 1(b) of the Homeland Security Act of 2002 is amended to read as follows:

''Sec. 705. Officer for Civil Rights and Civil Liberties''.

(3) REPORTING TO CONGRESS.—Section 1062(f)(1)(A)(i) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–1(f)(1)(A)(i)) is amended by striking ''the Committee on Oversight and Government Reform of the House of Representatives'' and inserting ''the Committee on Homeland Security of the House of Representatives, the Committee on Oversight and Reform of the House of Representatives''.

(b) COMPTROLLER GENERAL REVIEW.—Not later than two years after the date of the enactment of this section, the Comptroller General of the United States shall submit to Congress a report on the implementation of subsection (b)(12) of section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345), as amended by subsection (a).

AMENDMENT NO. 527 OFFERED BY MR. GREEN OF TEXAS

At the end of title LI of division E, add the following:

SEC. 51____. INCLUSION OF VETERANS IN HOUSING PLANNING.

(a) PUBLIC HOUSING AGENCY PLANS.—Section 5A(d)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437c–1(d)(1)) is amended by striking ''and disabled families'' and inserting '', disabled families, and veterans (as such term is defined in section 101 of title 38, United States Code)''.

(b) COMPREHENSIVE HOUSING AFFORDABILITY STRATEGIES.—

(1) IN GENERAL.—Section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) is amended—

(A) in subsection (b)(1), by inserting ''veterans (as such term is defined in section 101 of title 38, United States Code),'' after ''acquired immunodeficiency syndrome,'';

(B) in subsection (b)(20), by striking ''and service'' and inserting ''veterans service, and other service''; and

(C) in subsection (e)(1), by inserting ''veterans (as such term is defined in section 101 of title 38, United States Code),'' after ''homeless persons,''.

(2) CONSOLIDATED PLANS.—The Secretary of Housing and Urban Development shall revise the regulations relating to submission of consolidated plans (part 91 of title 24, Code of Federal Regulations) in accordance with the amendments made by paragraph (1) of this

subsection to require inclusion of appropriate information relating to veterans and veterans service agencies in all such plans.

SEC. 51___. ANNUAL REPORT ON HOUSING ASSISTANCE TO VETERANS.

(a) IN GENERAL.—Not later than December 31 of each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans during such year to the following:

(1) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) The Committee on Veterans' Affairs of the Senate.

(3) The Committee on Appropriations of the Senate.

(4) The Committee on Financial Services of the House of Representatives.

(5) The Committee on Veterans' Affairs of the House of Representatives.

(6) The Committee on Appropriations of the House of Representatives.

(7) The Secretary of Veterans Affairs.

(b) CONTENTS.—Each report required under subsection (a) shall include the following information with respect to the year for which the report is submitted:

(1) The number of homeless veterans provided assistance under the program of housing choice vouchers for homeless veterans under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), the socioeconomic characteristics and racial characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(2) The number of homeless veterans provided assistance under the Tribal HUD–VA Supportive Housing Program (HUD–VASH) authorized by the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113–235; 128 Stat. 2733), the socioeconomic characteristics and racial characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(3) A summary description of the special considerations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1) and under comprehensive housing affordability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(4) A description of the activities of the Special Assistant for Veterans Affairs.

(5) A description of the efforts of the Department of Housing and Urban Development to coordinate the delivery of housing and services to veterans with other Federal departments and agencies, including the Department of Defense, Department of Justice, Department of Labor, Department of Health and Human Services, Department of Veterans Affairs, and the Interagency Council on Homelessness.

(6) The cost to the Department of Housing and Urban Development of administering the programs and activities relating to veterans.

(7) Any other information that the Secretary considers relevant in assessing the programs and activities of the Department of Housing and Urban Development relating to veterans.

(c) ASSESSMENT OF HOUSING NEEDS OF VERY LOW-INCOME VETERAN FAMILIES.—

(1) IN GENERAL.—For the first report submitted pursuant to subsection (a) and every fifth report thereafter, the Secretary of Housing and Urban Development shall—

(A) conduct an assessment of the housing needs of very low-income veteran families (as such term is defined in paragraph 5); and

(B) shall include in each such report findings regarding such assessment.

(2) CONTENT.—Each assessment under this subsection shall include—

(A) conducting a survey of, and direct interviews with, a representative sample of very low-income veteran families (as such term is defined in paragraph 5) to determine past and current—

(i) socioeconomic characteristics of such veteran families;

(ii) barriers to such veteran families obtaining safe, quality, and affordable housing;

(iii) levels of homelessness among such veteran families; and

(iv) levels and circumstances of, and barriers to, receipt by such veteran families of rental housing and homeownership assistance; and

(B) such other information that the Secretary determines, in consultation with the Secretary of Veterans Affairs and national nongovernmental organizations concerned with veterans, homelessness, and very low-income housing, may be useful to the assessment.

(3) CONDUCT.—If the Secretary contracts with an entity other than the Department of Housing and Urban Development to conduct the assessment under this subsection, such entity shall be a nongovernmental organization determined by the Secretary to have appropriate expertise in quantitative and qualitative social science research.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Housing and Urban Development, to be available until expended to carry out this subsection, $1,000,000.

(5) VERY LOW-INCOME VETERAN FAMILY.—The term ''very low-income veteran family'' means a veteran family whose income does not exceed 50 percent of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish an income ceiling higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents (as determined under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)).

AMENDMENT NO. 528 OFFERED BY MR. GREEN OF TEXAS

At the end of title LI, insert the following:

SEC. _____. PAYMENTS TO INDIVIDUALS WHO SERVED DURING WORLD WAR II IN THE UNITED STATES MERCHANT MARINE.

(a) ESTABLISHMENT OF COMPENSATION FUND.—Subchapter II of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 534. Merchant Mariner Equity Compensation Fund

''(a) COMPENSATION FUND.—(1) There is in the general fund of the Treasury a fund to be known as the 'Merchant Mariner Equity Compensation Fund' (in this section referred to as the 'compensation fund').

''(2) Subject to the availability of appropriations provided in advance in a appropriations Act specifically for the purpose of carrying out this section, and no other funding source, amounts in the compensation fund shall be available to the Secretary without fiscal year limitation to make payments to eligible individuals in accordance with this section.

''(b) ELIGIBLE INDIVIDUALS.—(1) An eligible individual is an individual who—

''(A) during the one-year period beginning on the date of the enactment of this section, submits to the Secretary an application containing such information and assurances as the Secretary may require;

''(B) has not received benefits under the Servicemen's Readjustment Act of 1944 (Public Law 78–346); and

''(C) has engaged in qualified service.

''(2) For purposes of paragraph (1), a person has engaged in qualified service if, between December 7, 1941, and December 31, 1946, the person—

''(A) was a member of the United States merchant marine (including the Army Transport Service and the Naval Transport Service) serving as a crewmember of a vessel that was—

''(i) operated by the War Shipping Administration or the Office of Defense Transportation (or an agent of the Administration or Office);

''(ii) operated in waters other than inland waters, the Great Lakes, and other lakes, bays, and harbors of the United States;

''(iii) under contract or charter to, or property of, the Government of the United States; and

''(iv) serving the Armed Forces; and

''(B) while so serving, was licensed or otherwise documented for service as a crewmember of such a vessel by an officer or employee of the United States authorized to license or document the person for such service.

''(3) In determining the information and assurances required in the application pursuant to paragraph (1)(A), the Secretary shall accept a DD–214 form as proof of qualified service.

''(c) AMOUNT OF PAYMENT.—The Secretary shall make one payment out of the compensation fund in the amount of $25,000 to an eligible individual. The Secretary shall make such a payment to eligible individuals in the order in which the Secretary receives the applications of the eligible individuals. Payments may only be made subject to the availability of funds provided in advance in an appropriations Act for this purpose.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2022 $125,000,000 for the compensation fund. Such amount shall remain available until expended.

''(e) REPORTS.—The Secretary shall include, in documents submitted to Congress by the Secretary in support of the President's budget for each fiscal year, detailed information on the operation of the compensation fund, including the number of applicants, the number of eligible individuals receiving benefits, the amounts paid out of the compensation fund, the administration of the compensation fund, and an estimate of the amounts necessary to fully fund the compensation fund for that fiscal year and each of the three subsequent fiscal years.

''(f) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.''.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe the regulations required under section 534(f) of title 38, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 532 the following new item:

''534. Merchant Mariner Equity Compensation Fund.''.

AMENDMENT NO. 529 OFFERED BY MR. GREEN OF TEXAS

Add at the end of title LIV of division E the following:

SEC. 54___. MILITARY SERVICE QUESTION.

(a) IN GENERAL.—Subpart A of part 2 of subtitle A of title VIII of the Housing and Community Development Act of 1992 (12 U.S.C. 4541 et seq.) is amended by adding at the end the following:

''SEC. 1329. UNIFORM RESIDENTIAL LOAN APPLICATION.

''The Director shall, not later than 6 months after the date of the enactment of this section, require each enterprise to—

''(1) include a military service question on the form known as the Uniform Residential Loan Application; and

''(2) position such question above the signature line of the Uniform Residential Loan Application.''.

(b) RULEMAKING.—The Director of the Federal Housing Finance Agency shall, not later than 6 months after the date of the enactment of this section, issue a rule to carry out the amendment made by this section.

AMENDMENT NO. 530 OFFERED BY MR. GREEN OF TEXAS

Add at the end of title LIV of division E the following:

SEC. 5403. PROHIBITION ON TRADING AHEAD BY MARKET MAKERS.

(a) IN GENERAL.—Section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) is amended by adding at the end the following:

''(p) PROHIBITION ON TRADING AHEAD BY MARKET MAKERS.—

''(1) IN GENERAL.—With respect to a person acting in the capacity of a market maker, if the person accepts an order with respect to a security from a customer, including a broker or dealer—

''(A) the market maker has a duty of trust and loyalty to the customer arising from the receipt of such order; and

''(B) the information in such order is material, non-public information that may be used only in furtherance of executing such customer's order.

''(2) ANNUAL CEO CERTIFICATION.—The Chief Executive Officer of each person that acts in the capacity of a market maker shall issue an annual certification to the Commission, in such form and manner as the Commission may prescribe by rule, that certifies that—

''(A) the person has performed reasonable due diligence during the reporting period to ensure that the person has not violated the duty of trust and loyalty described under paragraph (1)(A) or used the information described under paragraph (1)(B) in a prohibited fashion; and

''(B) the person has not violated the duty of trust and loyalty described under paragraph (1)(A) or used the information described under paragraph (1)(B) in a prohibited fashion during the reporting period.

''(3) PERSONAL LIABILITY.—

''(A) FINE FOR INDIVIDUAL VIOLATIONS.—Any associated person of a market maker who knowingly and willfully causes the market maker to violate paragraph (1) (or who directs another agent or associated person of the market maker to commit such a violation or engage in such acts that result in the associated person being personally unjustly enriched) shall be fined in an amount equal to the greater of—

''(i) two times the amount of profit realized by reason of such violation; or

''(ii) $50,000.

''(B) COURSE OF CONDUCT.—Any associated person of a market maker who knowingly and willfully causes the market maker to engage in a course of conduct of knowingly and willfully violating paragraph (1) (or who directs another agent or associated person of the market maker to commit such a violation or engage in such acts that result in the associated person being personally unjustly enriched) shall be—

''(i) fined in an amount not to exceed 200 percent of the compensation (including stock options awarded as compensation) received by such associated person from the market maker—

''(I) during the time period in which the violations occurred; or

''(II) in the one- to three-year time period preceding the date on which the violations were discovered; and

''(ii) imprisoned for not more than 5 years.

''(C) ASSOCIATED PERSON DEFINED.—The term 'associated person' means an associated person of a broker or dealer.

''(4) RULEMAKING.—Not later than the end of the 90-day period beginning on the date of enactment of this subsection, the Commission—

''(A) shall issue rules to carry out this subsection; and

''(B) may provide exemptions from the requirements of this subsection, by rule, if the Commission determines that such exemptions would promote market integrity and are necessary or appropriate in the public interest or for the protection of investors.''.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the prohibitions added by this section should complement, and not replace, existing rules of self-regulatory organizations applicable to their members, including brokers and dealers.

(c) EFFECTIVE DATE.—Section 15(p) of the Securities Exchange Act of 1934, as added by subsection (a), shall take effect after the end of the 180-day period beginning on the date of enactment of this Act.

AMENDMENT NO. 531 OFFERED BY MR. GUEST OF MISSISSIPPI

At the end of title LIII of division E of the bill, add the following:

SEC. _____. HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.

(a) IN GENERAL.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) is amended by adding at the end the following:

''SEC. 219. HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.

''(a) DEFINITIONS.—In this section:

''(1) BROADBAND PROJECT.—The term 'broadband project' means, for the purpose of providing, extending, expanding, or improving high-speed broadband service to further the goals of this Act—

''(A) planning, technical assistance, or training;

''(B) the acquisition or development of land; or

''(C) the acquisition, design and engineering, construction, rehabilitation, alteration, expansion, or improvement of facilities, including related machinery, equipment, contractual rights, and intangible property.

''(2) ELIGIBLE RECIPIENT.—

''(A) IN GENERAL.—The term 'eligible recipient' means an eligible recipient.

''(B) INCLUSIONS.—The term 'eligible recipient' includes—

''(i) a public-private partnership; and

''(ii) a consortium formed for the purpose of providing, extending, expanding, or improving high-speed broadband service between 1 or more eligible recipients and 1 or more for-profit organizations.

''(3) HIGH-SPEED BROADBAND.—The term 'high-speed broadband' means the provision of 2-way data transmission with sufficient downstream and upstream speeds to end users to permit effective participation in the economy and to support economic growth, as determined by the Secretary.

''(b) BROADBAND PROJECTS.—

''(1) IN GENERAL.—On the application of an eligible recipient, the Secretary may make grants under this title for broadband projects, which shall be subject to the provisions of this section.

''(2) CONSIDERATIONS.—In reviewing applications submitted under paragraph (1), the Secretary shall take into consideration geographic diversity of grants allocated, including consideration of underserved markets, in addition to data requested in paragraph (3).

''(3) DATA REQUESTED.—In reviewing an application submitted under paragraph (1), the Secretary shall request from the Federal Communications Commission, the Administrator of the National Telecommunications and Information Administration, the Secretary of Agriculture, and the Appalachian Regional Commission data on—

''(A) the level and extent of broadband service that exists in the area proposed to be served; and

''(B) the level and extent of broadband service that will be deployed in the area proposed to be served pursuant to another Federal program.

''(4) INTEREST IN REAL OR PERSONAL PROPERTY.—For any broadband project carried out by an eligible recipient that is a public-private partnership or consortium, the Secretary shall require that title to any real or personal property acquired or improved with grant funds, or if the recipient will not acquire title, another possessory interest acceptable to the Secretary, be vested in a public partner or eligible nonprofit organization or association for the useful life of the project, after which title may be transferred to any member of the public-private partnership or consortium in accordance with regulations promulgated by the Secretary.

''(5) PROCUREMENT.—Notwithstanding any other provision of law, no person or entity shall be disqualified from competing to provide goods or services related to a broadband project on the basis that the person or entity participated in the development of the broadband project or in the drafting of specifications, requirements, statements of work, or similar documents related to the goods or services to be provided.

''(6) BROADBAND PROJECT PROPERTY.—

''(A) IN GENERAL.—The Secretary may permit a recipient of a grant for a broadband project to grant an option to acquire real or personal property (including contractual rights and intangible property) related to that project to a third party on such terms as the Secretary determines to be appropriate, subject to the condition that the option may only be exercised after the Secretary releases the Federal interest in the property.

''(B) TREATMENT.—The grant or exercise of an option described in subparagraph (A) shall not constitute a redistribution of grant funds under section 217.

''(c) NON-FEDERAL SHARE.—In determining the amount of the non-Federal share of the cost of a broadband project, the Secretary may provide credit toward the non-Federal share for the present value of allowable contributions over the useful life of the broadband project, subject to the condition that the Secretary may require such assurances of the value of the rights and of the commitment of the rights as the Secretary determines to be appropriate.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 note; Public Law 89–136) is amended by inserting after the item relating to section 218 the following:

''Sec. 219. High-speed broadband deployment initiative.''.

AMENDMENT NO. 532 OFFERED BY MR. HARDER OF CALIFORNIA

At the end of title LI, insert the following:

SEC. 51___. EXPANSION OF ELIGIBILITY FOR HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE VETERANS OF WORLD WAR II.

Section 1710(a)(2)(E) of title 38, United States Code, is amended—

(1) by striking ''of the Mexican border period or of World War I;'' and inserting ''of—''; and

(2) by adding at the end the following new clauses:

''(i) the Mexican border period;

''(ii) World War I; or

''(iii) World War II;''.

AMENDMENT NO. 533 OFFERED BY MR. HILL OF ARKANSAS

Add at the end of subtitle C of title XII of division A the following:

SEC. 1226. INTERAGENCY STRATEGY TO DISRUPT AND DISMANTLE NARCOTICS PRODUCTION AND TRAFFICKING AND AFFILIATED NETWORKS LINKED TO THE REGIME OF BASHAR AL-ASSAD IN SYRIA.

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

(1) the Captagon trade linked to the regime of Bashar al-Assad in Syria is a transnational security threat; and

(2) the United States should develop and implement an interagency strategy to deny, degrade, and dismantle Assad-linked narcotics production and trafficking networks.

(b) REPORT AND STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, the Director of National Intelligence, and the heads of other appropriate Federal agencies shall provide to the appropriate congressional committees a written strategy to disrupt and dismantle narcotics production and trafficking and affiliated networks linked to the regime of Bashar al-Assad in Syria. Such strategy shall include each of the following:

(1) A strategy to target, disrupt, and degrade networks that directly or indirectly support the narcotics infrastructure of the Assad regime, particularly through diplomatic and intelligence support to law enforcement investigations and to build counter-narcotics capacity to partner countries through assistance and training to law enforcement services in countries, other than Syria, that are receiving or transiting large quantities of Captagon.

(2) Information relating to the use of statutory authorities, including the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note), the Foreign Narcotics Kingpin Designation Act (popularly referred to as the ''Kingpin Act''), section 489 of the Foreign Assistance Act (relating to the international narcotics control strategy report), and associated actions to target individuals and entities directly or indirectly associated with the narcotics infrastructure of the Assad regime.

(3) Information relating to the use of global diplomatic engagements associated with the economic pressure campaign against the Assad regime to target its narcotics infrastructure.

(4) A strategy for leveraging multilateral institutions and cooperation with international partners to disrupt the narcotics infrastructure of the Assad regime.

(5) A strategy for mobilizing a public communications campaign to increase awareness of the extent of the connection of the Assad regime to illicit narcotics trade.

(6) A description of the countries receiving or transiting large shipments of Captagon, and an assessment of the counter-narcotics capacity of such countries to interdict or disrupt the smuggling of Captagon, including an assessment of current United States assistance and training programs to build such capacity in such countries.

(c) FORM OF REPORT.—The report required under subsection (b) shall be submitted in an unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 534 OFFERED BY MR. HILL OF ARKANSAS

Add at the end of title LIV of division E the following:

SEC. 5403. SECURING AMERICA'S VACCINES FOR EMERGENCIES.

(a) SECURING ESSENTIAL MEDICAL MATERIALS.—

(1) STATEMENT OF POLICY.—Section 2(b) of the Defense Production Act of 1950 (50 U.S.C. 4502) is amended—

(A) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

(B) by inserting after paragraph (2) the following:

''(3) authorities under this Act should be used when appropriate to ensure the availability of medical materials essential to national defense, including through measures designed to secure the drug supply chain, and taking into consideration the importance of United States competitiveness, scientific leadership and cooperation, and innovative capacity;''.

(2) STRENGTHENING DOMESTIC CAPABILITY.—Section 107 of the Defense Production Act of 1950 (50 U.S.C. 4517) is amended—

(A) in subsection (a), by inserting ''(including medical materials)'' after ''materials''; and

(B) in subsection (b)(1), by inserting ''(including medical materials such as drugs, devices, and biological products to diagnose, cure, mitigate, treat, or prevent disease that are essential to national defense)'' after ''essential materials''.

(3) STRATEGY ON SECURING SUPPLY CHAINS FOR MEDICAL MATERIALS.—Title I of the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.) is amended by adding at the end the following:

''SEC. 109. STRATEGY ON SECURING SUPPLY CHAINS FOR MEDICAL MATERIALS.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the President, in consultation with the Secretary of Health and Human Services, the Secretary of Commerce, the Secretary of Homeland Security, and the Secretary of Defense, shall transmit a strategy to the appropriate Members of Congress that includes the following:

''(1) A detailed plan to use the authorities under this title and title III, or any other provision of law, to ensure the supply of medical materials (including drugs, devices, and biological products (as that term is defined in section 351 of the Public Health Service Act (42 U.S.C. 262)) to diagnose, cure, mitigate, treat, or prevent disease) essential to national defense, to the extent necessary for the purposes of this Act.

''(2) An analysis of vulnerabilities to existing supply chains for such medical materials, and recommendations to address the vulnerabilities.

''(3) Measures to be undertaken by the President to diversify such supply chains, as appropriate and as required for national defense.

''(4) A discussion of—

''(A) any significant effects resulting from the plan and measures described in this subsection on the production, cost, or distribution of biological products (as that term is defined in section 351 of the Public Health Service Act (42 U.S.C. 262)) or any other devices or drugs (as defined under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.));

''(B) a timeline to ensure that essential components of the supply chain for medical materials are not under the exclusive control of a foreign government in a manner that the President determines could threaten the national defense of the United States; and

''(C) efforts to mitigate any risks resulting from the plan and measures described in this subsection to United States competitiveness, scientific leadership, and innovative capacity, including efforts to cooperate and proactively engage with United States allies.

''(b) PROGRESS REPORT.—Following submission of the strategy under subsection (a), the President shall submit to the appropriate Members of Congress an annual progress report until September 30, 2025, evaluating the implementation of the strategy, and may include updates to the strategy as appropriate. The strategy and progress reports shall be submitted in unclassified form but may contain a classified annex.

''(c) APPROPRIATE MEMBERS OF CONGRESS.—The term 'appropriate Members of Congress' means the Speaker, majority leader, and minority leader of the House of Representatives, the majority leader and minority leader of the Senate, the Chairman and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, the Chairman and Ranking Member of the Committee on Financial Services of the House of Representatives, the Chairman and Ranking Member of the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Chairman and Ranking Member of the Committee on Health, Education, Labor, and Pensions of the Senate.''.

(b) INVESTMENT IN SUPPLY CHAIN SECURITY.—

(1) IN GENERAL.—Section 303 of the Defense Production Act of 1950 (50 U.S.C. 4533) is amended by adding at the end the following:

''(h) INVESTMENT IN SUPPLY CHAIN SECURITY.—

''(1) IN GENERAL.—In addition to other authorities in this title, the President may make available to an eligible entity described in paragraph (2) payments to increase the security of supply chains and supply chain activities, if the President certifies to Congress not less than 30 days before making such a payment that the payment is critical to meet national defense requirements of the United States.

''(2) ELIGIBLE ENTITY.—An eligible entity described in this paragraph is an entity that—

''(A) is organized under the laws of the United States or any jurisdiction within the United States; and

''(B) produces—

''(i) one or more critical components;

''(ii) critical technology; or

''(iii) one or more products or raw materials for the security of supply chains or supply chain activities.

''(3) DEFINITIONS.—In this subsection, the terms 'supply chain' and 'supply chain activities' have the meanings given those terms by the President by regulation.''.

(2) REGULATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall prescribe regulations setting forth definitions for the terms ''supply

chain'' and ''supply chain activities'' for the purposes of section 303(h) of the Defense Production Act of 1950 (50 U.S.C. 4533(h)), as added by paragraph (1).

(B) SCOPE OF DEFINITIONS.—The definitions required by subparagraph (A)—

(i) shall encompass—

(I) the organization, people, activities, information, and resources involved in the delivery and operation of a product or service used by the Government; or

(II) critical infrastructure as defined in Presidential Policy Directive 21 (February 12, 2013; relating to critical infrastructure security and resilience); and

(ii) may include variations as determined necessary and appropriate by the President for purposes of national defense.

AMENDMENT NO. 535 OFFERED BY MR. HILL OF ARKANSAS

Page 1262, after line 23, insert the following:

SEC. _____. SPECIAL DRAWING RIGHTS EXCHANGE PROHIBITION.

(a) IN GENERAL.—The Secretary of the Treasury may not engage in any transaction involving the exchange of Special Drawing Rights issued by the International Monetary Fund that are held by the Russian Federation or Belarus.

(b) ADVOCACY.—The Secretary of the Treasury shall—

(1) vigorously advocate that the governments of the member countries of the International Monetary Fund, to the extent that the member countries issue freely usable currencies, prohibit transactions involving the exchange of Special Drawing Rights held by the Russian Federation or Belarus and

(2) direct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice and vote of the United States to oppose the provision of financial assistance to the Russian Federation and Belarus, except to address basic human needs of the civilian population.

(c) TERMINATION.—The preceding provisions of this section shall have no force or effect on the earlier of—

(1) the date that is 5 years after the date of the enactment of this Act; or

(2) 30 days after the date that the President reports to the Congress that the governments of the Russian Federation and Belarus have ceased destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine.

(d) WAIVER.—The President may waive the application of this section if the President reports to the Congress that the waiver is in the national interest of the United States and includes an explanation of the reasons therefor.

AMENDMENT NO. 536 OFFERED BY MR. HIMES OF CONNECTICUT

Add at the end of title LIV of division E the following:

SEC. 5403. PROHIBITION ON INSIDER TRADING.

(a) IN GENERAL.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 16 (15 U.S.C. 78p) the following:

''SEC. 16A. PROHIBITION ON INSIDER TRADING.

''(a) PROHIBITION AGAINST TRADING SECURITIES WHILE AWARE OF MATERIAL, NONPUBLIC INFORMATION.—It shall be unlawful for any person, directly or indirectly, to purchase, sell, or enter into, or cause the purchase or sale of, or entry into, any security, security-based swap, or security-based swap agreement if that person, at the time the person takes such an action—

''(1) has access to information relating to such security, security-based swap, or security-based swap agreement that is material and nonpublic and is aware (including if the person consciously avoids being aware), or recklessly disregards, that such information is material and nonpublic; and

''(2) is aware (including if the person consciously avoids being aware), or recklessly disregards, that—

''(A) the information described in paragraph (1) has been obtained wrongfully; or

''(B) the purchase, sale, or entry would constitute wrongful trading on the information described in paragraph (1).

''(b) PROHIBITION AGAINST THE WRONGFUL COMMUNICATION OF CERTAIN MATERIAL, NONPUBLIC INFORMATION.—It shall be unlawful for any person, the purchase or sale of a security or security-based swap (or entry into a security-based swap agreement) by which would violate subsection (a), to wrongfully communicate material, nonpublic information relating to that security, security-based swap, or security-based swap agreement to any other person, if—

''(1) the person communicating the information, at the time the person communicates the information, is aware (including if the person consciously avoids being aware), or recklessly disregards, that such communication would result in such a purchase, sale, or entry; and

''(2) any recipient of the wrongfully communicated information purchases, sells, or causes the purchase or sale of any security or security-based swap, or enters into (or causes the entry into) any security-based swap agreement, based on that communication.

''(c) STANDARD AND KNOWLEDGE REQUIREMENT.—

''(1) STANDARD.—For purposes of this section, trading while aware of material, nonpublic information under subsection (a), or communicating material, nonpublic information under subsection (b), is wrongful only if the information has been obtained by, or the communication or trading on the information would constitute, directly or indirectly—

''(A) theft, conversion, bribery, misrepresentation, espionage (through electronic or other means), or other unauthorized access of the information;

''(B) a violation of any Federal law protecting—

''(i) computer data; or

''(ii) the intellectual property or privacy of computer users;

''(C) misappropriation from a source of the information; or

''(D) a breach of any fiduciary duty to shareholders of an issuer for a direct or indirect personal benefit, including—

''(i) an existing or future pecuniary gain or reputational benefit; or

''(ii) a gift of confidential information to a relative or friend.

''(2) KNOWLEDGE REQUIREMENT.—It shall not be necessary that a person trading while aware of information in violation of subsection (a), or making a communication in violation of subsection (b), knows the specific means by which the information was obtained or communicated or traded on, or the specific benefit described in paragraph (1)(D) that was received, paid, or promised by or to any person in the chain of communication, if the person trading while aware of the information or making the communication, as applicable, at the time the person makes the trade or communicates the information, is aware (including if the person consciously avoids being aware), or recklessly disregards, that the information was wrongfully obtained, wrongfully traded on, or wrongfully communicated.

''(d) AFFIRMATIVE DEFENSES.—

''(1) IN GENERAL.—The Commission may, by rule or by order, exempt any person, security, or transaction, or any class of persons, securities, or transactions, from any or all of the provisions of this section, upon such terms and conditions as the Commission considers necessary or appropriate in furtherance of the purposes of this title.

''(2) RULE 10B5–1 COMPLIANT TRANSACTIONS.—The prohibitions of this section shall not apply to any transaction that satisfies the requirements of section 240.10b5–1 of title 17, Code of Federal Regulations, or any successor regulation.

''(e) RULE OF CONSTRUCTION.—The rights and remedies provided by this section shall be in addition to any and all other rights and remedies that may exist at law or in equity (without regard to whether such a right or remedy is provided under this Act) with respect to an action by a person to—

''(1) purchase, sell, or enter into a security, security-based swap, or security-based swap agreement while aware of material, nonpublic information; or

''(2) communicate material, nonpublic information relating to a security, security-based swap, or security-based swap agreement.''.

(b) CONFORMING AMENDMENTS.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 3(a)(78)(A) (15 U.S.C. 78c(a)(78)(A)), by inserting ''16A,'' after ''16,'';

(2) in section 21(d)(2) (15 U.S.C. 78u(d)(2)), by striking ''or the rules or regulations thereunder'' and inserting '', section 16A of this title, or the rules or regulations under either such section'';

(3) in section 21A (15 U.S.C. 78u–1)—

(A) in subsection (g)(1), by striking ''section 10(b) and Rule 10b–5 thereunder'' and inserting ''section 10(b), Rule 10b–5 thereunder, and section 16A''; and

(B) in subsection (h)(1), by striking ''section 10(b), and Rule 10b–5 thereunder'' and inserting ''section 10(b), Rule 10b–5 thereunder, and section 16A''; and

(4) in section 21C(f) (15 U.S.C. 78u–3(f)), by striking ''or the rules or regulations thereunder'' and inserting '', section 16A, or the rules or regulations under either such section''.

AMENDMENT NO. 537 OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

At the end of title LI, insert the following:

SEC. 51____. PILOT PROGRAM ON CYBERSECURITY TRAINING FOR VETERANS AND MILITARY SPOUSES.

(a) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Veterans Affairs, shall establish a pilot program under which the Secretary of Homeland Security shall provide cybersecurity training to eligible individuals at no cost to such individuals.

(b) ELEMENTS.—The cybersecurity training provided under the pilot program shall include—

(1) coursework and training that, if applicable, qualifies for postsecondary credit toward an associate or baccalaureate degree at an institution of higher education;

(2) virtual learning opportunities;

(3) hands-on learning and performance-based assessments;

(4) Federal work-based learning opportunities and programs; and

(5) the provision of recognized postsecondary credentials to eligible individuals who complete the pilot program.

(c) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible for the pilot program under this section an individual shall be—

(A) a veteran who is entitled to educational assistance under chapter 30, 32, 33, 34, or 35 of title 38, United States Code, or chapter 1606 of title 10, United States Code;

(B) a member of an active or a reserve component of the Armed Forces who the Secretary determines will become an eligible individual under paragraph (1) within 180 days of the date of such determination; or

(C) an eligible spouse described in section 1784a(b) of title 10, United States Code.

(2) NO CHARGE TO ENTITLEMENT.—In the case of an individual described in paragraph (1)(A), training under this section shall be provided to the individual without charge to the entitlement of the individual to educational assistance under the laws administered by the Secretary of Veterans Affairs.

(d) ALIGNMENT WITH NICE WORKFORCE FRAMEWORK FOR CYBERSECURITY.—In carrying out the pilot program, the Secretary shall ensure alignment with the taxonomy, including work roles and competencies and the associated tasks, knowledge, and skills, from the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity (NIST Special Publication 800–181, Revision 1), or successor framework.

(e) COORDINATION.—

(1) TRAINING, PLATFORMS, AND FRAMEWORKS.—In developing the pilot program, the Secretary of Homeland Security shall coordinate with the Secretary of Veterans Affairs, the Secretary of Defense, the Secretary of Labor, the Director of the National Institute of Standards and Technology, and the Director of the Office of Personnel Management to evaluate and, where possible, leverage existing training, platforms, and frameworks of the Federal Government for providing cybersecurity education and training to prevent duplication of efforts.

(2) FEDERAL WORK-BASED LEARNING OPPORTUNITIES AND PROGRAMS.—In developing the Federal work-based learning opportunities and programs required under subsection (b)(4), the Secretary of Homeland Security shall coordinate with the Secretary of Veterans Affairs, the Secretary of Defense, the Secretary of Labor, the Director of the Office of Personnel Management, and the heads of other appropriate Federal agencies to identify or create, as necessary, interagency opportunities to provide participants in the pilot program with—

(A) opportunities to acquire and demonstrate competencies; and

(B) the capabilities necessary to qualify for Federal employment.

(f) RESOURCES.—

(1) IN GENERAL.—In any case in which the pilot program—

(A) uses training, platforms, and frameworks described in subsection (e)(1), the Secretary of Homeland Security, in consultation with the Secretary of Veterans Affairs, shall ensure that the trainings, platforms, and frameworks are expanded and resourced to accommodate usage by eligible individuals participating in the pilot program; or

(B) does not use training, platforms, and frameworks described in subsection (e)(1), the Secretary of Homeland Security, in consultation with the Secretary of Veterans Affairs, shall develop or procure training, platforms, and frameworks necessary to carry out the requirements of subsection (b) and accommodate the usage by eligible individuals participating in the pilot program.

(2) ACTIONS.—In carrying out paragraph (1), the Secretary of Homeland Security may provide additional funding, staff, or other resources to—

(A) recruit and retain women, underrepresented minorities, and individuals from other underrepresented communities;

(B) provide administrative support for basic functions of the pilot program;

(C) ensure the success and ongoing engagement of eligible individuals participating in the pilot program;

(D) connect participants who complete the pilot program to job opportunities within the Federal Government; and

(E) allocate dedicated positions for term employment to enable Federal work-based learning opportunities and programs, as required under subsection (b)(4), for participants to gain the competencies necessary to pursue permanent Federal employment.

(g) REPORTS.—

(1) SECRETARY.—Not later than 2 years after the date on which the pilot program is established, and annually thereafter, the Secretary shall submit to Congress a report on the pilot program. Such report shall include—

(A) a description of—

(i) any activity carried out by the Department of Homeland Security under this section; and

(ii) the existing training, platforms, and frameworks of the Federal Government leveraged in accordance with subsection (e)(1); and

(B) an assessment of the results achieved by the pilot program, including—

(i) the admittance rate into the pilot program;

(ii) the demographics of participants in the program, including representation of women, underrepresented minorities, and individuals from other underrepresented communities;

(iii) the completion rate for the pilot program, including if there are any identifiable patterns with respect to participants who do not complete the pilot program;

(iv) as applicable, the transfer rates to other academic or vocational programs, and certifications and licensure exam passage rates;

(v) the rate of continued employment within a Federal agency for participants after completing the pilot program;

(vi) the rate of continued employment for participants after completing the pilot program; and

(vii) the median annual salary of participants who completed the pilot program and were subsequently employed.

(2) COMPTROLLER GENERAL.—Not later than 4 years after the date on which the pilot program is established, the Comptroller General of the United States shall submit to Congress a report on the pilot program, including the recommendation of the Comptroller General with respect to whether the pilot program should be extended.

(h) DEFINITIONS.—In this section:

(1) The term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) The term ''recognized postsecondary credential'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(4) The term ''work-based learning'' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(i) TERMINATION.—The authority to carry out the pilot program under this section shall terminate on the date that is 5 years after the date on which the Secretary establishes the pilot program under this section.

(j) FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT EXTENSION.—Section 304(a) of the Federal Cybersecurity Workforce Assessment Act of 2015 (5 U.S.C. 301 note) is amended, in the matter preceding paragraph (1), by striking ''2022'' and inserting ''2025''.

AMENDMENT NO. 538 OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

Add at the end of subtitle E of title VIII the following new section:

SEC. 8___. REPORT ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.

(a) IN GENERAL.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended by adding at the end the following new paragraph:

''(9) REPORT.—Not later than May 1, 2023, and annually thereafter, the Administrator shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report on small business concerns owned and controlled by women. Such report shall include, for the fiscal year preceding the date of the report, the following:

''(A) The total number of concerns certified as small business concerns owned and controlled by women, disaggregated by the number of concerns certified by—

''(i) the Administrator; or

''(ii) a national certifying entity approved by the Administrator.

''(B) The amount of fees, if any, charged by each national certifying entity for such certification.

''(C) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraph (2) or pursuant to a waiver granted under paragraph (3).

''(D) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraphs (7) and (8).

''(E) With respect to a contract incorrectly awarded pursuant to this subsection because it was awarded based on an industry in which small business concerns owned and controlled by women are not underrepresented—

''(i) the number of such contracts;

''(ii) the Federal agencies that issued such contracts; and

''(iii) any steps taken by Administrator to train the personnel of such Federal agency on the use of the authority provided under this subsection.

''(F) With respect to an examination described in paragraph (5)(B)—

''(i) the number of examinations due because of recertification requirements and the actual number of such examinations conducted; and

''(ii) the number of examinations conducted for any other reason.

''(G) The number of small business concerns owned and controlled by women that were found to be ineligible to be awarded a contract under this subsection as a result of an examination conducted pursuant to paragraph (5)(B) or failure to request an examination pursuant to section 127.400 of title 13, Code of Federal Regulations (or a successor rule).

''(H) The number of small business concerns owned and controlled by women that were decertified.

''(I) Any other information the Administrator determines necessary.''.

(b) TECHNICAL AMENDMENT.—Section 8(m)(2)(C) of the Small Business Act is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

AMENDMENT NO. 539 OFFERED BY MS. JACOBS OF CALIFORNIA

At the appropriate place in title LVIII, insert the following:

SEC. ___. MODIFICATION TO PEACEKEEPING OPERATIONS REPORT.

Section 6502 of the National Defense Authorization Act for Fiscal Year 2022 (135 Stat. 2422) is amended—

(1) in subsection (a)—

(A) by amendment paragraph (4) to read as follows:

''(4) As applicable, description of specific training on monitoring and adhering to international human rights and humanitarian law provided to the foreign country or entity receiving the assistance.''; and

(B) by striking paragraphs (7) and (8);

(2) in subsection (b)—

(A) by amending the heading to read as follows: ''REPORTS''; and

(B) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by inserting ''authorized under section 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348) and'' after ''security assistance''; and

(ii) by striking ''foreign countries'' and all that follows through the colon and inserting ''foreign countries for any of the following purposes:'';

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b), as amended, the following:

''(c) COORDINATION OF SUBMISSION.—The Secretary of State is authorized to integrate the elements of the report required by subsection (b) into other reports required to be submitted annually to the appropriate congressional committees.''.

AMENDMENT NO. 540 OFFERED BY MS. JAYAPAL OF WASHINGTON

At the appropriate place in title LVIII, insert the following:

SEC. _____. REPORT TO CONGRESS BY SECRETARY OF STATE ON GOVERNMENT-ORDERED INTERNET OR TELECOMMUNICATIONS SHUTDOWNS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate a report that—

(1) describes incidents, occurring during the 5-year period preceding the date of the submission of the report, of government-ordered internet or telecommunications shutdowns in foreign countries;

(2) analyzes the impact of such shutdowns on global security and the human rights of those affected; and

(3) contains a strategy for engaging with the international community to respond to such shutdowns.

AMENDMENT NO. 541 OFFERED BY MS. JAYAPAL OF WASHINGTON

Add at the end of subtitle B of title VII the following:

SEC. _____ HOUSING FIRST REPORT.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall, not later than 180 days after the date of the enactment of this section, submit to the Financial Services Committee of the House of Representatives and the Banking, Housing and Urban Affairs Committee of the Senate, a report about the effectiveness and success of housing first policies in addressing homelessness by connecting homeless individuals with housing and voluntary services.

(b) CONTENTS.—The report required under subsection (a) shall include findings made by the Secretary of Housing and Urban Development with respect to the barriers that people experiencing homelessness face when attempting to secure permanent housing.

(c) HOUSING FIRST POLICY DEFINED.—In this section, the term ''housing first policy'' means a policy that prohibits conditioning the provision of housing assistance for an individual or family on—

(1) individual or family participation in supportive services, such as counseling, job training, or addiction treatment, for such individual or family; or

(2) such individuals or family meeting certain prerequisites, including employment, sobriety, or lack of drug use.

AMENDMENT NO. 542 OFFERED BY MR. KAHELE OF HAWAII

Add at the end of subtitle E of title VIII the following new section:

SEC. 8___. NATIVE HAWAIIAN ORGANIZATIONS.

(a) COMPETITIVE THRESHOLDS.—Section 8020 of title VIII of division A of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (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.

The SPEAKER pro tempore. Pursuant to House Resolution 1124, the gentleman from Washington (Mr. SMITH) and the gentleman from Alabama (Mr. ROGERS) each will control 15 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Madam Speaker, I have no speakers on this en bloc, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Madam Speaker, I yield 5 minutes to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Madam Speaker, I rise today in support of my amendment No. 860, which is a modified version of my bipartisan Stop the Chinese Communist Party Infrastructure Act.

There is a growing concern, and rightfully so, surrounding awards of costly and sensitive public works projects across the United States to companies affiliated with the Chinese Communist Party, otherwise known as the CCP.

Bad actors have taken advantage of the availability of unaccountable Federal tax dollars. It is critical that Congress ensures that the Chinese Communist Party-linked entities do not receive these, or any other Federal funds for that matter, for primary or subcontracts to complete infrastructure projects in America or through the Department of Defense.

U.S. taxpayer-funded infrastructure projects should be held to a high standard of both quality and security. Public funds should not line the pockets of the Chinese Communist Party, which is engaged in a large-scale offensive against American national and industrial security or help fund the Chinese Government's continued human rights abuses.

While hardworking Americans struggle to make ends meet, Federal, State, and local governments have awarded major public works projects to the Chinese Communist Party-affiliated entities who have in turn produced lackluster results and cost the American people billions of dollars in the aftermath. The United States must do more to stand up to Communist China, while simultaneously bolstering our domestic construction and manufacturing industries.

This is why I submitted the Stop Chinese Communist Party Infrastructure Act as an amendment to this year's National Defense Authorization Act. This important legislation prohibits the Department of Defense from using Federal funds to enter, engage in, or award public works contracts in the United States to entities headquartered in China or affiliated with the Chinese Government or the Chinese Communist Party.

It is time for Congress to step up to the plate in support of American manufacturing and industry and against Communist China's gross human rights abuses and predatory trade practices.

Madam Speaker, I strongly encourage my colleagues to support this amendment.

Madam Speaker, I also rise today in support of other amendments introduced in this year's National Defense Authorization Act.

The first amendment requires an assessment of the previous U.N. arms embargo on Iran as well as a report on what steps the Departments of Defense and State are taking now in the absence of the U.N. arms embargo to constrain Iranian arms proliferation.

The second amendment requires a report on the activities of the Islamic Revolutionary Guard Corps operatives abroad, including the ways in which the U.S. is working with other nations to counter the threat that they pose.

The Islamic Revolutionary Guard Corps is a U.S.-designated foreign terrorist organization, and yet, the IRGC-affiliated officials continue to operate freely and openly in many foreign countries, often under the auspices of Iran's illegitimate diplomatic operations.

Even here in the U.S., the Iranian regime is reportedly continuing its efforts to plan and execute attacks against former senior government officials, including former Secretary of State Mike Pompeo.

The time is now for the United States to increase cooperation with our partners and allies around the world to address and expose the full range of threats posed by Iranian operatives.

Finally, my last amendment requires a report on the threat of aerial drones and unmanned aircraft to U.S. military bases both here and abroad. Every U.S. military base and installation should be prepared to detect, disable, and disarm hostile or unidentified, unmanned aerial systems. Sadly, we know many are not.

My amendment will be a significant step forward to ensure that the Department of Defense has the resources it

needs to deploy unmanned traffic management, UTM systems, to protect our interests and personnel. The report is long overdue.

Madam Speaker, I strongly encourage my colleagues to support these amendments, and I thank the chairman and the ranking member for including these amendments.

Mr. SMITH of Washington. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Madam Speaker, I rise today in support of the amendment of my friend and colleague, Congressman LIEU, that would allow the Department of Veterans Affairs and community partners to address the needs of homeless veterans in the Los Angeles area by authorizing the use of innovative funding streams.

Currently, the VA's West Los Angeles Leasing Act of 2016 restricts funding. Any Federal revenue generated from leases on the West Los Angeles VA campus may be used only for the renovation and maintenance of land and facilities.

This means that while the VA can use proceeds from the leases to pay for things like running utility lines, they cannot use funds for the supportive services that veterans residing on the campus need.

Los Angeles has the largest homeless veteran population in the country, with close to 10 percent of all homeless veterans across the U.S. residing there.

The West LA VA hospital campus provides an enormous opportunity to provide shelter and support for those who have served our Nation, but face hard times, by building a supportive community for veterans.

We have made great strides at the West LA VA campus to address veteran homelessness, but there is still so much more that needs to be done.

Specifically, this amendment will ensure that the West LA VA is able to collect $25 million from the Los Angeles Purple Line Metro easement and put that money toward housing and supportive services for homeless veterans.

Funds from easements and other use agreements at the West LA VA should be returned to the campus and used for those who served our country in the Armed Forces. This is simply common sense.

Last November, I visited the West LA VA campus with VA Secretary McDonough, Congresswoman BROWNLEY, Congresswoman BASS, and Congressman LIEU, who is leading this amendment.

During that visit, we learned about how the VA campus was transitioning the care, treatment, and rehabilitative services, or CTRS, from using tents to small innovative shelters.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. Madam Speaker, I yield an additional 1 minute to the gentleman from California.

Mr. TAKANO. Madam Speaker, this provides a much more supportive living situation for those veterans trying to escape homelessness.

Currently, there are roughly 105 veterans residing in these innovative shelters, and over 550 unique veterans have been admitted to the program—it has proven to be a successful model for getting veterans connected to VA resources and quickly moved into permanent housing or treatment programs.

The change Congressman LIEU's amendment will make is especially significant.

VA has determined that under current law it is restricted from using funds from its leases and easements to pay for critical improvements for veteran safety and well-being, like security for CTRS.

This amendment would also free up funding for permanent supportive housing to be built on the campus, which means more veterans will be off the streets and into a home to call their own with the VA care that they need close by.

Mr. ROGERS of Alabama. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. GARCIA).

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Ms. GARCIA of Texas. Mr. Speaker, I thank the chairman for including my two amendments in this en bloc.

Madam Speaker, I rise in support of two of my amendments that are included in this en bloc. The first authorizes Federal funds for two grant programs under the Maritime Administration.

My amendment focuses on the often overlooked but critical maritime industry. It is especially important to my district, which includes the Maritime Center of Excellence campus and the Port of Houston.

My amendment authorizes $30 million for a grant program to colleges which offer high-quality maritime workforce education and training programs. It also authorizes $30 million for the small shipyard grant program which supports training programs for shipbuilding and ship repair workers.

Congress must support the next generation of maritime workers, and Congress must support our supply chain workers. This amendment does that. It is just that simple.

The second amendment I led supports a pilot program on the sharing of suspicious financial activity. This pilot program allows financial institutions to share any suspicious information with their foreign branches, subsidiaries, and affiliates. Put simply, this program is designed to promote transparency and prevent illegal financial activity. It became law as part of the Anti-Money Laundering Act of 2020 included in the NDAA. Currently this pilot program is authorized for 3 years with a start date of January of 2021. Regrettably, the program is yet to begin.

With the adoption of my amendment, which is just a technical fix, the pilot program will be authorized for 3 years following its actual inception. This allows ample time to implement and to also measure its success.

Madam Speaker, I urge my colleagues to support the en bloc amendments and the underlying bill.

Mr. ROGERS of Alabama. Madam Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Washington. Madam Speaker, I have no further speakers.

Madam Speaker, I urge adoption of the en bloc package, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Madam Speaker, I too urge adoption of the en bloc package, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, as Chairman of the House Committee on Veteran's Affairs, one of my top priorities has been to curtail unethical conduct aimed at the men and women that have worn the uniform of our Nation. The Cicilline/Takano amendment offered to H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023 is another means to that end. This amendment would prohibit the enforcement of forced arbitration clauses in contracts covered by the Servicemembers Civil Relief Act (SCRA).

SCRA was created to extend important financial protections to military service personnel who are currently serving on active-duty and often targeted for exploitation. These protections can range from prohibiting lenders from repossessing cars and foreclosing on homes while servicemembers are actively deployed. Despite the protections granted in SCRA, corporations and big banks have been consistently targeting servicemembers and their families through the deceptive use of forced arbitration clauses. Forced arbitration has undermined the rights of servicemembers for years by forcing them to waive their ability to seek remedies through the courts. More often than not, these clauses are buried in the fine print of lengthy employment contracts.

This amendment will expand these protections to remove a common tool used in an exploitation that has become all too common. Those who serve in our military are inherently at a disadvantage against aggressive lenders as the nature of their service makes it difficult to seek fair resolve in any claims. Lenders are acutely aware of this unique disadvantage of servicemembers and many seek to take full advantage.

This prohibition on forced arbitration clauses would protect countless men and women from predatory lenders while deployed. Our servicemembers protect us both at home and abroad, and it is time we safeguard their rights against predatory lenders and others who shamelessly seek to exploit members of our military. I am hopeful that my colleagues on both sides of the aisle will vote in favor of this amendment, and I thank Congressman CICILLINE for his leadership.

Mr. CICILLINE. Madam Speaker, I rise in support of my amendment, which clarifies that the statutory rights of servicemembers and their families under the Servicemember Civil Relief Act, or SCRA (SICK-RUH), cannot be waived through forced arbitration unless arbitration is agreed to by both parties after a dispute arises.

American servicemembers, veterans, and their families have sacrificed much in service to our country. They have fought to protect the fundamental idea that we are a nation of laws and institutions that guarantee the rights and prosperity of every American.

Since the Second World War, Congress has created many laws, including SCRA, to expand and strengthen rights and protections for service members, veterans, and their families. These laws are essential protections that guarantee every veteran and active-duty service member—including Reservists and the National Guard—the right to be free from workplace discrimination because of their military service and the right to their day in court.

We are a stronger nation because of these rights.

But for too long, forced arbitration has eroded them by funneling service members' claims under the law into a private system set up by corporations.

Buried deep within the fine print of everyday contracts, forced arbitration clauses strip our brave men and women in uniform—as well as their family members—of their right to their their day in court to hold corporations accountable for breaking the law.

SCRA prevents landlords from enacting eviction proceedings, mortgage holders from foreclosing on a home, and lenders from repossessing a vehicle while a member of our armed forces is on active duty. However, forced arbitration clauses embedded in leases, mortgages, and titles prevent accountability for bad actors who take advantage of our servicemembers while they protect our country.

Charles Beard is just one or our nation's servicemen who was stripped of his rights because of forced arbitration. While Mr. Beard, a former Sergeant in the Army National Guard, was on tour in Iraq, the bank repossessed his family car in clear violation of SCRA. It was the only vehicle his wife and five children could rely on.

When he attempted to hold the bank accountable for violating the law, they forced his claim into arbitration, citing a clause in Mr. Beard's contract that he was required to sign to purchase the car. This clause—which he was not able to negotiate—waived his constitutional right to a jury trial. Mr. Beard tells his story better than I could. I quote him here:

"The bank didn't care that they violated the law. When I returned home, I found a lawyer, Sergei who filed a class action against Santander on behalf of myself and the hundreds of other servicemembers who also had their vehicles illegally repossessed. We tried to hold Santander publicly accountable, however, we were kicked out of court due to a forced arbitration agreement. Instead, I was forced into an arbitration hearing individually and over the phone while I was in the hospital after being wounded in Afghanistan. . . . There are reasons why servicemembers are given these protections. The last thing we need on top of the immense pressure we are already under while deployed is to worry about the wellbeing of our family and our finances back home."

This private system does not have the same procedural safeguards of our justice system. It is not subject to oversight, it does not have strong evidentiary standards, it does not have a judge or jury, it is not bound by laws passed by Congress or the states, and it is cloaked in secrecy. These clauses allow companies to choose their arbiter and venue while denying service members any right to appeal.

This is nothing short of a corporate takeover of our nation's system of laws, and the American people have had enough. The overwhelming majority of voters—including 83 percent of Democrats and 87 percent of Republicans—support ending forced arbitration. It is time to act.

My bipartisan amendment would end this shameful practice by clarifying that arbitration clauses are only enforceable if agreed to by servicemembers or their families if all parties agree to go to arbitration after a dispute arises, thereby protecting their rights under the Servicemember Civil Relief Act.

Earlier this year, we enacted the "Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act," which ensures that millions of people who have suffered and survived sexual misconduct will have the opportunity to bring their case to court, not shuffled off into secret, forced arbitration.

We have protected survivors of sexual harassment and assault from forced arbitration. Now it is time to extend those same protections to the brave men and women in uniform who defend our country and make sure their rights that they fight to protect are enforceable in court.

I thank my colleagues, Congressmen GUY RESCHENTHALER, JARED GOLDEN, ANTHONY BROWN, and Veterans' Affairs Committee Chairman MARK TAKANO for their continued support for this important, bipartisan amendment.

This provision was incorporated into the NDAA in fiscal years 2020, 2021, and 2022, and I urge my colleagues to again support this amendment and protect American servicemembers.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendments en bloc offered by the gentleman from Washington (Mr. SMITH).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOHMERT. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 384 OFFERED BY MR. BOWMAN

The SPEAKER pro tempore. It is now in order to consider amendment No. 384 printed in part A of House Resolution 117–405.

Mr. BOWMAN. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in subtitle C of title XII, insert the following:

SEC. ___. PROHIBITION ON ONGOING UNITED STATES PRESENCE IN SYRIA.

None of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be used to maintain a United States military presence inside Syria after the date that is 1 year after the date of the enactment of this Act, unless there is enacted specific statutory authorization for such military presence in accordance with the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from New York (Mr. BOWMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BOWMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to urge support for my amendment that will take an important step toward restoring congressional war powers. This amendment will bring our unauthorized military presence in Syria to a long overdue debate in Congress so we can ultimately do our constitutional duty to vote to authorize or reject military action.

Members on both sides of the aisle have long recognized the Constitution and the War Powers Act of 1973 grant Congress the exclusive power to send our servicemen and -women into war.

Members of Congress are duly elected by their districts to represent them in Washington to vote and decide on legislation and determine how the U.S. uses the power of the purse and sword. Unfortunately, unauthorized military presence undercuts this role. A Member of Congress should never learn about an air strike from the news. This is why the American people must decide when and where we use our military might, and that decision is made through their congressional Representatives.

Ensuring that Congress continues to authorize military activity is not only about guardrailing good democracy, it is also about fiscal responsibility and integrity. Washington is known for military contractors lobbying for endless wars to ensure endless profits, even when our lowest paid servicemembers have to rely on food pantries to feed themselves and their families. That is a policy choice, and our bloated Pentagon budget compared to our investments in schools, healthcare, and jobs at home is a policy choice. Our military footprint extends across dozens of countries far from public scrutiny and accountability.

My bipartisan amendment, which I am honored to be joined by Representatives Khanna, DeFazio, Schakowsky, Blumenauer, Lofgren, Bush, Jones, and Cammack in offering, is a fundamental next step toward breaking that cycle.

This is a question of war and peace that should be debated and answered with a recorded vote in Congress.

This amendment does not take a position on substantive Syria policy questions. It merely requires this body to follow the Constitution, hold a debate, and vote to authorize military action. I hope that my colleagues will

agree our troops and the American people deserve to see this body hold that debate and then cast their vote.

Under the last administration, former President Trump made it clear that U.S. military troops in Syria were there to secure the oil, but explicit authorization from Congress was never obtained for that purpose.

I disagree with claims that the 2001 AUMF, which was about responding to the September 11 attacks, authorized our troops to engage in hostilities against these forces which nobody argues had anything to do with those attacks or to guard oil fields.

My colleagues who believe that the President does not need specific authorization to deploy U.S. military forces to seize Syria's oil in an unconstitutional war should just admit that to their constituents. They don't care about the duty of Congress, the Constitution, or the War Powers Act; and they certainly don't care that our military budget is even larger than our domestic budget.

I agree with President Biden who has called for a new era of relentless diplomacy and that U.S. military power must be our tool of last resort, not our first, and should not be used as an answer to every problem we see around the world.

One step in the right direction would be to restore war powers, which is the solution put forth in this amendment.

I honor and respect the incredible sacrifices made by our Kurdish allies. Nothing in this amendment supports abandoning the Kurdish people, nor do I personally support that. Let me be clear: this is simply a vote to restore the power of Congress in authorizing military presence in Syria. The current unauthorized U.S. military presence of indefinite duration means that the U.S. may pull troops with little warning and with little regard for what will happen once the troops are gone without a gradual release. Let's learn from the horrors in Afghanistan.

I want to have a transparent and vigorous debate in front of the American people on the role of the U.S. military in Syria. When we have that debate and vote, it may be that this body authorizes support for such a military action to support the Kurdish people.

Madam Speaker, I yield back the balance of my time.

Mr. MEUSER. Madam Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MEUSER. Madam Speaker, U.S. troops are in Syria to fight ISIS pursuant to the 2001 counter-terrorism AUMF. For years, we have worked with partners on the ground to eliminate the deadly and destabilizing threat of ISIS.

This mission in Syria has been extremely successful. The job, however, is nowhere near done. Just this week, our military succeeded in eliminating the leader of ISIS in Syria. This comes after the capture of a top ISIS leader and bombmaker in northwest Syria last month.

According to the U.S. Central Command, ''removal of these ISIS leaders will disrupt the terrorist organization's ability to further plot and carry out attacks.''

Our continued presence on the ground is necessary to ensure the enduring defeat of ISIS.

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Such a short-sighted amendment would prematurely cut short our presence in Syria. Our force in Syria has been extremely effective and part of a global coalition to defeat ISIS. This is not the time for the U.S. to abandon our allies and partners in Syria. We have seen what occurs when such actions are taken.

None of us want our soldiers, American soldiers, men and women, overseas longer than absolutely necessary. Many of us believe that the AUMF of 2001 must be updated and replaced. But forcing a withdrawal too soon virtually ensures we will have to return.

Such a plan that is outlined in this amendment undermines our military position. We saw it in Iraq when President Obama withdrew, and U.S. troops had to go back in just a few years later to fight ISIS.

We must avoid a similar situation in Syria. Withdrawal should be based on the defeat of ISIS, not on an artificial timeline. For these reasons, I urge opposition to this amendment.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from New York (Mr. BOWMAN).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOHMERT. Madam Speaker, on that I demand the yeas and nays. The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 391 OFFERED BY MR. KEATING

The SPEAKER pro tempore. It is now in order to consider amendment No. 391 printed in part A of House Report 117–405.

Mr. KEATING. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 857, insert after line 6 the following:

SEC. 1336. DEPARTMENT OF STATE ACTIONS RELATING TO GLOBAL CLIMATE CHANGE.

(a) CLIMATE CHANGE OFFICERS.—

(1) IN GENERAL.—The Secretary of State shall establish and staff Climate Change Officer positions. Such Officers shall serve under the supervision of the appropriate chief of mission or the Under Secretary for Economic Growth, Energy, and the Environment of the Department of State, as the case may be. The Secretary shall ensure each embassy, consulate, and diplomatic mission to which such Officers are assigned pursuant to paragraph (2) has sufficient additional and appropriate staff to support such Officers.

(2) ASSIGNMENT.—Climate Change Officers shall be assigned to the following posts:

(A) United States embassies, or, if appropriate, consulates.

(B) United States diplomatic missions to, or liaisons with, regional and multilateral organizations, including the United States diplomatic missions to the European Union, African Union, Organization of American States, Arctic Council, and any other appropriate regional organization, and the United Nations and its relevant specialized agencies.

(C) Other posts as designated by the Secretary.

(3) RESPONSIBILITIES.—Each Climate Change Officer shall—

(A) provide expertise on effective approaches to—

(i) mitigate the emission of gases which contribute to global climate change and formulate national and global plans for reducing such gross and net emissions; and

(ii) reduce the detrimental impacts attributable to global climate change, and adapt to such impacts;

(B) engage and convene, in a manner that is equitable, inclusive, and just, with individuals and organizations which represent a government office, a nongovernmental organization, a social or political movement, a private sector entity, an educational or scientific institution, or any other entity concerned with—

(i) global climate change; the emission of gases which contribute to global climate change; or

(ii) reducing the detrimental impacts attributable to global climate change;

(C) facilitate engagement by United States entities in bilateral and multilateral cooperation on climate change; and

(D) carry out such other responsibilities as the Secretary may assign.

(b) RESPONSIBILITIES OF UNDER SECRETARY.—The Under Secretary for Economic Growth, Energy, and the Environment of the Department of State shall, including by acting through the Bureau of Oceans and International Environmental and Scientific Affairs of the Department of State—

(1) provide policy guidance to Climate Change Officers established under subsection (a);

(2) develop relations with, consult with, and provide assistance to relevant individuals and organizations concerned with studying, mitigating, and adapting to global climate change, or reducing the emission of gases which contribute to global climate change; and

(3) assist officers and employees of regional bureaus of the Department of State to develop strategies and programs to promote studying, mitigating, and adapting to global climate change, or reducing the emission of gases which contribute to global climate change.

(c) ACTIONS BY CHIEFS OF MISSION.—Each chief of mission in a foreign country shall—

(1) develop, as part of annual joint strategic plans or equivalent program and policy planning, a strategy to promote actions to improve and increase studying, mitigating, and adapting to global climate change, or reducing the emission of gases which contribute to global climate change by—

(A) consulting and coordinating with and providing support to relevant individuals and organizations, including experts and other

professionals and stakeholders on issues related to climate change; and

(B) holding periodic meetings with such relevant individuals and organizations relating to such strategy;

(2) hold ongoing discussions with the officials and leaders of such country regarding progress to improve and increase studying, mitigating, and adapting to global climate change, or reducing the emission of gases which contribute to global climate change in a manner that is equitable, inclusive, and just in such country; and

(3) certify annually to the Secretary of State that to the maximum extent practicable, considerations related to climate change adaptation and mitigation, sustainability, and the environment were incorporated in activities, management, and operations of the United States embassy or other diplomatic post under the director of the chief of mission.

(d) TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish curriculum at the Department of State's Foreign Service Institute that supplements political and economic reporting tradecraft courses in order to provide employees of the Department with specialized training with respect to studying, mitigating, and adapting to global climate change, or reducing the emission of gases which contribute to global climate change. Such training shall include the following:

(1) Awareness of the full range of national and subnational agencies, offices, personnel, statutory authorities, funds, and programs involved in the international commitments of the United States regarding global climate change and the emission of gases which contribute to global climate change, the science of global climate change, and methods for mitigating and adapting to global climate change.

(2) Awareness of methods for mitigating and adapting to global climate change and reducing the emission of gases which contribute to global climate change that are equitable, inclusive, and just.

(3) Familiarity with United States agencies, multilateral agencies, international financial institutions, and the network of donors providing assistance to mitigate and adapt to global climate change.

(4) Awareness of the most frequently announced goals and methods of the entities specified in subsection (a)(3)(B).

(e) CONTRACTING.—Contracting and agreements officers of the Department of State, and other United States embassy personnel responsible for contracts, grants, or acquisitions, shall receive training on evaluating proposals, solicitations, and bids, for considerations related to sustainability and adapting to or mitigating impacts from climate change.

(f) REPORTING.—Not later than 180 days after the date of the enactment of this Act and biennially thereafter, 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 that includes a detailed breakdown of posts at which staff are assigned the role of Climate Change Officer, the responsibilities to which they have been assigned, and the strategies developed by the chief of mission, as applicable.

(g) SENSE OF CONGRESS.—It is the sense of Congress that climate diplomacy tools, including the establishment of Climate Change Officers and supporting staff under this section, are critical for demonstrating the commitment to include climate changes issues as core tenets of foreign policy priorities, as well as preserving the United States role as a global leader on climate change action.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Madam Speaker, I yield myself such time as I may consume.

The Defense Department's National Defense Strategy has consistently included climate change as one of the most critical enduring threats. The 2022 National Defense Strategy is no exception.

In fact, Secretary Austin, just 8 months ago, called climate change an existential threat and has said: ''No nation can find lasting security without addressing the climate crisis.''

Intelligence officials have repeatedly warned that climate change leads to food and water shortages, ecological degradation, and extreme weather patterns, conditions that reduce our military readiness, enable mass population displacement, terrorist activity, and other forms of violence and conflicts between nations.

In fact, U.S. national security experts have dubbed climate change disaster response the military's new forever war, and a 2021 Pentagon report detailed how recent extreme weather has already cost billions of dollars in damages to U.S. military installations like Florida's Tyndall Air Force Base, Nebraska's Offutt Air Force Base, and other military installations as well.

It interrupts our training and our other operations. It is also projected to undermine bases vulnerable to rising seas, such as Guam and the Marshall Islands.

This legislation does not necessitate any additional funds, despite the billions of dollars it costs to our military. It simply requires the Department of State to establish climate change officer positions at major U.S. Embassy hubs across the world.

The U.S. State Department already hosts energy and science officers, but these climate change officers would have environmental issues front of mind and be responsible for supporting U.S. global efforts to combat climate change and advance climate solutions.

Currently, there is no individual at these embassies who focuses on climate change priorities, and I believe that the training provided to energy or science technology attaches really doesn't equip them with the tools they need to prioritize and tackle environmental issues.

The imminent, complex, and destructive threat posed by climate change demands our primary attention. This bill would ensure that our diplomatic delegations designate personnel whose sole focus is to work with international partners to combat this common challenge to our global security.

This is one of DOD's highest priorities, and it is a challenge that our country can't face alone. Using our existing embassies with their existing global footprint is an efficient way to plus-up our ability to tackle this challenge with our international partners.

This amendment is a vital, long-overdue step toward advancing global geopolitical stability, human and environmental health, and U.S. national security.

Madam Speaker, I urge my colleagues to support the measure, and I reserve the balance of my time.

Mr. PERRY. Madam Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. PERRY. Madam Speaker, there are a lot of issues with this amendment, not the least of which is that my colleague is the subcommittee chairman on the committee of jurisdiction for this amendment, yet we are not taking it up in that committee because I suppose we don't want the debate.

While we are talking about national security in the National Defense Authorization Act, this amendment adds to the already excessive bureaucracy at the State Department, not at the Pentagon.

It has nothing to do with national security. This is about political ideology and using the National Defense Authorization Act for more bureaucracy, a climate change officer at embassies, consulates, diplomatic missions, et cetera.

It is alleged to provide expertise on climate change in the State Department, and it stipulates that this must be done in an equitable, inclusive, and just manner.

Do you know what is not equitable or just? Sending State Department officials around the globe to tell other countries trying to emerge in their world, in their economies, by adopting ineffective, destabilizing green energy just so that John Kerry can fly around in his private jet and rub elbows with billionaires in Davos.

It is certainly not equitable or just to tell other countries they must transition to electrical systems built on the horrific, forced slave labor and child labor facilitated by the Communist Party of China. That doesn't seem equitable, doesn't seem just, doesn't seem fair.

This amendment also contains the sense of Congress that would affirm climate change as one of the core tenets of foreign policy priorities.

Madam Speaker, we are talking about the National Defense Authorization Act. This is not the State and Foreign Ops reauthorization. This doesn't belong here. This has nothing to do with this.

Everybody here knows, or should know, that we face enormous challenges around the globe for a national security policy. But if we want to talk about State and Foreign Ops, we can talk about Sri Lanka.

They have an ESG score of like 99 or something like that. They just overthrew their government because they

can't eat because of these policies, these policies imposed on them by the United States of America in the accolades of this Green New Deal garbage.

Ghana is the same thing, moving up in the world, electrifying their country so everybody could afford electricity in a Third World country. Now it is dark at night in their homes because there is no electricity because of this kind of stuff.

This doesn't belong here, Madam Speaker. Actually, it doesn't belong anywhere, but it certainly doesn't belong as an amendment to this bill. I urge all of my colleagues to vote ''no.''

Madam Speaker, I reserve the balance of my time.

Mr. KEATING. Madam Speaker, I yield myself such time as I may consume.

Each year we gather and get information from our top security officials. There are three issues that are existential that are at the top of the list: nuclear war, pandemics, and climate change. Those are the big three.

The gentleman from Pennsylvania might have his own opinions, but I dare say he is far out of step with the priorities of all of our defense leaders and our top security officials.

In terms of being efficient, this couldn't be more efficient. Instead of creating new bureaucracies within the Department of Defense, we are taking an existing framework that is there globally by using our embassies. We are being more efficient, reducing more expense, and reducing more bureaucracies in a way to deal with this most important issue.

Again, I urge all of my colleagues to join with me on this amendment, and I reserve the balance of my time.

Mr. PERRY. Madam Speaker, I yield myself such time as I may consume.

I would just offer this to my colleague, my friend. I have served in uniform, and I know what the existential threats are.

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Madam Speaker, I know, having served long in both the enlisted ranks and the officer ranks, the troubles that national security pose to this Nation.

While you might find woke officers and enlisted members infiltrate the Pentagon to destroy the military with this tripe, I am not one of them. I am not going to fall for it. Neither should anybody here.

We need to focus. Our military, our national defense, needs to focus on real enemies, enemies like China, Iran, terrorism, and potentially Russia, but not in a proxy war in Ukraine. These are real enemies.

Climate change can be handled by other agencies and should be handled by other agencies. DOD and men and women in uniform need to focus on defending our country from our enemies, not this, Mr. Speaker.

Mr. Speaker, I yield back the balance of my time.

Mr. KEATING. Mr. Speaker, this is an issue that has been reinforced by this administration, the past administration, the administration before it. With all due respect to a lot of other people in uniform, in combat positions and in leadership positions, it has been a consistent strain of continuous concern.

If you are worried about diverting DOD, this approach shares that responsibility. In fact, this amendment alone places it all with the Department of State, in that respect.

Again, some of the arguments you gave really are arguments that I have, and I think some of the arguments you gave clearly reinforce the fact that this is an important amendment and should pass.

Mr. Speaker, I urge my colleagues to support this, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 392 OFFERED BY MS. JAYAPAL

The SPEAKER pro tempore. It is now in order to consider amendment No. 392 printed in part A of House Report 117–405.

Ms. JAYAPAL. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title LIII of division E of the bill, add the following:

SECTION 53___. CLIMATE RESILIENCE.

(a) OFFICE OF CLIMATE RESILIENCE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the President shall establish an Office of Climate Resilience (hereinafter referred to as the ''Office'') within the White House.

(2) DIRECTOR.—

(A) APPOINTMENT.—The President shall appoint a Director of the Office.

(B) TERM.—The Director shall serve for a period of 5 years.

(C) TERMINATION.—The President may terminate the Director prior to the end of the term described in subparagraph (B) for issues with performance.

(3) PURPOSE.—The purpose of the Office shall be to use information from all sectors involved in climate resilience, including frontline community experience, scientific expertise, and labor organization input to coordinate Federal actions to support a climate resilient nation and operate as a Secretariat.

(4) FUNCTIONS.—The Office shall—

(A) convene the necessary Federal and external stakeholders to inform and develop a national climate resilience action plan;

(B) revise the plan described in subparagraph (A) every 5 years, or more frequently if determined necessary by the Director based on science;

(C) support Federal agencies in developing and revising agency-specific climate resilience actions plans and compile such plans into a Federal Government climate resilience action plan;

(D) coordinate with other Federal activities related to climate resilience, including efforts made by the National Environmental Justice Advisory Council and the White House Environmental Justice Advisory Council; and

(E) evaluate the effectiveness of the national climate resilience action plan in achieving a climate resilient nation through annual assessments and annual reporting to Congress.

(5) STAFFING.—

(A) IN GENERAL.—The Director of the Office shall appoint staff to organize the activities of and provide support for the members of the Climate Resilience Equity Advisory Board established under section 5 of this Act, the interagency working group, and the Climate Resilience Task Force.

(B) ADDITIONAL EMPLOYEES.—The Director may hire other employees as needed to exercise and fulfil the function and purpose of the Office.

(b) CLIMATE RESILIENCE EQUITY ADVISORY BOARD.—

(1) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Climate Resilience shall establish a Climate Resilience Equity Advisory Board (herein after referred to as the ''Advisory Board'').

(2) PURPOSE.—The purpose of the Advisory Board shall be to advise and make recommendations to the Office of Climate Resilience to ensure that the knowledge, experiences, and priorities of frontline communities are incorporated into Federal climate resilience efforts.

(3) FUNCTIONS.—The Advisory Board shall—

(A) participate in the planning process to develop a national climate resilience action plan, including by advising and making recommendations to the interagency workgroup, Climate Resilience Task Force, and labor, worker, and workforce development stakeholders to ensure that—

(i) the knowledge, lived experiences, and priorities of frontline communities are incorporated into the strategies, actions, and projects proposed in the national climate resilience action plan and agency climate resilience plans; and

(ii) climate resilience jobs and training opportunities prioritize and are accessible to frontline communities;

(B) advise and make recommendations to the Office of Climate Resilience on ongoing climate resilience activities; and

(C) collaborate with, advise, and make recommendations to the Center for the Climate Resilience Workforce on the activities of such Center.

(4) MEMBERSHIP.—

(A) IN GENERAL.—Members of the Advisory Board shall be representatives of frontline communities.

(B) APPLICATION PROCESS.—The Director of the Office shall develop an application process and criteria that, at minimum, shall require applicants for the Advisory Board to provide—

(i) letters of support from 3 individuals who are members of the community they represent, highlighting the qualifications and relevant lived, volunteer, or paid work experience the individual possesses to serve on the Advisory Board; and

(ii) demographic information about the community represented by the individual including data on population size, income, race, education level, geographic location,

and health, climate, and environmental risks faced.

(C) SIZE OF BOARD.—

(i) IN GENERAL.—The Advisory Board shall be comprised of not less than 12 members that provide diverse and fair representation of frontline communities.

(ii) ADDITIONAL MEMBERS.—The Director may select additional members representing frontline communities for the Advisory Board on an interim or permanent basis.

(D) TERM.—

(i) IN GENERAL.—A member shall serve on the Advisory Board for a term of 3 years.

(ii) TERM LIMIT.—A member may serve on the Advisory Board for not more than 2 terms.

(5) COMPENSATION.—The Director of the Office shall establish guidelines and a process for providing compensation to individuals who would otherwise not be able to participate or who would experience financial hardship without such compensation.

(6) PUBLIC PARTICIPATION AND TRANSPARENCY.—The Board shall make every effort, consistent with applicable law, including section 552 of title 5, United States Code, and section 552a of title 5, United States Code, to maximize public participation and transparency, including making the advice of the Board publicly available in electronic form, including video streaming, on the website of the Office.

(7) APPLICABILITY OF LAW.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

(c) DEFINITIONS.—In this section:

(1) CLIMATE RESILIENCE.—The term ''climate resilience''—

(A) means the ability and capacity of social, economic, and environmental systems, organized as natural ecosystems and human communities, to anticipate, prepare for, adapt to, respond to, and recover from hazardous events, trends, or disturbances related to climate change; and

(B) includes the ability to engage in an iterative process of—

(i) assessing how climate change will create new, or alter current climate related risks, and how such risks are distributed within and across natural ecosystems and human communities, including—

(I) for human communities, risks shall be assessed by geography, race, ethnicity, socioeconomic status, health and other demographic and social factors, as applicable; and

(II) for natural ecosystems, risks shall be assessed by geography, species and ecosystem services, as applicable;

(ii) identifying human populations, animal and plant species, ecosystem services and habitats that face disproportionate risks and impacts of climate change, including—

(I) for human populations, identifying risks due to historic and ongoing systemic racism, economic inequity, and environmental degradation and pollution; and

(II) for natural species and ecosystem services, identifying risks due to environmental degradation, pollution and other anthropogenic impacts;

(iii) working to address the root causes that lead the entities identified in clause (ii) to be disproportionately vulnerable to the risks and impacts of climate change; and

(iv) prioritizing the natural species, ecosystem services and human populations identified in clause (ii) in taking steps to—

(I) mitigate climate change by addressing its causes and impacts to the greatest extent possible as quickly as possible;

(II) prepare for and adapt to the unavoidable impacts of climate change by ensuring that effective risk reduction and management and adaptation strategies can be implemented and maintained; and

(III) recover from and rebuild after climate disasters in ways that minimize future risks and increase the ability of natural ecosystems and human communities to face future risks with less harm.

(2) CO-OPERATIVE.—The term ''co-operative'' has the meaning given such term in section 1381 of the Internal Revenue Code of 1986.

(3) COMMUNITY OF COLOR.—The term ''community of color'' means a census block group or series of geographically contiguous blocks in which the population of any of the following categories of individuals, individually or in combination, comprises 30 percent or more of the population of persons in the census block group or series of geographically contiguous blocks:

(A) Black.

(B) African American.

(C) Asian.

(D) Pacific Islander.

(E) Other non-white race.

(F) Hispanic.

(G) Latino.

(H) Linguistically isolated.

(4) DIRECTOR.—The term ''Director'' means the director of the Office of Climate Resilience established under section 1 of this Act.

(5) FRONTLINE COMMUNITY.—The term ''frontline community'' means—

(A) a community or population that, due to systemic racial or economic injustice, has been made vulnerable to experience disproportionate exposure to environmental hazards, including—

(i) a low-income community;

(ii) a community of color; and

(iii) a Tribal or indigenous community;

(B) a community that has been primarily economically dependent on fossil fuel industries; and

(C) a community or population that is vulnerable or systematically disadvantaged and therefore has a higher likelihood of being impacted by environmental and climate injustice and inequitable climate actions, including—

(i) linguistically isolated communities;

(ii) individuals with limited English proficiency;

(iii) immigrants and refugees;

(iv) individuals with limited mobility;

(v) individuals who are ill;

(vi) vulnerable elderly populations;

(vii) children, youth, and pregnant women;

(viii) individuals with disabilities;

(ix) LGBTQ+ individuals;

(x) institutionalized populations;

(xi) individuals living in isolated rural areas;

(xii) unhoused populations; and

(xiii) workers whose job requires such worker to work outdoors.

(6) LABOR ORGANIZATION.—The term ''labor organization'' has the meaning given such term in section 2(5) of the National Labor Relations Act (29 U.S.C. 152(5)).

(7) LABOR, WORKER, AND WORKFORCE DEVELOPMENT STAKEHOLDERS.—The term ''labor, worker, and workforce development stakeholders'' shall include—

(A) individuals who are members of populations facing barriers to employment who have shown leadership in addressing such barriers;

(B) worker-driven entities dedicated to ensuring collective worker voice and representation, including—

(i) labor unions;

(ii) worker centers; and

(iii) worker associations;

(C) organizations that advocate for improvement to worker rights and working conditions, including organizations that work to expand collective bargaining, raise worker wages, improve workplace safety, reduce and end discrimination and increase workplace equity;

(D) individuals and organizations, including potential employers, that possess knowledge of the jobs, skills, and occupations that pertain to climate resilience work, in order to inform workforce and training needs; and

(E) entities with proven track records in designing and participating in workforce development and training programs resulting in higher wages and improved job security for workers, including—

(i) community colleges;

(ii) nonprofit organizations; and

(iii) joint labor management partnerships.

(8) LOW-INCOME COMMUNITY.—The term ''low-income community'' means any census block group in which 30 percent or more of the population of such block group are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(9) NON-PROFIT ORGANIZATION.—The term ''non-profit organization'' means an organization under section 501(c)(3) of the Internal Revenue Code of 1986.

(10) POPULATION.—The term ''population'' means a census block group or series of geographically contiguous blocks representing certain common characteristics, including race, ethnicity, national origin, income-level, health disparities, or other public health or socioeconomic attributes.

(11) POPULATIONS FACING BARRIERS TO EMPLOYMENT.—The term ''populations facing barriers to employment'' means populations that have faced systemic barriers to employment, significant, systemic job losses, or chronic underemployment or insecure employment due to failed economic policies, including—

(A) undocumented individuals;

(B) individuals with criminal records;

(C) individuals who are formerly incarcerated;

(D) deindustrialized communities; and

(E) demographic populations with unemployment levels higher than the national average.

(12) STATE.—The term ''State'' includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and the territories and possessions of the United States.

(13) TRIBAL OR INDIGENOUS COMMUNITY.—The term ''Tribal or indigenous community'' means a population of people who are members of—

(A) a federally recognized Indian Tribe;

(B) a State recognized Indian Tribe;

(C) an Alaskan Native or Native Hawaiian community or organization; and

(D) any other community of indigenous people located in a State.

(14) WORKER CENTER.—The term ''worker center'' means a non-profit organization or a co-operative that—

(A) has as one if its primary goals the improvement of worker rights, workplace safety, wages, working conditions, or employment access, or the promotion of enhanced worker voice; and

(B) which has some kind of formal mechanism by which workers who stand to benefit from these improvements may directly participate in organizational decision-making.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Speaker, my amendment would direct the President to establish an office of climate resilience within the White House to coordinate climate resilience activities across all government agencies.

As the climate crisis worsens, American communities are in desperate need of an office to increase the resilience of our communities.

As my colleagues well know, climate disasters are increasing in frequency and severity at an alarming rate. Just last week, a few of my colleagues and I visited Yosemite National Park, where climate change continues to fuel larger, longer, and more severe fires.

In the last 14 months alone, 20 percent of giant sequoias in Sierra Nevada were killed in wildfires. Not more than 48 hours after we left, a wildfire started that is still burning across 2,000 acres and endangering the park and the surrounding communities.

Last month, the National Oceanic and Atmospheric Administration reported that there were nine individual billion-dollar weather and climate events across the country during the first 6 months of the year alone, including severe drought, two tornado outbreaks, and dangerous hailstorms.

Last year, damages from these severe weather events totaled approximately $145 billion. These costs are felt by families across the country. These families lose their houses, all of their belongings, their livelihoods, and sometimes their loved ones in these disasters.

As the climate crisis worsens, this harm will be exacerbated by the lack of climate resilience planning.

There is immense work needed to make our communities resilient and safe from climate disasters. Thankfully, much work is underway. Over 20 Federal agencies have separate climate resilience action plans, but the United States lacks a robust, unified, national climate resilience action plan, and there is no overarching coordination between Federal agencies on this very important security issue. As such, these disjointed efforts are likely performing duplicative work without maximizing the potential benefit.

My amendment would establish an office of climate resilience to coordinate the various efforts currently going on across the Federal Government. The office of climate resilience in the White House would leverage the expertise available from all sectors involved in climate resiliency, including the knowledge and lived experiences of frontline communities.

The office would improve current climate resilience efforts throughout various Federal agencies and ensure that they are rooted in environmental justice as they protect and develop the climate resilience workforce.

The amendment will enable the United States to better prepare for and prevent future climate disasters and protect American families and our Nation's security while mitigating the destruction that natural disasters wreak on our communities.

Mr. Speaker, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. PERRY. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. PERRY. Mr. Speaker, this amendment, as has been stated, establishes an office of climate resilience in the White House and a climate resilience equity advisory board, including outside stakeholders, to develop a national climate resilience action plan.

What does ''outside stakeholders'' mean? I mean, to me, what I hear is people who do what a lot of people do in Washington. They grift. They are making money. They are making policy that makes their friends money. That is what that means. The stakeholders should be the American people, outside stakeholders developing a national climate resilience action plan.

Now, quite honestly, this is, again, the National Defense Authorization Act. How this amendment made it to the floor under this bill is, quite honestly, beyond comprehension. It is just another level of Federal bureaucracy in the name of climate that does nothing to improve the readiness of our military or support the warfighter.

That is what we should be discussing this evening. That is what the underlying bill is about, the National Defense Authorization Act. This has nothing to do, again, with supporting the warfighter, nothing to do with increasing readiness.

I remember filling out officer evaluation reports with all kinds of requirements. I had a paragraph I had to fill out on every officer, all kinds of requirements that I had to put a statement in about this or that. It left me about one sentence to talk about their warfighting capability, each officer, about one sentence left in all the space of the requirements that I had to complete that had absolutely nothing to do with the servicemember's ability to do their job in combat. So, here we are going to add some more because we don't have enough of that.

The folks responsible for developing a nationwide resiliency plan would be those with emergency management experience if they were going to do it, but that is not required. Again, we have outside stakeholders.

I mean, it doesn't even belong in this bill, but even if it did, it doesn't get anything right here because we are not going to protect anybody. This is just another bureaucracy for activists on the left to impose these things on United States citizens.

I mean, we have real problems. It would be great if we had a task force in the White House, since apparently the President can't handle it, to deal with the record inflation that we have.

It would be great if we had somebody in the White House, maybe a task force, to deal with fuel prices. I mean, we have our national leaders traveling all around the globe, thousands of miles away, to try to get other countries to pump more oil, refine more oil. We won't do it in the United States of America.

It would be great to have that task force. Maybe that would help national security so we wouldn't have to go fight these foreign wars. But I guess we are going to do this social justice climate fearmongering.

□ 0010

It just creates another activist entity within the Federal Government and fails to protect folks from disasters or actually protect the taxpayers. It will actually undermine resiliency efforts by focusing on socialist ideas that are failing. They are failing in this country right now.

What we are seeing happening in our economy is the result of these types of things. We don't let the market work. We don't want the market. We are going to impose our will on the American people and say, ''You are not going to drive that kind of car, you are not going to use that kind of fuel, you are not going to buy that kind of electricity. We know better than you do. We are Washington, D.C.''

Most of us have no experience in these industries that we are forcing on the American people. It undermines America's prosperity and promotes technologies that enrich our enemies, like China, rather than supporting the military, which is what this bill is supposed to be about.

I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I don't understand why the other side is so distraught about an Office of Climate Resilience, and I would love to hear my colleagues on the other side go and tell the people who have lost their homes in wildfires, who are flooded underneath enormous amounts of water that somehow that is not an interest of the Federal Government or even of our military to help protect.

By the way, the military does go into many of these communities when we have these big natural disasters. So it is absolutely about protecting the security of our country, and the reality is it is the duty of the Federal Government to protect these people.

Now, you can make up all kinds of things about why this climate change is not real, but let me tell you, experts around the world believe this is a national security issue. They believe it is real, and they believe we need to address it.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI), my friend.

Mr. GARAMENDI. Mr. Speaker, the combination of the late hour together with too much time to talk led to a really foolish discussion from my colleague on the right.

This issue is of paramount importance to the military. I am just going to cite three, four instances in which climate and resiliency have impacted the military.

Let's talk about Tyndall Air Force Base. It was literally wiped off the map by a hurricane. It would have been good to have some coordination.

How about Camp Lejeune, another $2 billion problem, excessive rain and flood.

Let's talk about China Lake, another $3 billion problem. We can go on and on.

The fact of the matter is that climate changes are dramatically affecting the military, and to have coordination from the White House with the entire economy and the entire community of America focusing on this issue is a direct problem that must be addressed, and the NDAA is the place to do it.

The SPEAKER pro tempore. The gentleman's time has expired. The gentlewoman from Washington's time has expired.

Mr. PERRY. Mr. Speaker, I yield the balance of my time to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, I am somewhat baffled by this amendment.

Why would we, for any reason, decide that we are just going to look at climate resiliency?

Mr. Speaker, we have had hurricanes, we have had floods, we have had forest fires, we have had tornadoes, winter storms, earthquakes, tsunamis since the planet has been here. Why would we decide that we are just going to compartmentalize climate resilience and just look at that and ignore everything else?

Why would we decide that we are going to choose to bias only frontline communities versus those that are truly most vulnerable?

This is what I used to do for a living. I did it for years and years. I am glad this is comical. This is what I used to do.

This might be the stupidest thing I have ever seen. Why in the world, Mr. Speaker, would you compartmentalize different types of vulnerability?

If you are concerned about climate, why don't you go and talk to this administration about the fact that under President Trump, emissions went down 2.5 percent a year, and under President Biden, they have gone up 6.3 percent a year. And we negotiated an agreement with China where they get to increase emissions 150 percent while everybody else cuts.

This is simply just ill-informed. It doesn't make any sense at all, and I urge rejection of this ill-conceived amendment.

Mr. PERRY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 395 OFFERED BY MS. SPEIER

The SPEAKER pro tempore. It is now in order to consider amendment No. 395 printed in part A of House Report 117–405.

Ms. SPEIER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1348, insert after line 23 the following (and conform the table of contents accordingly):

SEC. 5806. SURVIVORS' BILL OF RIGHTS.

(a) DEFINITION OF COVERED FORMULA GRANT.—In this section, the term ''covered formula grant'' means a grant under part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10441 et seq.) (commonly referred to as the ''STOP Violence Against Women Formula Grant Program'').

(b) GRANT INCREASE.—The Attorney General shall increase the amount of the covered formula grant provided to a State in accordance with this section if the State has in effect a law that provides to sexual assault survivors the rights, at a minimum, under section 3772 of title 18, United States Code.

(c) APPLICATION.—A State seeking an increase to a covered formula grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in subsection (b).

(d) PERIOD OF INCREASE.—The Attorney General may not provide an increase in the amount of the covered formula grant provided to a State under this section more than 4 times.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SPEIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am going to make this short and hopefully sweet because I can't believe for a minute that we don't want to incentivize States to guarantee, at a minimum, the rights we have already established in the Survivors' Bill of Rights Act, which was passed in Congress unanimously in 2016.

This amendment is based on a bipartisan bill offered by myself and Congressman KELLY ARMSTRONG and Congresswoman ZOE LOFGREN and introduced by the ranking member of the Senate Judiciary Committee, CHUCK GRASSLEY.

When we actually enacted the Survivors' Bill of Rights, it guaranteed certain rights for sexual assault survivors. Unfortunately, those rights only applied to Federal cases. This amendment makes further progress by incentivizing States to follow suit.

What we are debating here is really quite common sense: The right to have a rape kit if you are raped, the right not to be charged for it, the right to be notified if the government intends to destroy a rape kit, the right to be notified of the rape kit's results, the right to have the rape kit preserved for the statute of limitations or 20 years, whichever is shorter, and the right to be informed of the status and location of a rape kit.

Across the country, survivors are shocked to learn that their rape kits have been thrown out or they can't find them.

Again, we have done this on a Federal level. Congress has recognized the rights that are good enough for victims of Federal crimes should also be good enough for those who become victims of State crimes.

Again, this is a simple amendment. It is bipartisan. It is incentivizing, not demanding or requiring.

Mr. Speaker, I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. BIGGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the first thing is, I am baffled that this is even germane to the National Defense Authorization Act. Really.

I am not saying that the Survivors' Bill of Rights Act isn't good. It passed unanimously. But this amendment bribes States to enact the rights afforded in that Survivors' Bill of Rights Act.

When I was the president of the Arizona Senate, we didn't get Federal dollars when we went back and found a way to fund giving rape kits and making sure that we went back and started testing all of the old rape kits so we could start going after the bad guys.

This Survivors' Bill of Rights passed unanimously in 2016, but it is not a controversial concept, not at all. The concept is that States should do this. I mean, seriously.

I know you think it is really funny, that is good for you. Laugh away. But I am telling you right now, this has nothing to do with the National Defense Authorization Act.

States do this on their own when they have leadership in those States.

This isn't something you blow Federal dollars on. This isn't something you necessarily need to do that for because States will do it, and many States are doing it. I know my own State is doing it and has been doing it for 8 years now.

□ 0020

This has nothing to do with military readiness, has nothing to do with what this bill is supposed to be doing.

Again, I find myself saying: How does this even sit germane to the underlying bill?

Mr. Speaker, I reserve the balance of my time.

Ms. SPEIER. Mr. Speaker, I yield myself such time as I may consume.

This is really astonishing to me, as if servicemembers who are female, who are in States in which they do not have these benefits, should somehow be second-class citizens, I don't get.

We have a Parliamentarian who determines whether or not an amendment is germane to the NDAA. That has already taken place. So having this debate is irrelevant, because we have already established that it is germane.

I don't know about you, but I am not just legislating for the people of California. I am legislating for the entire country. That is my job.

If there is a sexual assault victim in a State where they don't have the resources to somehow provide the Survivors' Bill of Rights, we have already done this on a Federal level and we offer some incentive so they do it, I don't see how this is any different than the other programs we have that we continue to fund for local jurisdictions all across this country, whether it is the COPS program or anything else.

So I am flummoxed by this debate on the other side. It is not a laughing matter. It is very serious. I think sexual assault victims across this country would like to know that they have the same rights in States as those who are victims of Federal crimes when it comes to being able to access a rape kit, have it paid for, and being told what the results are. It is common sense.

Mr. Speaker, I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I yield myself such time as I may consume.

It is my understanding that the Rules Committee waived that issue, not the parliamentarian, on germaneness. So that is not really a qualified argument; that is not a legitimate argument.

But if we talk about the substance of this, there are States that have taken the action that you are wanting to take. Maybe that is where you should take the fight, instead of wedging it into the National Defense Authorization Act. The National Defense Authorization Act is meant to fund the military for readiness to defend this country.

Mr. Speaker, I reserve the balance of my time.

Ms. SPEIER. Mr. Speaker, it wasn't short nor sweet, but I am prepared to close and say this is pretty obvious. This does not take rocket science. All we are doing with this amendment, that is bipartisan and bicameral—maybe the gentleman should talk to Senator GRASSLEY. We want to encourage States to do what we have done on the Federal level.

Mr. Speaker, I yield back the balance of my time.

Mr. BIGGS. Mr. Speaker, I oppose this amendment. It doesn't have anything to do with the National Defense Authorization Act. I encourage everyone to vote ''no'' on it, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 399 OFFERED BY MR. PALLONE

The SPEAKER pro tempore. It is now in order to consider amendment No. 399 printed in part A of House Report 117–405.

Mr. PALLONE. Mr. Speaker, I rise to offer amendment No. 399 as the designee of Mr. PAPPAS.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in subtitle E of title XII, insert the following:

SEC. ___. LIMITATION ON TRANSFER OF F–16 AIRCRAFT.

The President may not sell or authorize a license for the export of new F–16 aircraft or F–16 upgrade technology or modernization kits pursuant to any authority provided by the Arms Export Control Act (22 U.S.C. 2751 et seq.) to the Government of Turkey, or to any agency or instrumentality of Turkey unless the President provides to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the congressional defense committees a certification—

(1) that such transfer is in the national interest of the United States; and

(2) that includes a detailed description of concrete steps taken to ensure that such F-16s are not used by Turkey for repeated unauthorized territorial overflights of Greece.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, a special thanks to Chairman SMITH and his team for their tireless work on this bill and for including several important amendments that seek justice for the thousands of Armenians killed in Azerbaijan's deadly, unprovoked war in Nagorno-Karabakh in 2020.

Mr. Speaker, I rise today to discuss an important bipartisan amendment that would prohibit the President from selling or exporting next-generation F–16 fighter Jets and F–16 modernization kits to Turkey unless he goes through a rigorous certification process with Congress.

It is necessary, because the administration has ignored strong and consistent congressional opposition to the sale since it was first proposed last fall by Turkish President Recep Tayyip Erdogan.

Erdogan continues to prioritize short-term personal gain above the collective good of his NATO allies, and allowing the sale to go through would be a major mistake.

He has done the bare minimum to bolster NATO's strategic posture since Russia's invasion of Ukraine triggered the largest crisis the NATO alliance has faced in decades.

This destabilizing behavior is evident in his recent efforts to block Finland and Sweden from joining NATO until he received absurd and unrelated concessions.

The Turkish military also has conducted dangerous and provocative violations of Greek and Cypriot sovereign territory and reportedly is planning a major offensive in Syria that could endanger countless innocent lives.

Turkey also continues to utilize S–400 missile defense systems, which potentially expose important tactical information about U.S. weaponry and military operations to Russia.

Finally, we can't ignore the Erdogan regime's human rights abuses and antidemocratic actions at home that he uses to maintain his grip on power.

The sale of American advanced fighter jets to Turkey will not incentivize Erdogan to suddenly transform into a good ally. More likely, these weapons will lead to further death and destruction in the region.

For far too long, the United States has allowed Erdogan to dictate his terms and hide behind Turkey's status as a NATO ally.

He has avoided facing real-life consequences greater than a slap on the wrist for his flagrant violations of international law at home and abroad, and it is time we finally say enough is enough.

This amendment will do just that and help take the leveraging power out of Erdogan's dangerous, autocratic hands.

I will close by thanking my friend CHRIS PAPPAS and my many other colleagues who have been supportive in the fight to hold the Erdogan regime accountable and prevent the sale from moving forward.

Mr. Speaker, I urge all of you to vote ''yes'' on this important amendment, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I rise in opposition to the Pappas, or as it might be, the Pallone 399 amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. SESSIONS. Mr. Speaker, I thank my dear friend, Mr. PALLONE, for being here tonight.

This opportunity for us to speak deserves to be placed within the House Foreign Affairs Committee, which has the jurisdiction on this matter, the jurisdiction that is very important to the United States and to our friends from Greece. But it also is important to our friend Turkey, who stands, as a NATO ally, ready, prepared to help the United States and its NATO allies in the defense of a region of the world that is important.

It is important for us to note that the conversation about this really needs to take place within the Foreign Affairs Committee, and I think the chairman and the ranking member are very able to discuss it.

A report to Congress was made from this last prior administration that directly speaks about exactly the circumstances that Mr. PALLONE speaks of. The United States Government sent this Section 211, PL 116–94, and they said: ''The United States Government is not in a position to provide a list of confirmed violations of Greece's territorial airspace.''

This is a basis of what this amendment is about. First, Greece claims territorial space that extends up to 10 nautical miles from its coastline and its territorial sea up to six nautical miles. Under international law, a country's territorial airspace coincides with its territorial sea space also.

□ 0030

In this instance, Greece treats these differently. Although Greece currently claims up to 6 nautical miles of territorial sea around the many islands that it has, its neighbors have not come to a boundary delineation upon those areas. Thus, Turkey, which stands directly next to many of these islands, looks at international law.

Mr. Speaker, I think it is important for us to recognize at this time, not just with the United States but with the war that is going on between Russia and Ukraine, that NATO be prepared to have its top-flight—not just fighters—but the equipment that would be necessary. I believe this discussion, although I recognize it was made in order by the Rules Committee, should be placed directly within the Foreign Affairs Committee.

There needs to be a discussion to resolve this between America's friends, Turkey and Greece, and depend on them to be able to resolve this matter, not put this into the National Defense Authorization Act, which does not have jurisdiction in this matter. We should not invoke the United States military into this when, in fact, it should be something that is done by the State Department.

I have great respect for the gentleman, Mr. PALLONE. I have great respect for the Rules Committee, which I sat on for 20 years. But this issue entirely, from start to finish, belongs upon what might be the foreign sales of assets that are military oriented. That jurisdiction is not in the Armed Services Committee.

I stand in opposition, and I ask that the gentleman withdraw his amendment solely based upon a jurisdictional issue, the need for the United States of America, the need for NATO and Turkey, as a very reliable member, to be able to have those things that it would need.

Mr. Speaker, I appreciate the gentleman for hearing our argument tonight, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, let me say that I totally disagree with my colleague, and I do respect him, as he knows, but we are talking about F–16s and F–16 upgrades. I don't see how the gentleman could say that that is not within the jurisdiction of this committee and the NDAA bill. Clearly, we are talking about military weaponry here.

I also point out that what we are seeing in this amendment is basically that this sale or export should not go forward unless the President provides a certification to Congress that such a transfer is in the national interests of the United States and includes a detailed description of concrete steps taken to ensure that such F–16s are not used by Turkey for repeated, unauthorized territorial overflights of Greece.

What we are saying here is that we want some detailed analysis of what is going on here. I have to be honest and say that I have heard the President and others in the administration expound upon the F–16 sales and the upgrades and say this is a good idea, but the bottom line is they have not put forward any explanation of how this is in the national interests of the United States or any description of the problems that we face because of Turkey's continued aggression, whether it is in Greece, whether it is in Cyprus, whether it is in Armenia, whether it is in other parts of the Middle East, in Syria, Libya, the list goes on.

That is all we are really saying in this amendment, that it is time. As I said, enough is enough, and it is time for the administration to come forward and say why we are considering this. Why would you possibly do this? That is why I think it is totally appropriate to have this discussion here tonight and include this amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I would like to respond to the gentleman.

First of all, the congressional review of all arms exports is done through the Foreign Affairs Committee, not through the Armed Services Committee.

Secondly, it is in America's best interests. One argument could be made perhaps about Ukraine until Russia attacked. It is now a war that the United States is funding to huge numbers of appropriations amounts. There is great concern about not just food shortages but the destabilization of that area of the world.

We, the United States, as a major supporter of NATO, count on all the NATO nations there that are part of that to have the top-flight—not only equipment—but the ability to effectively avoid a further war by them working together.

I would say two points that the gentleman raised. First, the Armed Services Committee does not have jurisdiction, and secondly, it is very much in the United States' best interest to make sure that Turkey has top-line F–16 fighters.

Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, let me just say in closing that I understand what my colleague from Texas is saying when he talks about why he might think it is in the interest of the United States to sell these weapons or these planes to Turkey, and I respect his opinion. I don't agree, but I respect it. But we are asking that the administration put forth the reasons.

That is what this amendment is all about, not your opinion, which is fine, but what is the administration's opinion. Are they going to certify? Are they going to tell us why this is necessary? That is what this amendment is about.

Mr. Speaker, I urge support for this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 406 OFFERED BY MS. ROSS

The SPEAKER pro tempore. It is now in order to consider amendment No. 406 printed in part A of House Report 117–405.

Ms. ROSS. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title LVIII of division E, insert the following:

SEC. ___. PFAS DATA CALL.

Section 8(a)(7) of the Toxic Substances Control Act (15 U.S.C. 2607(a)(7)) is amended by inserting ''that contains at least one fully fluorinated carbon atom,'' after ''perfluoroalkyl or polyfluoroalkyl substance''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from North Carolina (Ms. ROSS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. ROSS. Mr. Speaker, PFAS chemicals affect our drinking water, our crops, the air we breathe, and the products we bring into our homes.

As Members know, PFAS are a large class of chemicals that are highly persistent and mobile in the environment. They are commonly referred to as forever chemicals.

PFAS have contaminated more than 2,300 sites across 49 States, polluting the drinking water of an estimated 200 million Americans, including thousands of households in my home State of North Carolina and at Fort Bragg in North Carolina.

Forever chemicals have been associated with a wide range of serious health effects, including a probable link with cancer, thyroid disease, lower fertility, and more. Over 500 PFAS are included on the Federal inventory of chemicals that can be used in commerce, but we know very little about what these chemicals are, where they are manufactured and used, and how the American people and our troops are being exposed.

Thankfully, after years of indecision, Congress took bipartisan action in the fiscal year 2020 NDAA, directing EPA to complete a PFAS reporting rule under the Toxic Substances Control Act. The rule requires EPA to use its existing authority to obtain information about all PFAS manufactured since 2011, including their identity, where they are manufactured, total amounts produced, general categories of how they are used, and existing information on environmental and health effects.

We lack this information for virtually all of the PFAS that have been manufactured and released into the environment in our country, a critical blind spot that hinders our ability to understand the full scope of the challenge we face and how to protect the public and our troops.

Unfortunately, EPA's proposed rule contains a significant flaw. It defines ''PFAS'' far too narrowly, excluding hundreds of these forever chemicals, including some that have already been found in drinking water or that have been incinerated as waste around the country.

□ 0040

During the comment period, numerous stakeholders, including drinking water utilities, State environmental protection agencies, PFAS scientists, 17 State attorneys general, all urged EPA to use a broader definition in the final rule, with many advocating for the consensus definition recently adopted by the Organization for Economic Cooperation and Development.

A reporting rule that fails to capture the full universe of PFAS will deprive EPA, Congress, the States, and the public of information necessary to address the effects of PFAS effectively and efficiently.

My bipartisan amendment with Representative MACE directs EPA to use a simple definition of PFAS—one fully fluorinated carbon atom—that is consistent with the international definition.

A final PFAS reporting rule using the definition in our amendment will ensure that we have the full picture of the nature and extent of the PFAS effects, enabling Congress and the administration to formulate an effective plan of action to address these problems.

Mr. Speaker, I urge a ''yes'' vote on the amendment, and I reserve the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Ohio. Mr. Speaker, as I said, I rise in opposition to the Ross amendment, and I urge my colleagues to join me.

This amendment would be an implementation nightmare for the EPA, and the regulated stakeholders would have no choice but to comply or try to comply.

The current provisions of the Toxic Substances Control Act require the EPA to issue final regulations compelling anyone who manufactured PFAS—back to 2011—to report detailed information about the chemical and its manufacture to the EPA.

Last fall, the EPA already proposed regulations to implement TSCA section 8(a)(7) and began taking public comment on it. The proposed regulation uses a definition of PFAS that is structural, and the agency believes it will capture 1,364 PFAS chemicals.

The Ross amendment would massively expand the EPA's definition of PFAS to any PFAS containing at least one fully fluorinated carbon atom. Just going off of EPA's master list of PFAS, the number of PFAS covered could jump from slightly over 1,300 to more than 12,000—that is a 10-fold increase.

In addition, the Ross amendment makes no changes to the deadline the EPA must issue these regulations, meaning the EPA will have to scrap its current rulemaking and expedite a new one that gives very little opportunity for public input.

Furthermore, under this amendment, the universe of new parties that would need to report is unknown and could be huge. And because of the retroactive nature of the reporting requirement, there may not be complete records to fulfill the amendment's broad reporting mandate.

Mr. Speaker, I reserve the balance of my time.

Ms. ROSS. Mr. Speaker, I just want to make it clear that this is a reporting rule, it is not a regulation. It is more like a law requiring labeling on food and packaging, and it gives the public information about chemicals that affect their health. Our water resource agencies are asking for this. We are trying to clean up some of the effects.

In North Carolina, we are seeing this in the Cape Fear River. Again, it is affecting the health of our people and our troops.

Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, like so many other amendments that I have heard here tonight, this is one that really befuddles me that it is in the NDAA. This is something that should be adjudicated in the jurisdiction of the Energy and Commerce Committee, not something that we should be trying to tag onto the NDAA.

This amendment simply tries to do too much, too fast, and too soon. It dispatches the scientific assessment of the agency about how to address it and disregards the public's input on the process.

Mr. Speaker, I urge a ''no'' vote on the Ross amendment, and I yield back the balance of my time.

Ms. ROSS. Mr. Speaker, it is clear that the public, in the comment period, has said that we need more information and a more robust definition.

It also belongs in the NDAA because it originated in the 2020 NDAA, and it has affected troops in North Carolina, particularly adjacent to the Cape Fear River.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from North Carolina (Ms. ROSS).

The question is on the amendment.

The amendment was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT NO. 410 OFFERED BY MR. GARAMENDI

The SPEAKER pro tempore. It is now in order to consider amendment No. 410 printed part A of House Report 117–405.

Mr. GARAMENDI. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle G of title X, insert the following:

SEC. 10___. EXEMPTION FROM ECONOMY ACT FOR CERTAIN REQUESTS MADE THROUGH THE NATIONAL INTERAGENCY FIRE CENTER.

Section 1535(b) of title 31, United States Code (commonly known as the ''Economy Act''), shall not apply to any assistance provided by the Department of Defense to the Federal Emergency Management Agency or a Federal land management agency under a request—

(1) made through the National Interagency Fire Center; and

(2) pertaining to an area covered by a declaration of a major disaster or emergency under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Speaker, I yield myself such time as I may consume.

This amendment, 216, is cosponsored by Ms. JACOBS of California and Ms. LOFGREN of California, it is part of my Military Support for Fighting Wildfires Act.

I think all of us are aware we have plenty of fires and we often do not have enough firefighters. From time to time, the military can play a very significant, important, and vital role in fighting fires.

This amendment essentially waives the current requirements for FEMA and the Federal land management agencies—BLM, the Forest Service, and the National Parks—to reimburse the Department of Defense for costs incurred by the military during support for disaster response to major fires.

Right now, the Economy Act of 1933 forces one government agency requesting services from another government agency to essentially sign a blank check for an unknown amount of money before they know the full scope of services that may be required.

This reimbursement under the Economy Act does not cost the taxpayers any extra money, it is an accounting between one agency and another, trying to keep their books straight. And we have already heard enough about the inability of the Department of Defense to keep its books straight.

I want to make sure that Federal agencies are focusing on firefighting and using every available government resource to accomplish a successful fight and not have to worry about the needless pencil-pushing back and forth between agencies, and what might ultimately turn out to be a very significant amount of money, unknown at the outset when the service is requested.

It is pretty simple. We are trying to make sure that we have maximum services available. Presently, an agency that might need help from the military might not even ask for it for fear that they might wind up with a very, very serious account to be filled.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

□ 0050

Mr. ROGERS of Alabama. Mr. Speaker, this amendment would prevent the Department of Defense from receiving reimbursement under the Economy Act for support provided to other Federal agencies in firefighting or disaster response. I support an all-of-Government approach to disaster response, but DOD does not need to be the piggy bank. FEMA has a disaster response fund with billions of dollars to reimburse DOD for their costs. This amendment would be detrimental to readiness and other mission-critical efforts by taking away funds from their intended use.

Mr. Speaker, I urge my colleagues to oppose it, and I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, enough has been said, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I restate my opposition to this amendment, I urge a ''no'' vote, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOHMERT. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

The Chair understands that amendment No. 413 will not be offered at this time.

The Chair understands that amendment No. 415 will not be offered at this time.

AMENDMENT NO. 426 OFFERED BY MR. LANGEVIN

The SPEAKER pro tempore. It is now in order to consider amendment No. 426 printed in part A of House Report 117–405.

Mr. LANGEVIN. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title LVIII of division E the following:

SEC. 58____. ADMISSION OF ESSENTIAL SCIENTISTS AND TECHNICAL EXPERTS TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.

(a) SPECIAL IMMIGRANT STATUS.—In accordance with the procedures established under subsection (f)(1), and subject to subsection (c)(1), the Secretary of Homeland Security may provide an alien described in subsection (b) (and the spouse and each child of the alien if accompanying or following to join the alien) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)), if the alien—

(1) submits a classification petition under section 204(a)(1)(G)(i) of such Act (8 U.S.C. 1154(a)(1)(G)(i)); and

(2) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for lawful permanent residence.

(b) ALIENS DESCRIBED.—An alien is described in this subsection if—

(1) the alien—

(A) is employed by a United States employer and engaged in work to promote and protect the National Security Innovation Base;

(B) is engaged in basic or applied research, funded by the Department of Defense, through a United States institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(C) possesses scientific or technical expertise that will advance the development of critical technologies identified in the National Defense Strategy or the National Defense Science and Technology Strategy, required by section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679); and

(2) the Secretary of Defense issues a written statement to the Secretary of Homeland Security confirming that the admission of the alien is essential to advancing the research, development, testing, or evaluation of critical technologies described in paragraph (1)(C) or otherwise serves national security interests.

(c) NUMERICAL LIMITATIONS.—

(1) IN GENERAL.—The total number of principal aliens who may be provided special immigrant status under this section may not exceed—

(A) 10 in each of fiscal years 2023 through 2032; and

(B) 100 in fiscal year 2033 and each fiscal year thereafter.

(2) EXCLUSION FROM NUMERICAL LIMITATION.—Aliens provided special immigrant status under this section shall not be counted against the numerical limitations under sections 201(d), 202(a), and 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

(d) DEFENSE COMPETITION FOR SCIENTISTS AND TECHNICAL EXPERTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a process to select, on a competitive basis from among individuals described in subsection (b), individuals for recommendation to the Secretary of Homeland Security for special immigrant status described in subsection (a).

(e) AUTHORITIES.—In carrying out this section, the Secretary of Defense shall authorize appropriate personnel of the Department of Defense to use all personnel and management authorities available to the Department, including the personnel and management authorities provided to the science and technology reinvention laboratories, the Major Range and Test Facility Base (as defined in 196(i) of title 10, United States Code), and the Defense Advanced Research Projects Agency.

(f) PROCEDURES.—Not later than 360 days after the date of the enactment of this Act, the Secretary of Homeland Security and Secretary of Defense shall jointly establish policies and procedures implementing the provisions in this section, which shall include procedures for—

(1) processing of petitions for classification submitted under subsection (a)(1) and applications for an immigrant visa or adjustment of status, as applicable; and

(2) thorough processing of any required security clearances.

(g) FEES.—The Secretary of Homeland Security shall establish a fee—

(1) to be charged and collected to process an application filed under this section; and

(2) that is set at a level that will ensure recovery of the full costs of such processing and any additional costs associated with the administration of the fees collected.

(h) IMPLEMENTATION REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security and Secretary of Defense

shall jointly submit to the appropriate congressional committees a report that includes—

(1) a plan for implementing the authorities provided under this section; and

(2) identification of any additional authorities that may be required to assist the Secretaries in fully implementing section.

(i) PROGRAM EVALUATION AND REPORT.—

(1) EVALUATION.—The Comptroller General of the United States shall conduct an evaluation of the competitive program and special immigrant program described in subsections (a) through (g).

(2) REPORT.—Not later than October 1, 2026, the Comptroller General shall submit to the appropriate congressional committees a report on the results of the evaluation conducted under paragraph (1).

(j) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on the Judiciary of the Senate.

(2) The term ''National Security Innovation Base'' means the network of persons and organizations, including Federal agencies, institutions of higher education, Federally funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that are engaged in the military and non-military research, development, funding, and production of innovative technologies that support the national security of the United States.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in this era of great power competition, we are in a race for top talent, and our continued military superiority depends on scientific breakthroughs in innovation.

My amendment provides that if the Secretary of Defense determines it is in the national interest, it would allow a pathway to citizenship for the best foreign talent to work in the U.S. national security innovation base and on defense research projects. We want the brightest minds in the world working for us and not our adversaries. This amendment helps us in that race.

This Chamber, I should mention, has recognized the need to face this challenge before and during the consideration of the fiscal year 2022 National Defense Authorization Act. My amendment was passed on the floor with bipartisan support, and I hope we will do it again today.

The U.S. has less than 5 percent of the world's population, so the majority of the best scientific minds will undoubtedly be born outside the U.S. borders. So we enjoy world-class universities and an innovative private sector that attract talent from around the world in critical technologies like physics, computer science, and biotechnology; but our constricted pathways to residency and citizenship drive this talent into the arms of our economic competitors at best and our adversaries at worst. So we face intense competition from other countries who offer large research grants and expedited citizenship to lure this talent away.

In a world where a small group of driven visionaries can upend the status quo, losing these gifted individuals puts us in danger of chasing future technological developments rather than leading them.

My amendment is modeled after a 1949 law granting the director of the CIA the authority to obtain permanent residency for anyone deemed ''in the interest of national security or essential to the furtherance of national intelligence missions.''

So this idea is not new. Today, the Secretary of Defense has no mechanism to encourage immigration for researchers with technical or scientific skills vital to national security.

Under this amendment that I offer today, the Secretary of Defense will implement a competitive annual process to select the top 10 scientists with technological expertise that would advance the development of critical technologies aligned with the National Defense Strategy and the National Defense Science and Technology Strategy and recommend them to the Secretary of Homeland Security for proper, robust processing and vetting.

It is in our national security interests not only to have these scientists working on defense research on our behalf and their innovations within our economy, but also to prevent this talent from working for our adversaries' defense industrial base and economies.

This amendment has passed this Chamber twice previously as an amendment to both the fiscal year 2022 NDAA and to the America COMPETES Act. I encourage my colleagues to support this amendment, once again, to ensure our continued military and technological superiority.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment allows the admission of scientists and technical experts from foreign countries to work on the national security innovation base. Without a clear provision forbidding foreign nationals from hostile regimes like China and Iran, we should strongly oppose this amendment.

The Democrats' open border policies have produced the largest illegal mass migration in our Nation's history. Since they took power, including deliberate releases and got-aways, the Democrats have allowed into our country an illegal population larger than that of the entire population of West Virginia.

We have apprehended at the border scores of persons on the terrorist watch list, and we have no idea how many more have come in among the 800,000 got-aways who evaded apprehension as the Border Patrol was overwhelmed processing these unprecedented numbers.

The Democrats' unconditional surrender to the Taliban last year released more than 5,000 terrorists held at Bagram Air Base. Ten days later, one of those terrorists detonated the bomb that killed 10 marines at Abby Gate. We have no idea where the other 5,000-plus are today, but it is a good bet that more than a few have been among those got-aways coming across our open southern border. Obviously, the security of the United States is not high on the Democrats' list of concerns.

Now, instead of addressing this national security crisis, the Democrats have pursued one measure after another to encourage still more immigration—legal and illegal—and this amendment should concern us all.

Now, some of our greatest military breakthroughs have come from foreign-born scientists—the Manhattan Project comes to mind. But so too, some of our worst security breakdowns have come from foreign scientists, and I do not trust this administration to know or even care about the difference.

China, for example, is so intent on using our U.S. immigration system to steal our sensitive technologies that the Trump administration had to issue a proclamation suspending entry of certain Chinese students and researchers.

The Trump Administration found that ''the People's Republic of China is engaged in a wide-ranging and heavily resourced campaign to acquire sensitive U.S. technologies to bolster the modernization and capability of its military.''

The proclamation warned that ''students or researchers from the PRC studying beyond the undergraduate level are at high risk of being exploited or co-opted by the PRC.''

In fact, the Department of Homeland Security warned us in 2020 that the Chinese Government requires its nationals to ''support, assist, and cooperate with State intelligence work.''

The idea for this amendment came at least in part from the Commission on Artificial Intelligence which called for ''increasing China's brain drain.'' So clearly the green cards contemplated under this amendment would go to Chinese nationals.

The last thing we should do is make it easy for the Chinese Communist Party to gain access to our national security innovation base work, Department of Defense research, or other critical technologies.

I would also note that sadly our new woke Department of Defense does not

have a great track record regarding immigration programs. Many of you may remember that the Department of Defense supported and encouraged the military accessions vital to the national interest—or MAVNI program—through which foreign nationals were able to enlist in the U.S. military. Once enlisted, they were eligible to nationalize.

The Obama administration was forced to halt this program when it was discovered that the Department of Defense had allowed some Chinese spies to enlist in the military.

Let that sink in: the Department of Defense allowed Chinese spies to enlist in the U.S. military.

□ 0100

Add to this the Biden family's questionable financial ties to China and the ingratiation of Chinese spies with several Members of Congress, and this amendment becomes most disturbing. Accordingly, I urge the House to oppose it.

Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. LANGEVIN. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Rhode Island has 1½ minutes remaining.

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume.

We have before us a concept that already exists in law, that already has that authority with the Director of the CIA. This bill before us would allow this authority to be exercised now by the Secretary of Defense for only 10 individuals, I should say, and it waives no special vetting or security background checks. There would be thorough background checks before any pathway to citizenship would be given.

Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself the balance of my time.

The Democrats' record speaks for itself: no concern for the dire national security implications of their open borders policy; no concern for the infiltration of hostile foreign agents into our military; no concern for the ingratiation of foreign agents into our legislative and executive branches.

Americans should be concerned. They should be very concerned. Until there is a sea change in the attitude of the ruling Democrats toward our national safety, our security, and our sovereignty, amendments like this should be utterly rejected.

Mr. Speaker, I yield back the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there would be no passes given. It would be thorough background checks that would occur.

Experts agree that we must now keep the brightest minds working on our behalf or we risk ceding the commercial benefits of technological development, as well as sacrificing our military's technological advantage.

Our adversaries are focusing on closing the capability gap in critical technologies, and we must respond. They are not standing still. We need to continue to keep the technological edge that we enjoy here in our country.

Mr. Speaker, I urge support of this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1244, the previous question is ordered on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCCLINTOCK. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed. The Chair understands that amendment No. 437 will not be offered.

The Chair understands that amendment No. 440 will not be offered at this time.

The Chair understands that amendment No. 444 will not be offered at this time.

The Chair understands that amendment No. 446 will not be offered.

AMENDMENT NO. 447 OFFERED BY MR. SCHIFF

The SPEAKER pro tempore. It is now in order to consider amendment No. 447 printed in part A of House Report 117–405.

Mr. SCHIFF. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title V, add the following new section:

SEC. 5___. EXCLUSION OF EVIDENCE OBTAINED WITHOUT PRIOR AUTHORIZATION.

Section 271 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) Notwithstanding any other provision of law, any information obtained by or with the assistance of a member of the Armed Forces in violation of section 1385 of title 18, shall not be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this amendment, which passed the House last year by a unanimous voice vote. The Posse Comitatus Act of 1878 currently prohibits the Army and Air Force from enforcing U.S. laws without authorization by the Constitution or Congress. Today, I offer an amendment to strengthen that existing law to include the Marines, the Navy, and the federalized National Guard and Reserve components.

My amendment would also prohibit the use of evidence unlawfully obtained by or with the assistance of the military in a court of law or other legal proceedings.

Put plainly, it would prevent any President of either party from unlawfully using the military as a domestic police force, and it would ensure that evidence obtained because of unlawful acts isn't used against any American. I would hope that this is a proposition that both parties can support.

Last year, as I said, this amendment passed by voice vote and with broad support. However, this year, conspiracy theorists, including some who served in this body when this amendment was passed previously, have announced their opposition. I guess it is fair to say that they were for it before they were against it.

You may hear some of these conspiracy theories this evening, so let me be very clear. This amendment has one goal: to prevent any President from unlawfully using our Nation's Armed Forces against Americans exercising their constitutionally protected rights.

Last year, my friends on the other side of the aisle didn't want evidence obtained illegally by the military to be used against people. This year, well, we will see.

This amendment will ensure the government cannot use evidence obtained by the military if acting unlawfully and allow us to better protect the fundamental freedoms enshrined in our Constitution. Surely, we can all agree on that.

Mr. Speaker, I urge a ''yes'' vote, and I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. BIGGS. Mr. Speaker, no one in this body believes that the United States military should be engaged in carrying out domestic policy on United States soil. We already have laws that prohibit that.

This amendment, however, would prohibit evidence obtained by the military in violation of the Posse Comitatus Act from being used in court or other legal proceedings.

This bill hasn't been to a committee this year. Last year, it was debated on the floor. This amendment stems from legislation that Representative SCHIFF introduced in response to rumors that President Trump was considering sending in the military to help quell the violence in Democrat-run cities during the summer of 2020. The military was never sent in, so this amendment is basically a solution in search of a problem.

The implications of this amendment are also unclear. We currently have a crisis on our southern border, a crisis that Democrats continue to ignore and is continually getting worse. We literally have about 8,000 to 10,000 people a day being encountered on the border, and then another 1,000 or more a day who are actually getting into the country as gotaways.

Some have suggested that the military could be sent down there to help stop this invasion. The question is, though, what happens if the situation at the southwest border becomes even more dire and, indeed, members of the military are sent in to help, and while helping and providing support, they obtain evidence of trafficking or smuggling, human trafficking, drug trafficking, et cetera? Will that evidence be excluded?

This is an issue that needs to go through regular order where the committees of jurisdiction can hold hearings and fully explore all possible consequences. That hasn't happened here.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

First of all, my colleague says that we already have laws against the military unlawfully engaging in the enforcement of domestic policy. We only have laws against certain branches of the military doing that. This bill would expand that to any branch of the military. So, this is not covered by existing law.

I am rather struck by the argument I hear against this amendment that if the military engages in unlawful activity, it appears they are okay with using that unlawfully obtained evidence in a court of law. That wouldn't be allowed in any criminal proceeding if law enforcement obtained evidence unlawfully. It shouldn't be allowed if the military obtains evidence unlawfully.

□ 0110

Mr. SCHIFF. Mr. Speaker, the only thing that has changed from last year when this passed on a unanimous voice vote to this year is, apparently, this year, some of my colleagues are willing to have the military enforce domestic policy in violation of the law and use the fruits of that illegal action against American citizens. I don't think that is right.

Mr. Speaker, I urge support of this amendment, and I yield back the balance of my time.

Mr. BIGGS. Mr. Speaker, I find it interesting. Nobody on this side mentioned evidence adduced from unlawful activities should be admitted. Those are words, as so often happens with my colleague, that are being imputed.

No. No. I specifically said legal activity. I specifically said if the military is sent down to the border to help. There was no imputation that that would be illegal conduct. What I said was that they obtained evidence of trafficking or smuggling while serving down on the Southwest border.

Now, if that is legal conduct, and they encountered evidence of trafficking or smuggling, my query was, should that not be used, should that not be permitted as evidence, and the reality of it is, it should be used for evidence.

When we talk about law, for instance, criminal law, if a police officer engages in criminal conduct to obtain evidence, that evidence is suppressed, including additional evidence which is considered the fruit of the poisonous tree.

The question here, and the reason that I said this needs to go back for regular order, is what do you do when you are involved in legal conduct, and you happen upon evidence of smuggling or trafficking? That is the real issue here.

Mr. SCHIFF. Will the gentleman yield?

Mr. BIGGS. The gentleman has already yielded his time and now wishes to take my time to explain.

The reality is he knows. This bill, or his amendment needs to go back for regular order for additional debate to determine all the consequences so when legal conduct produces or adduces evidence of smuggling or trafficking.

That is why I oppose this amendment. I urge my colleagues to do the same, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 448 OFFERED BY MR. GREEN OF TEXAS

The SPEAKER pro tempore. It is now in order to consider amendment No. 448 printed in part A of House Report 117–405.

Mr. GREEN of Texas. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1262, after line 23, insert the following:

SEC. 5403. COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.

(a) IN GENERAL.—Title I of the Housing and Community Development Act of 1974 is amended—

(1) in section 101(c) (42 U.S.C. 5301(c))—

(A) in paragraph (8), by striking ''and'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (9) and before the undesignated matter at the end the following:

''(10) in the case of grants awarded under section 123, the recovery from disasters and efforts to mitigate the effects of future disasters.'';

(2) in section 102(a) (42 U.S.C. 5302(a))—

(A) in paragraph (20)(A), by inserting before the last sentence the following: ''The term 'persons of middle income' means families and individuals whose incomes exceed 80 percent, but do not exceed 120 percent, of the median income of the area involved, as determined by the Secretary with adjustments for smaller and larger families.'' and

(B) by adding at the end the following new paragraph:

''(25) The term 'major disaster' has the meaning given such term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).'';

(3) in section 106(c)(4) (42 U.S.C. 5306(c)(4))—

(A) in subparagraph (A)—

(i) by striking ''declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act''; and

(ii) by inserting ''major'' before ''disaster, any amounts'';

(B) in subparagraph (C), by inserting ''major'' before ''disaster''; and

(C) in subparagraph (F), by inserting ''major'' before ''disaster'';

(4) in section 122 (42 U.S.C. 5321)), by striking ''disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act'' and inserting ''major disaster''; and

(5) by adding at the end the following new sections:

''SEC. 123. CDBG-DISASTER RECOVERY ASSISTANCE.

''(a) AUTHORITY; USE.—

''(1) IN GENERAL.—The Secretary may provide assistance under this section to States, including Puerto Rico, units of general local government, and Indian tribes for necessary expenses for activities authorized under this title related to disaster relief, resiliency, long-term recovery, restoration of infrastructure and housing, mitigation, and economic revitalization in the most impacted and distressed areas (as such term shall be defined by the Secretary by regulation) resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(2) AUTHORIZATION OF APPROPRIATIONS.—For purposes of assistance under this section, there are authorized to be appropriated and made available in the Community Development Block Grant Declared Disaster Recovery Fund established under section 124, such sums as are necessary to respond to current or future disasters, which shall remain available until expended.

''(b) ALLOCATION; COORDINATION.—

''(1) ALLOCATION AMOUNTS.—The Secretary shall annually establish and publish on its website an unmet needs threshold for most impacted and distressed areas resulting from a major disaster that shall result in a grant under this section. In determining the amount allocated under this section for any grantee, the Secretary shall make allocations based on the best available data on unmet recover needs and include an additional amount, as determined by the Secretary, for mitigation, based on the best available research, the type of disaster, and such amounts awarded for mitigation for similar types of disasters in prior years. Such data may include information from the Federal Emergency Management Agency, the Small business Administration, and any

other relevant Federal, State, or local agency, and data from the Bureau of the Census to assess the unmet needs of both homeowners and renters.

''(2) DEADLINES FOR ALLOCATION.—Except as provided in paragraph (3), for any major disaster meeting the most impacted and distressed unmet need threshold requirements in paragraph (1), the Secretary shall allocate funds available to a grantee for assistance under this section within 60 days of the date of a major disaster declaration or 60 days from when sufficient funds become available to make the allocation.

''(3) INAPPLICABILITY OF DEADLINES BASED ON INSUFFICIENT INFORMATION.—The deadlines under paragraph (2) for allocation of funds shall not apply in the case of funds made available for assistance under this section if Federal Emergency Management Agency has not made sufficient information available to the Secretary regarding relevant unmet recovery needs to make allocations in accordance with such deadlines. The Secretary shall notify the Congress of progress on or delay in receiving the necessary information within 60 days following declaration of such a major disaster and monthly thereafter until all necessary information is received.

''(4) OBLIGATION OF AMOUNTS BY THE SECRETARY.—Subject to subsection (c)(1), the Secretary shall provide for the disbursement of the amounts allocated for a grantee, but shall require the grantee to be in substantial compliance with the requirements of this section before each such disbursement.

''(5) COORDINATION OF DISASTER BENEFITS AND DATA WITH OTHER FEDERAL AGENCIES.—

''(A) COORDINATION OF DATA.—The Secretary shall coordinate with other agencies to obtain data on recovery needs, including the Administrator of the Federal Emergency Management Agency and the Administrator of the Small Business Administration, and other agencies when necessary regarding disaster benefits.

''(B) COORDINATION WITH FEMA.—The Secretary shall share with the Administrator of the Federal Emergency Management Agency, and make publicly available (with such redactions necessary to protect personally identifiable information), all data collected, possessed, or analyzed during the course of a disaster recovery for which assistance is provided under this section. Notwithstanding section 552a of title 5, U.S.C., or any other law, the Secretary may make data transfers pertaining to grants under this section with the FEMA Administrator, grantees, and academic and research institutions described in section 123(1)(3), which transfers may disclose information about an individual without the individual's written consent, including the use and retention of this data for computer matching programs to assess disaster recovery needs and to prevent the duplication of benefits and other waste, fraud, and abuse; provided, that the Secretary shall enter a data sharing agreement before sharing or receiving any information under transfers authorized by this section. The data sharing agreements must, in the determination of the Secretary, include measures adequate to safeguard the privacy and personally identifying information of individuals. The data the Secretary shares with the Administrator shall include—

''(i) all data on damage caused by the disaster;

''(ii) information on how any Federal assistance provided in connection with the disaster is expended; and

''(iii) information regarding the effect of the disaster on education, transportation capabilities and dependence, housing needs, health care capacity, and displacement of persons.

''(C) REQUIREMENTS REGARDING ELIGIBILITY FOR DIRECT ASSISTANCE AND DUPLICATION OF BENEFITS.—

''(i) COMPLIANCE.—Funds made available under this subsection shall be used in accordance with section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), as amended by section 1210 of the Disaster Recovery Reform Act of 2018 (division D, Public Law 115–254), and such rules as may be prescribed under such section.

''(ii) PRIORITY.—Households having the lowest incomes shall be prioritized for direct assistance under this subsection until all unmet needs are satisfied for families having an income up to 120 percent of the median for the area.

''(D) TREATMENT OF DUPLICATIVE BENEFITS.—In any case in which a grantee provides assistance that duplicates benefits available to a person for the same purpose from another source, the grantee itself shall either (i) be subject to remedies for noncompliance under section 111, or (ii) bear responsibility for absorbing such cost of duplicative benefits and returning an amount equal to any duplicative benefits paid to the grantee's funds available for use under this section or to the Community Development Block Grant Declared Disaster Recovery Fund under section 124, unless the Secretary issues a public determination by publication in the Federal Register that it is not in the best interest of the Federal Government to pursue such remedies based on hardships identified in subparagraph (E) or other reasons.

''(E) WAIVER OF RECOUPMENT.—A grantee of assistance from funds made available for use under this section may request a waiver from the Secretary of any recoupment by the Secretary of such funds for amounts owed by persons who have received such assistance from such funds and who have been defrauded, or after receiving assistance, have filed for bankruptcy, gone through a foreclosure procedure on property that received such assistance, or are deceased. If the grantee self-certifies to the Secretary in such request that it has verified that the individual conditions of each person it is requesting a waiver for meets one of the conditions specified in the preceding sentence, the Secretary may grant such waivers on the basis of grantee self-certification, issue a public determination by publication in the Federal Register that it is not in the best interest of the Federal Government to pursue such recoupment, and may conduct oversight to verify grantee self-certification and subject the grantee to remedies for noncompliance for any amounts that have not met such requirements.

''(F) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this paragraph, the Secretary and the grantee shall take such actions as may be necessary to ensure that personally identifiable information regarding recipients of assistance provided from funds made available under this section is not made publicly available by the Department of Housing and Urban Development or any agency with which information is shared pursuant to this paragraph.

''(c) PLAN FOR USE OF ASSISTANCE.—

''(1) REQUIREMENT.—Not later than 90 days after the allocation pursuant to subsection (b)(1) of all of the funds made available by an appropriations Act for assistance under this section and before the Secretary obligates any of such funds for a grantee, the grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, which shall include, at a minimum—

''(A) criteria for eligibility for each proposed use of funds, including eligibility limits on income and geography, and a description of how each proposed use of such funds will comply with all civil rights and fair housing laws and will address disaster relief, resiliency, longterm recovery, restoration of infrastructure and housing, hazard mitigation, and economic revitalization in the most impacted and distressed areas, including, as appropriate, assistance for the benefit of impacted households experiencing homelessness as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) or at risk of homelessness as defined by section 401 of such Act (42 U.S.C. 11360);

''(B) an agreement to share data, disaggregated by the smallest census tract, block group, or block possible for the data set, with Federal agencies and other providers of disaster relief, which shall include information the grantee has regarding the matters described in subsection (b)(4)(B);

''(C) identification of officials and offices responsible for administering such funds and processes and procedures for identifying and recovering duplicate benefits;

''(D) for grantees other than Indian tribes, a plan for compliance with the Fair Housing Act, which may include, at the election of the grantee, providing for partnerships with local fair housing organizations and funding set-aside for local fair housing organizations to handle complaints relating to assistance with amounts made available for use under this section; and

''(E)) a plan to provide for the funding and delivery of—

''(i) case management services to assist disaster-impacted residents in identifying, understanding, and accessing available assistance; and

''(ii) housing counseling services through housing counseling agencies approved by the Secretary to assist disaster-impacted residents with mortgage assistance, housing affordability, homeownership, tenancy, avoiding foreclosure and eviction, and other housing counseling topics;''(F) a plan for addressing displacement or relocation caused by activities performed pursuant to this section

such a plan shall set forth how housing counseling services will be delivered in coordination with case management services; and

''(F)) a plan for addressing displacement or relocation caused by activities performed pursuant to this section.

''(2) IMPLEMENTATION FUNDING.—To speed recovery, the Secretary may award a portion of a grant for implementation purposes under this section at the time the Secretary announces the allocation of funds and before the Secretary has issued pre-grant certifications and the grantee has made required submissions to the Secretary, and with the following conditions:

''(A) Implementation funding under this paragraph shall not exceed 10 percent of the grant awarded under subsection (a).

''(B) Implementation funding shall be limited to eligible activities that, in the determination of the Secretary, will support faster recovery, improve the grantee's ability to assess unmet recovery needs, plan for the prevention of improper payments, and reduce fraud, waste, and abuse.

''(C) Awards under this subsection shall not be subject to the substantial compliance determination under subsection (b)(4).

''(3) APPROVAL.—

''(A) IN GENERAL.—The Secretary shall, by regulation, specify criteria for approval of plans under paragraph (1), including approval of substantial amendments to such plans.

''(B) PARTIAL APPROVAL.—The Secretary may approve a plan addressing the use of funds for unmet recovery needs under paragraph (1) before approving a plan addressing the use of funds for mitigation.

''(4) DISAPPROVAL.—The Secretary shall disapprove a plan or substantial amendment to a plan if—

''(A) the plan or substantial amendment does not meet the approval criteria;

''(B) based on damage and unmet needs assessments of the Secretary and the Federal Emergency Management Administration or such other information as may be available, the plan or substantial amendment describing activities to address unmet recovery needs does not provide an allocation of resources that 1s reasonably proportional to unmet need—

''(i) between infrastructure and housing activities; and

''(ii) between homeowners, renters, and persons experiencing homelessness;

''(C) unless the plan is submitted by an Indian tribe, the plan or amendment does not provide an adequate plan for ensuring that funding provided under this section is used in compliance with the Fair Housing Act;

''(D) the plan or substantial amendment does not adequately address, as determined by the Secretary in regulation, the unmet needs for replacement or rehabilitation of certain disaster-damaged housing units, with cost adjustment where appropriate, including damaged dwelling units in public housing, as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)), projects receiving tax credits pursuant to section 42 of the Internal Revenue Code of 1986, or for projects assisted under section 8 of the Housing Act of 1937 (42 U.S.C. 1437f), under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), under the HOME Investment Partnerships Act (42 U.S.C. 12721 et seq.), under the community development block grant program under this title, or by the Housing Trust Fund under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4568) or any low and moderate income dwelling units demolished or converted to a use other than for housing for low and moderate income persons, as defined in section 104 (d) of this Act (42 U.S.C. 5304(d));

''(E) the plan or substantial amendment does not use a percentage of the grant, as determined by the Secretary in regulation, for acquisition, rehabilitation, reconstruction, or other activities permitted by the Secretary to provide affordable rental housing to benefit persons of low and moderate income, which rental housing will, upon completion, be occupied by such persons; or

''(F) the plan or substantial amendment does not provide a process to provide applicants—

''(i) notice by grantee of applicant's right to administrative appeal of any adverse action on the applicant's application; and

''(ii) right to full discovery of applicant's entire application file.

''(5) PUBLIC CONSULTATION.—In developing the plan required under paragraph (1), a grantee shall, at a minimum—

''(A) consult with affected residents, stakeholders, local governments, and public housing authorities to assess needs;

''(B) publish the plan in accordance with the requirements set forth by the Secretary, including a requirement to prominently post the plan on the website of the grantee for not less than 14 days;

''(C) ensure equal access for individuals with disabilities and individuals with limited English proficiency; and

''(D) publish the plan in a manner that affords citizens, affected local governments, and other interested parties a reasonable opportunity to examine the contents of the plan and provide feedback.

''(6) RESUBMISSION.—The Secretary shall permit a grantee to revise and resubmit a disapproved plan or plan amendment.

''″(7) TIMING.—

''(A) IN GENERAL.—The Secretary shall approve or disapprove a plan not later than 60 days after submission of the plan to the Secretary. The Secretary shall immediately notify the State, unit of general local government, or Indian tribe that submitted the plan or substantial amendment of the Secretary's decision.

''(B) DISAPPROVAL.—If the Secretary disapproves a plan or a substantial amendment, not later than 15 days after such disapproval the Secretary shall inform the State, unit of general local government, or Indian tribe in writing of (i) the reasons for disapproval, and (ii) actions that the State, unit of general local government, or Indian tribe could take to meet the criteria for approval.

''(C) SUBSTANTIAL AMENDMENTS; RESUBMISSION.—The Secretary shall, for a period of not less than 45 days following the date of disapproval, permit the revision and resubmission of any plan or substantial amendment that is disapproved. The Secretary shall approve or disapprove a resubmission of any plan or substantial amendment not less than 30 days after receipt of such substantial amendments or resubmission.

''(D) GRANT AGREEMENTS.—Subject to subsection (b)(3), the Secretary shall ensure that all grant agreements necessary for prompt disbursement of funds allocated to a grantee are signed by the Secretary within 60 days of approval of grantee's plan describing the use of such funds.

''(d) FINANCIAL CONTROLS.—

''(1) COMPLIANCE SYSTEM.—The Secretary shall develop and maintain a system to ensure that each grantee has and will maintain for the life of the grant—

''(A) proficient financial controls and procurement processes;

''(B) adequate procedures to ensure that eligible applicants are approved for assistance with amounts made available for use under this section and that recipients are provided the full amount of assistance for which they are eligible, subject to funding availability;

''(C) adequate procedures to prevent any duplication of benefits, as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, and to detect and prevent waste, fraud, and abuse of funds; and

''(D) adequate procedures to ensure the grantee will maintain comprehensive and publicly accessible websites that make available information regarding all disaster recovery activities assisted with such funds, which information shall include common reporting criteria established by the Secretary that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant, unredacted procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary.

''(2) EVALUATION OF COMPLIANCE.—The Secretary shall provide, by regulation or guideline, a method for qualitatively and quantitatively evaluating compliance with the requirements under paragraph (1).

''(3) CERTIFICATION.—Before making a grant, the Secretary shall certify in advance that the grantee has in place the processes and procedures required under subparagraphs (A) through (D) of paragraph (1), as determined by the Secretary. No additional certification is necessary if the Secretary has recently certified that the grantee has the required processes and procedures. The Secretary may permit a State, unit of general local government, or Indian tribe to demonstrate compliance with requirements for adequate financial controls before disasters occur and before receiving an allocation for a grant under this section.

''(e) USE OF FUNDS.—

''(1) ADMINISTRATIVE COSTS.—

''(A) IN GENERAL.—The Secretary shall establish by regulation the maximum grant amounts a State, unit of general local government, or Indian tribe may use for administrative costs, and for technical assistance and planning activities, taking into consideration size of grant, complexity of recovery, and other factors as determined by the Secretary. Amounts available for administrative costs for a grant under this section shall be available for eligible administrative costs of the grantee for any grant made under this section, without regard to a particular disaster.

''(B) DISCRETION TO ESTABLISH SLIDING SCALE.—The Secretary may establish a series of percentage limitations on the amount of grant funds received that may be used by a grantee for administrative costs, but only if—

''(i) such percentage limitations are based on the amount of grant funds received by a grantee;

''(ii) such series provides that the percentage that may be so used is lower for grantees receiving a greater amount of grant funds and such percentage that may be so used is higher for grantees receiving a lesser amount of grant funds; and

''(iii) in no case may a grantee so use more than 10 percent of grant funds received.

''(2) LIMITATIONS ON USE.—Amounts from a grant under this section may not be used for activities—

''(A) that are reimbursable, or for which funds are made available, by the Federal Emergency Management Agency, including under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or the National Flood Insurance Program, or

''(B) for which funds are made available by the Army Corps of Engineers.

''(3) HUD ADMINISTRATIVE COSTS.—

''(A) LIMITATION.—Of any funds made available to the Community Development Block Grant Declared Disaster Recovery Fund established under section 124 or otherwise made available for use under this section by any single appropriations Act, the Secretary may use 1 percent of any such amount for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts made available for use under this section.

''(B) TRANSFER OF FUNDS.—Any amounts made available for use in accordance with subparagraph (A)—

''(i) shall be transferred to the appropriate salaries and expenses account in the Community Development Block Grant Declared Disaster Recovery Fund established under section 124 for use by the Office of Disaster Recovery and Resilient Communities;

''(ii) shall remain available until expended; and

''(iii) may be used for administering any funds appropriated for the same purposes described in section 123(a) to the Community Development fund or Community Development Block Grant Declared Disaster Recovery Fund established under section 124 in any prior or future Act, notwithstanding the disaster for which such funds were appropriated.

''(4) INSPECTOR GENERAL.—Of any funds made available for use in accordance with paragraph (3)(A), 15 percent shall be transferred to the Office of the Inspector General for necessary costs of audits, reviews, oversight, evaluation, and investigations relating

to amounts made available for use under this section.

''(5) CAPACITY BUILDING.—Of any funds made available for use under this section, not more than 0.1 percent or $15,000,000, whichever is less, shall be made available to the Secretary for capacity building and technical assistance, including assistance regarding contracting and procurement processes, to support grantees and subgrantees receiving funds under this section.

''(6) MITIGATION PLANNING.—

''(A) REQUIREMENT.—The Secretary shall require each grantee to use a fixed percentage of any allocation for mitigation for comprehensive mitigation planning, subject to the limitations on funds in paragraph (2).

''(B) AMOUNT.—The Secretary may establish such fixed percentage by regulation and may establish a lower percentage for grantees receiving a grant exceeding $1,000,000,000.

''(C) COORDINATION.—Each grantee shall ensure that such comprehensive mitigation planning is coordinated and aligned with existing comprehensive, land use, transportation, and economic development plans, and specifically analyze multiple types of hazard exposures and risks. Each grantee shall coordinate and align such mitigation planning with other mitigation projects funded by the Federal Emergency Management Agency, the Army Corps of Engineers, the Forest Service, and other agencies as appropriate.

''(D) USE OF FUNDS.—Such funds may be used for the purchase of data and development or updating of risk mapping for all relevant hazards.

''(E) PRIORITY.—Grantees shall prioritize the expenditure of grant funds to support hazard mitigation and resiliency funds for activities primarily benefitting persons of low and moderate income with the greatest risk of harm from natural hazards.

''(7) BUILDING SAFETY.—

''(A) IN GENERAL.—In consultation with the Administrator of the Federal Emergency Management Agency, the Secretary shall provide that no funds made available under this section shall be used for installation, substantial rehabilitation, reconstruction, or new construction of infrastructure or residential, commercial, or public buildings in hazard-prone areas, unless construction complies with paragraph (8) and with the latest published editions of relevant national consensus-based codes, and specifications and standards referenced therein, except that nothing in this section shall be construed to prohibit a grantee from requiring higher standards.

''(B) SAVINGS PROVISION.—Nothing in subparagraph (A) shall be construed as a requirement for a grantee to adopt the latest published editions of relevant national consensus-based codes, specifications, and standards.

''(C) COMPLIANCE.—Compliance with this paragraph may be certified by a suitable design professional.

''(D) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

''(i) HAZARD-PRONE AREAS.—The term 'hazard-prone areas' means areas identified by the Secretary, in consultation with the Administrator, at risk from natural hazards that threaten property damage or health, safety, and welfare, such as floods (including special flood hazard areas), wildfires (including Wildland-Urban Interface areas), earthquakes, tornados, and high winds. The Secretary may consider future risks and the likelihood such risks may pose to protecting property and health, safety, and general welfare when making the determination of or modification to hazard-prone areas.

''(ii) LATEST PUBLISHED EDITIONS.—The term 'latest published editions' means, with respect to relevant national consensus-based codes, and specifications and standards referenced therein, the two most recent published editions, including, if any, amendments made by States, units of general local government, or Indian tribes during the adoption process, that incorporate the latest natural hazard-resistant designs and establish criteria for the design, construction, and maintenance of structures and facilities that may be eligible for assistance under this section for the purposes of protecting the health, safety, and general welfare of a structure's or facility's users against disasters.

''(8) FLOOD RISK MITIGATION.—

''(A) REQUIREMENTS.—Subject to subparagraph (B), the Secretary shall require that any structure that is located in an area having special flood hazards and that is newly constructed, for which substantial damage is repaired, or that is substantially improved, using amounts made available under this section, shall be elevated with the lowest floor, including the basement, at least two feet above the base flood level, or to a future flood protection standard that provides equivalent protection and is developed in conjunction with the Administrator of the Federal Emergency Management Agency, except that critical facilities, including hospitals, nursing homes, and other public facilities providing social and economic lifelines, as defined by the Secretary, shall be elevated at least 3 feet above the base flood elevation (or higher if required under paragraph (7)).

''(B) ALTERNATIVE MITIGATION.—In the case of existing structures consisting of multifamily housing and row houses, and other structures, as determined by the Secretary, the Secretary shall seek consultation with the Administrator of the Federal Emergency Management Agency, shall provide for alternative forms of mitigation (apart from elevation), and shall exempt from the requirement under subparagraph (A) any such structure that meets the standards for such an alternative form of mitigation.

''(C) DEFINITIONS.—For purposes of subparagraph (A), the terms 'area having special flood hazards', 'newly constructed', 'substantial damage', 'substantial improvement', and 'base flood level' have the same meanings as under the Flood Disaster Protection Act of 1973 and the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

''(f) ADMINISTRATION.—In administering any amounts made available for assistance under this section, the Secretary—

''(1) may not allow a grantee to use any such amounts for any purpose other than the purpose approved by the Secretary in the plan or amended plan submitted under subsection (c) to the Secretary for use of such amounts; and

''(2) shall prohibit a grantee from delegating, by contract or otherwise, the responsibility for inherent government functions.

''(g) TRAINING FOR GRANT MANAGEMENT FOR SUBGRANTEES.—The Secretary shall require each grantee to provide ongoing training to all staff and subgrantees.

''(h) PROCUREMENT PROCESSES AND PROCEDURES FOR GRANTEES.—

''(1) GRANTEE PROCESSES AND PROCEDURES.—In procuring property or services to be paid for in whole or in part with amounts from a grant under this section, a grantee shall—

''(A) follow its own procurement processes and procedures, but only if the Secretary makes a determination that such processes and procedures comply with the requirements under paragraph (2); or

''(B) comply with such processes and procedures as the Secretary shall, by regulation, establish for purposes of this section.

''(2) REQUIREMENTS.—The requirements under this paragraph with respect to such processes and procedures shall—

''(A) provide for full and open competition and compliance with applicable statutory requirements on the use of Federal funds, and require cost or price analysis;

''(B) include requirements for procurement policies and procedures for subgrantees;

''(C) specify methods of procurement and their applicability, but not allow cost-plus-a-percentage-of cost or percentage-of-construction cost methods of procurement;

''(D) include standards of conduct governing employees engaged in the award or administration of contracts; and

''(E) ensure that all purchase orders and contracts include any clauses required by Federal statute, Executive order, or implementing regulation.

''(i) TREATMENT OF CDBG ALLOCATIONS.—Amounts made available for use under this section shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of this title (42 U.S.C. 5306).

''(j) WAIVERS.—

''(1) AUTHORITY.—Subject to the other provisions of this section, in administering amounts made available for use under this section, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of such funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment and except for the requirements of this section), if the Secretary makes a public finding that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purposes of this title.

''(2) NOTICE AND PUBLICATION.—Any waiver of or alternative requirement pursuant to paragraph (1) shall not take effect before the expiration of the 5-day period beginning upon the publication of notice in the Federal Register of such waiver or alternative requirement.

''(3) APPLICABLE REQUIREMENTS AND BENEFIT TO LOW- AND MODERATE-INCOME PERSONS.—

''(A) IN GENERAL.—The requirements in this Act that apply to grants made under section 106 of this title (except those related to the allocation) apply equally to grants under this section unless modified by a waiver or alternative requirement pursuant to paragraph (1).

''(B) LIMITATION.—Notwithstanding subparagraph (A), the Secretary may not grant a waiver or alternative requirement to reduce the percentage of funds that must be used for activities that benefit persons of low and moderate income to less than 70 percent, unless the Secretary specifically finds that there is compelling need to further reduce the percentage requirement and that funds are not necessary to address the housing needs of low- and moderate-income residents.

''(4) PROHIBITION.—The Secretary may not use the authority under paragraph (1) to waive any provision of this section.

''(k) ENVIRONMENTAL REVIEW.—

''(1) ADOPTION.—Notwithstanding subsection (j)(1), recipients of funds provided under this section that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), 428, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a

Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval, or permit under section 104(g)(1) of this title (42 U.S.C. 5304(g)(1)).

''(2) RELEASE OF FUNDS.—Notwithstanding section 104(g)(2) of this title (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted with amounts made available for use under this section if the recipient has adopted an environmental review, approval or permit under paragraph (1) or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(3) STATE ACTIONS.—The requirements of section 104(g)(4) shall apply to assistance under this section that a State distributes to a unit of general local government.

''(1) COLLECTION OF INFORMATION; AUDITS AND OVERSIGHT.—

''(1) COLLECTION OF INFORMATION.—For each major disaster for which assistance is made available under this section, the Secretary shall collect information from grantees regarding all recovery activities so assisted, including information on applicants and recipients of assistance, and shall make such information available to the public and to the Inspector General for the Department of Housing and Urban Development on a monthly basis using uniform data collection practices, and shall provide a quarterly update to the Congress regarding compliance with this section. Information collected and reported by grantees and the Secretary shall be disaggregated by program, race, income, geography, and all protected classes of individuals under the Americans with Disabilities Act of 1990, the Fair Housing Act, the Civil Rights Act of 1964, and other civil rights and nondiscrimination protections, with respect to the smallest census tract, block group, or block possible for the data set.

''(2) AVAILABILITY OF INFORMATION.—In carrying out this paragraph, the Secretary may make full and unredacted information available to academic and research institutions for the purpose of research into the equitable distribution of recovery funds, adherence to civil rights protections, and other areas.

''(3) PROTECTION OF INFORMATION.—The Secretary shall take such actions and make such redactions as may be necessary to ensure that personally identifiable information regarding recipients of assistance provided from funds made available under this section shall not made publicly available.

''(4) AUDITS AND OVERSIGHT.—In conducting audits, reviews, oversight, evaluation, and investigations, in addition to activities designed to prevent and detect waste, fraud, and abuse, the Inspector General shall review activities carried out by grantees under this section to ensure such programs fulfill their authorized purposes, as identified in the grantee's action plan.

''(m) PLAN PRE-CERTIFICATION FOR STATES AND UNITS OF GENERAL LOCAL GOVERNMENT.—

''(1) IN GENERAL.—The Secretary shall carry out a program under this subsection to provide for States and units of general local government to pre-certify as eligible grantees for assistance under this section. The objective of such program shall be to—

''(A) allow grantees that have consistently demonstrated the ability to administer funds responsibly and equitably in similar disasters to utilize in subsequent years plans which are substantially similar to those the Department has previously approved; and

''(B) facilitate the re-use of a plan or its substantially similar equivalent by a pre-certified grantee for whom the plan has previously been approved and executed upon.

''(2) REQUIREMENTS.—To be eligible for pre-certification under the program under this sub-section a State or unit of general local government shall—

''(A) demonstrate to the satisfaction of the Secretary compliance with the requirements of this section; and

''(B) have previously submitted a plan or its substantially similar equivalent and received assistance thereunder as a grantee or subgrantees under this section, or with amounts made available for the Community Development Block Grant-Disaster Recovery account, in connection with two or more major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(3) APPROVAL OF PLANS.—

''(A) EXPEDITED APPROVAL PROCESSES.—The Secretary shall establish and maintain processes for expediting approval of plans for States and units of general local government that are pre-certified under this subsection.

''(B) EFFECT OF PRE-CERTIFICATION.—Pre-certification pursuant to this subsection shall not—

''(i) establish any entitlement to, or priority or preference for, allocation of funds made available under this section; or

''(ii) exempt any grantee from complying with any of the requirements under, or established pursuant to, subsection (c) or (d).

''(4) DURATION.—Pre-certification under this subsection shall be effective for a term of 5 years.

''(n) DEPOSIT OF UNUSED AMOUNTS IN FUND.—

''(1) UNMET NEEDS.—If any amounts made available for assistance for unmet needs under this section to grantees remain unexpended upon the earlier of—

''(A) the date that the grantee of such amounts notifies the Secretary that the grantee has completed all activities identified in the grantee's plan for use of such amounts that was approved by the Secretary in connection with such grant; or

''(B) the expiration of the 6-year period beginning upon the Secretary obligating such amounts to the grantee, as such period may be extended pursuant to paragraph (3);

the Secretary may, subject to authority provided in advance by appropriations Acts, transfer such unexpended amounts to the Secretary of the Treasury for deposit into the Community Development Block Grant Declared Disaster Recovery Fund established under section 124, except that the Secretary may, by regulation, permit the grantee to retain amounts needed to close out the grant.

''(2) MITIGATION.—If any amounts made available for assistance for mitigation under this section to grantees remain unexpended upon the earlier of—

''(A) the date that the grantee of such amounts notifies the Secretary that the grantee has completed all activities identified in the grantee's plan for use of such amounts that was approved by the Secretary in connection with such grant; or

''(B) the expiration of the 12-year period beginning upon the Secretary obligating such amounts to the grantee, as such period may be extended pursuant to paragraph (3);

the Secretary may, subject to authority provided in advance by appropriations Acts, transfer such unexpended amounts to the Secretary of the Treasury for deposit into the Community Development Block Grant Declared Disaster Recovery Fund established under section 124, except that the Secretary may, by regulation, permit the grantee to retain amounts needed to close out the grant.

''(3) EXTENSION OF PERIOD OF PERFORMANCE.—

''(A) UNMET NEEDS.—

''(i) IN GENERAL.—The period of performance under paragraph (1)(B) shall be extended by not more than 4 years if, before the expiration of such 6-year period, the Secretary waives this requirement and submits a written justification for such waiver to the Committees on Appropriations of the House of Representatives and the Senate that specifies the amended period of performance under the waiver.

''(ii) INSULAR AREAS.—For any amounts made available for unmet needs under this section to a grantee that is an insular area as defined in section 102, the Secretary may extend the period of performance under clause (i) by not more than an additional 4 years, and shall provide additional technical assistance to help increase capacity within the insular area receiving such extension. If the Secretary extends the period of performance pursuant to this subparagraph, the Secretary shall submit a written justification for such extension to the Committees on Appropriations of the House of Representatives and the Senate that specifies the period of such extension.

''(B) MITIGATION.—The period under paragraph (2)(B) shall be extended to a date determined by the Secretary if, before the expiration of such 12-year period, the Secretary issues a waiver to amend the period of performance and submits a written justification for such waiver to the Committees on Appropriations of the House of Representatives and the Senate that specifies the amended period of performance under the waiver.

''(o) BEST PRACTICES.—

''(1) STUDY.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall identify best practices for grantees on issues including developing the action plan and substantial amendments under subsection (c) and substantive amendments, establishing financial controls, building grantee technical and administrative capacity, procurement, compliance with Fair Housing Act statute and regulations, and use of grant funds as local match for other sources of Federal funding. The Secretary shall publish a compilation of such identified best practices and share with all relevant grantees, including States, units of general local government, and Indian tribes to facilitate a more efficient and effective disaster recovery process. The compilation shall include—

''(A) guidelines for housing and economic revitalization programs, including mitigation, with sufficient model language on program design for grantees to incorporate into action plans; and

''(B) standards for at least form of application, determining unmet need, and income eligibility.

''(2) EXPEDITED REVIEW.—

''(A) REQUIREMENTS.—After publication of the final compilation required by paragraph (1), the Secretary shall issue either Federal regulations, as part of the final rule required under section 5403(b) of the National Defense Authorization Act for Fiscal Year 2023 or as a separate rule, or a Federal Register notice soliciting public comment for at least 60 days, that establishes grant requirements, including the requirements that grantees must follow in order to qualify for expedited review and approval of a plan or substantial amendment required by subsection (c) of this section.

''(B) APPROVAL; DISAPPROVAL.—The Secretary shall approve or disapprove plans or substantial amendments of grantees that comply with the requirements for such expedited review within 45 days.

''(C) STANDARDIZATION.—The requirements for expedited review shall establish standard language for inclusion in action plans and substantial amendments under subsection (c)

of this section and for establishing standardized programs and activities recognized by the Secretary.

''(D) APPLICABILITY OF GRANT REQUIREMENTS.—Compliance with the requirements for expedited review shall not exempt grantees from complying with grant requirements, including requirements for public comment, community citizen participation, and establishing and maintaining a public website.

''(E) REVISION.—The Secretary may revise the requirements for expedited review at any time after a public comment period of at least 60 days.

''(p) DEFINITIONS.—For purposes of this section:

''(1) GRANTEE.—The term 'grantee' means a recipient of funds made available under this section after its enactment.

''(2) SUBSTANTIALLY SIMILAR.—The term 'substantially similar' means, with respect to a plan, a plan previously approved by the Department, administered successfully by the grantee, and relating to disasters of the same type.

''SEC. 124. COMMUNITY DEVELOPMENT BLOCK GRANT DECLARED DISASTER RECOVERY FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account to be known as the Community Development Block Grant Declared Disaster Recovery Fund (in this section ref erred to as the 'Fund').

''(b) AMOUNTS.—The Fund shall consist of any amounts appropriated to or deposited into the Fund, including amounts deposited into the Fund pursuant to section 123.

''(c) USE.—Amounts in the Fund shall be available, pursuant to the occurrence of a major disaster declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, only for providing technical assistance and capacity building in connection with section 123 for grantees under such section that have been allocated assistance under such section in connection with such disaster to facilitate planning required under such section and increase capacity to administer assistance provided under such section, including for technical assistance and training building and fire officials, builders, contractors and subcontractors, architects, and other design and construction professionals regarding the latest published editions of national consensus-based codes, specifications, and standards (as such term is defined in section 123(e)(7)).''.

(b) REGULATIONS.—

(1) PROPOSED RULE.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall issue proposed rules to carry out sections 123 and 124 of the Housing and Community Development Act of 1974, as added by the amendment made by subsection (a) of this section, and shall provide a 60-day period for submission of public comments on such proposed rule.

(2) FINAL RULE.—Not later than the expiration of the 24-month period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development, in consultation with the Administrator of the Federal Emergency Management Agency, shall issue final regulations to carry out sections 123 and 124 of the Housing and Community Development Act of 1974, as added by the amendment made by subsection (a) of this section.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Texas (Mr. GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GREEN of Texas. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, today I rise in strong support of the Reforming Disaster Recovery Act which I have submitted as an amendment No. 448 to the National Defense Authorization Act.

This amendment would permanently authorize the Community Development Block Grant Disaster Recovery Program which provides States, Tribes, and communities with flexible, long-term recovery resources needed to rebuild affordable housing and infrastructure after a disaster.

The amendment also provides important safeguards and tools to help ensure that Federal disaster recovery efforts reach all impacted households, including the lowest income and most marginalized survivors who are often hardest hit by disasters and have the fewest resources to recover.

The amendment also provides important safeguards and tools to help ensure that Federal disaster recovery efforts reach all impacted households in the future, including the lowest income and most marginalized survivors.

These measures would help to prevent the repetition of what happened in Texas in the aftermath of Hurricane Harvey where more than 4 years after the disaster, relief funds that were appropriated by Congress have not filtered down to the hands of people who need them.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Speaker, I have to tell you. Coming from a disaster-prone State, I am absolutely shocked that anyone would propose an amendment like this. Here it is, 1:15 a.m., a 48-page amendment is being offered to codify or memorialize a process that has done nothing but revictimize disaster victims in the aftermath of a hurricane or other type of natural disaster.

Mr. Speaker, in 2016, this Congress provided about $1.7 billion in the aftermath of a disaster—about $1.7 billion—trying to help out those who were impacted by a thousand-year flood, trying to get money in their hands.

Yet, 6 years later—6 years later—only one-third of those funds had actually been allocated to the disaster victims. Almost $500 million had been paid to the contractors administering the program.

Mr. Speaker, HUD is not a disaster agency. Look at the Government Accountability Office reports. They have said over and over again that all you have is this alphabet soup of agencies that aren't coordinated. You have HUD that doesn't have disaster experience.

This is a flawed approach. You can look at other programs that are capable of getting money out the door faster.

In fact, in this legislation, it actually codifies—it says that you first have to help those in poverty. What if they are not impacted, but it requires that they are first helped?

What we need to be doing is we need to be getting assistance in the hands of those that need help, not in the situation where in 2019, the Government Accountability Office looked at this and said that funds that had been appropriated in 2015, 4 years prior, that less than 80 percent of the money had actually even been allocated yet.

This agency is the wrong agency. They have a clear record of complete failure and lack of urgency and are simply revictimizing—revictimizing—disaster victims.

Mr. Speaker, I urge opposition to this amendment and reserve the balance of my time.

Mr. GREEN of Texas. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Houston, Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Mr. Speaker, I thank my friend and colleague, Mr. GREEN, for his leadership on this very important amendment.

I am not shocked by this amendment. I am pleased with this amendment. This is something that is desperately needed because this amendment would permanently authorize the Community Development Block Grant Disaster Recovery Program.

This important program does provide States and communities like mine in Houston with flexible, long-term recovery resources for building affordable housing and infrastructure after a disaster.

This amendment would ensure that these essential services go to the most deserving communities, those hit hardest by a disaster. It builds safeguards to ensure that funds are not diverted away from the lowest-income survivors.

Further, it reforms disaster recovery allocation formulas and protocols to ensure equity, prioritizes transparency and oversight and discovery, disaster recovery, protects civil rights in fair housing, and supports disaster mitigation efforts.

Mr. GREEN and my hometown of Houston is no stranger to disasters, and Mr. Speaker, I would submit that if the folks on the other side of the aisle think that this is not a good program, and they don't want the dollars because it takes too long to get them, we will gladly accept them in Houston because we get hit almost every year or every other year. We get hit hard, and we get hit in the most vulnerable populations.

So, again, I urge support of this amendment, and I urge all my colleagues to do the same.

□ 0120

Mr. GRAVES of Louisiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, listening to the gentlewoman talk about this amendment,

clearly there is a divide between what she is expressing and what this amendment actually does.

The gentlewoman said that this would help to get the money in the hands of those who are most impacted. That is not what this does. To the contrary, it actually requires that those that are in poverty be prioritized. It doesn't matter if they have been impacted or not. There is not even a requirement in here to determine that they are most impacted.

In fact, this amendment actually codifies a low- and moderate-income requirement that doesn't take into consideration the actual impacts of that person.

It also has a provision in here that discusses the impact to households but not individuals. So maybe if you are single, you are not even eligible under this because in some cases, it makes reference to individuals. In other cases, only families or households.

Mr. Speaker, the bottom line: We have been through this program over and over and over again.

I am completely shocked, the sponsor of this amendment, in 2017 when we appropriated $35 billion, his home State of Texas in 2019 had only drawn down $18 million.

In the case of Florida—keep in mind, this was in the aftermath of Harvey, Irma, and Maria. In the case of Florida, in 2019, nearly 2 years after the disaster funds had been appropriated, only $1 million had been drawn down.

In the case of Puerto Rico and the Virgin Islands, zero.

This agency is not capable of doing anything other than revictimizing our disaster victims. It is the wrong agency. It is the wrong program. This language has not been vetted by disaster experts. All it is going to do is memorialize or codify what we are doing to disaster victims now, which is funding a bureaucracy, funding contractors that profit off of this flawed approach, and simply not helping those get back on their feet that are most in need.

Mr. Speaker, I reserve the balance of my time.

Mr. GREEN of Texas. Mr. Speaker, I have great respect for my dear colleague and friend. I was born in New Orleans, Louisiana. I understand the rules of the State and the people. But he and I have a difference of opinion about which committee should have jurisdiction.

I sit on the Financial Services Committee. HUD has jurisdiction. He sits on Transportation. He wants jurisdiction. He is not going to get it.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Speaker, I thank my friend for actually expressing the real intent behind this, and this is, I think, the jurisdictional desire of the Financial Services Committee to be involved in disasters.

The reality, as we all know, Mr. Speaker, the Transportation Committee has jurisdiction over FEMA. We have jurisdiction over disasters, and not just jurisdiction but actually expertise.

What happens when you have folks who don't have expertise in this issue is that you end up with legislation like this that will actually—I am going to state it a third time—revictimize disaster victims. It is going to fund a bureaucracy. It is going to fund contractors and not actually get the funds in the hands of folks who most need it.

Mr. Speaker, I urge rejection of this amendment and yield back the balance of my time.

Mr. GREEN of Texas. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 1½ minutes remaining.

Mr. GREEN of Texas. Mr. Speaker, this bill requires the Secretary of HUD to develop a formula to allocate assistance to the most impacted and distressed areas resulting from a catastrophe or a major disaster. This bill requires HUD to balance the use of Federal recovery funds between rebuilding infrastructure and housing, ensuring that funds are spent proportionally between homeowners and renters unless the Secretary determines there is a compelling need to do otherwise.

This bill requires HUD to ensure that States prioritize the activities that help extremely low- and moderate-income survivors recover, address pre- and post-disaster housing needs, and prepare for future disasters.

This is the bill that is on the floor. The wish list is not.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Texas (Mr. GREEN).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAVES of Louisiana. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 451 OFFERED BY MR. SCHIFF

The SPEAKER pro tempore. It is now in order to consider amendment No. 451 printed in part A of House Report 117–405.

Mr. SCHIFF. Mr. Speaker, I rise to offer amendment 451 as the designee of Mr. MALINOWSKI.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in subtitle B of title XIII, insert the following:

SEC. ___. ROLE OF BRAZILIAN ARMED FORCES DURING PRESIDENTIAL ELECTIONS.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on all actions taken by the armed forces of Brazil, with respect to that country's presidential elections scheduled for October 2022, to—

(1) interfere with, stop, or obstruct ballot counting or electoral operations by independent electoral authorities;

(2) manipulate, seek to manipulate, or overturn results of the elections;

(3) engage in coordinated information or communications efforts to undermine popular faith and trust in independent electoral authorities or question the validity of electoral results;

(4) use social media or other mass communication systems, including mobile messaging applications, to attempt to influence widespread opinions on the validity of electoral results or with regards to the desirability of any particular outcome; or

(5) encourage, incite, or facilitate physical riot activities or contestations with regards to electoral processes, electoral counts, or electoral results, both before and after the presidential elections.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the criteria described in paragraphs (1) through (5) of subsection (a) should be considered in the course of assessing the role of Brazilian forces in a ''coup d'etat'' or ''decree'' for purposes of section 7008 of the Consolidated Appropriations Act of 2022.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Speaker, I rise today to speak in favor of amendment No. 451 for my colleague, Congressman MALINOWSKI.

Before I do, though, I am glad that I have the opportunity to respond on my previous amendment regarding the Posse Comitatus law. My colleague in opposition made the claim: Well, what if evidence is obtained by the military lawfully? Would the amendment exclude that? I sought recognition to answer his question, but he did not want to recognize me, and I understand why, because the answer is quite simple from the text of the amendment.

The amendment reads: ''Notwithstanding any other provision of law, any information obtained by or with the assistance of a member of the Armed Forces in violation of section 1385 of title 18, shall not be received in evidence,'' and that is the pertinent part of that provision.

So the simple answer to my friend's question, what about evidence gathered lawfully? Well, obviously that is not impacted. It is only in the case that the military is used unlawfully, and evidence is gained unlawfully that it would be excluded, much as the fruit of the poisonous tree doctrine that my colleague recognized. If that is true in criminal court, it ought to be true when the military acts in violation of the law.

Let me now turn to amendment No. 451 for my colleague, TOM MALINOWSKI.

This is a simple and straightforward proposition. It requires a review of any actions by the military in Brazil to

interfere with their upcoming elections. This is not coming out of the blue, but responds to clear and concerning signals including:

Number 1, in April, President Bolsonaro repeated a falsehood that officials count votes in a secret room. He then suggested that voting data should be fed to a room ''where the Armed Forces also have a computer to count the votes.''

Number 2, senior generals have already begun to publicly question the integrity of the election.

Number 3, the Minister of Defense sent a preemptive and unfounded formal complaint to electoral authorities expressing ''concerns'' about the election, and generals are getting involved in digging up electoral fraud stories.

Number 4, thousands of military officers have been appointed to run the Brazilian Government, more than under the military dictatorship. Eleven officers in the Cabinet and military officers atop the national oil company indicating that they are already well positioned to maintain and expand the military's power and influence.

Number 5, senior officials are advocating the reintroduction of military laws from the dictatorship that would eliminate constitutional protections, furthering concerns about the health of Brazil's democracy.

These are concerning signs, and we must be vigilant to advocate for democracy, particularly in the largest country in Latin America with a population larger than Russia and also a country that is a major non-NATO ally.

Mr. Speaker, I hope my colleagues will support this amendment, and I reserve the balance of my time.

□ 0130

Mr. BURCHETT. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BURCHETT. Mr. Speaker, for the record, it is really cold. I don't know what y'all are planning in here, if y'all are planning on cutting hogs or not, but it is that cold. I just want you to know, for the record, some of the folks have complained, and I am one of them.

Mr. Speaker, Brazil and the U.S. have enjoyed a long and successful security relationship. Both partners work together to address regional security challenges, like terrorist activity along the tri-border area, countering narcotics trafficking, including narcotics destined for the United States, and the Venezuelan regime's destabilizing activities.

In fact, Brazil's military was one of the only Latin American forces to join Allied operations during World War II; a conflict in which my father took part in which my uncle lost his life.

This shortsighted amendment fails to recognize our partnership in addressing our national interests and regional stability.

It unnecessarily denigrates the reputation of one of three major non-NATO allies in Latin America.

It also threatens to curtail our long history of security, cooperation, including implementation of the DOD's Women, Peace, and Security Initiative.

The U.S. military has long worked with their Brazilian counterparts to address regional defense matters, premised on respect for democracy and human rights.

We must look for ways of broadening the extensive bilateral agenda to reach mutually beneficial outcomes.

Of course, I serve on the Foreign Affairs Committee, and I wonder why on Earth we would not have considered that in that committee, Mr. Speaker, at this late hour, where it is very cold; very cold.

Mr. Speaker, in order to further bring the other party to its knees on this all-important issue, I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, I want to just say that I am in complete agreement with my colleague about the cold, but I am not in agreement about the amendment.

Mr. Speaker, there is a profound concern that we all ought to share that President Bolsonaro may be preparing his own big lie about the Brazilian elections and that he may bring the military in to help propagate a big lie about fraud in the elections in Brazil. He seems to be laying the foundation for making such a claim.

It would be a compounding of the tragedy we have experienced in this country if America's chief export to Brazil turned out to be a big lie in how to undermine integrity and faith in our elections and institutions.

This is a simple reporting requirement of a list of possible actions by military officials in Brazil surrounding the elections. It is a sense of Congress that whatever findings are made about military intervention in the elections ought to be assessed in terms of whether the coup clause has been triggered; that is, of course, the annual appropriations clause that prohibits U.S. assistance to countries where a coup has taken place.

Mr. Speaker, in light of the warning signs in Brazil, I urge support of the amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURCHETT. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 454 OFFERED BY MR. CONNOLLY

The SPEAKER pro tempore. It is now in order to consider amendment No. 454 printed in part A of House Report 117–405.

Mr. CONNOLLY. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title LVII of division E the following:

SEC. ___. LIMITATIONS ON EXCEPTION OF COMPETITIVE SERVICE POSITIONS.

(a) IN GENERAL.—No position in the competitive service (as defined under section 2102 of title 5, United States Code) may be excepted from the competitive service unless such position is placed—

(1) in any of the schedules A through E as described in section 6.2 of title 5, Code of Federal 5 Regulations, as in effect on September 30, 2020; and

(2) under the terms and conditions under part 8 of such title as in effect on such date.

(b) SUBSEQUENT TRANSFERS.—No position in the excepted service (as defined under section 2103 of title 5, United States Code) may be placed in any schedule other than a schedule described in subsection (a)(1).

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

This bipartisan amendment is the Preventing a Patronage System Act, H.R. 302, which was reported from the House Committee on Oversight and Reform, and which also passed the House as Title 12 of the Protecting Our Democracy Act.

The Preventing a Patronage System Act is prompted by attempts to eliminate expertise and acumen from our civilian civil service.

Since the inception of the civil service system in 1883 with the Pendleton Act, administrations have acted to create formal exceptions to the competitive service only five times.

These excepted service categories are created for limited positions that require unique hiring or operating rules, like for positions of a short-term political nature or positions in remote areas, or where there is a critical, technical hiring need so great that competitive civil service rules cannot meet the need.

In these limited cases, individuals hired into positions classified in excepted service are not vested with certain civil service appeal rights because they have not undergone the required competitive hiring process.

On October 21, 2020, the then President signed executive order 13957 to create a sixth and broad excepted service schedule, a new schedule, Schedule F.

This order undermined the merit system principles of our Federal workforce by requiring agency heads to reclassify broadly policy-determining,

policymaking, or policy-advocating positions to a newly created Schedule F category, removing the appeal rights of affected Federal employees.

One agency alone, the Office of Management and Budget, planned to reclassify 400 positions to Schedule F. That is 80 percent of its workforce.

On January 22, 2021, as one of the President's first executive orders, Executive Order 14003 revoked the creation of Schedule F.

The danger remains, however, that a future President could attempt to erode the foundation of our merit system principles, over 140 years old, by resurrecting something similar to a Schedule F.

The Preventing a Patronage Act stems from a bipartisan provision that would freeze Federal employee reclassifications to the five existing excepted service schedules in use prior to fiscal year 2021.

This amendment preserves congressional roles and prerogatives in determining which Federal employees are vested with civil service protections and which are not. Future administrations would simply be required to come to Congress for statutory authority before making sweeping changes to the Federal workforce.

This amendment seeks to preserve core principles of our civil service, the expertise and not political loyalty of our workforce.

The provision is endorsed by the American Federation of Government Employees, the National Treasury Employees Union, the National Active and Retired Federal Employees Association, the Senior Executives Association, the National Federation of Federal Employees, and many other unions and good government groups.

I am proud this bipartisan amendment is cosponsored by my Republican friend from Pennsylvania, BRIAN FITZPATRICK.

Mr. Speaker, I urge adoption, and I reserve the balance of my time.

Mr. HICE of Georgia. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment, that my friend has brought up, seeks to include an attempt to remove something that is very needed and necessary among civil service. And I say to Mr. CONNOLLY that this amendment coming within the NDAA, is a poor attempt at reversing something that is important to remain.

The legislation was written to override President Trump's executive order 13957, as has been mentioned, which was entitled ''Creating Schedule F in the Excepted Service,'' and I supported President Trump's order in that regard. But it guaranteed—and this is the issue—that civil servants in policymaking roles could not be held accountable when they were insubordinate to the President and members of the President's administration.

□ 0140

Why in the world would we not want there to be accountability when there is insubordination? That just is common sense. It is common sense that we have the ability to stand up when people are opposing or being insubordinate.

The bottom line is that the voters elect the President, and then the President nominates administration officials to implement the policy that the voters have elected the President to implement. When career officials resist implementing those mandates, then they are, in effect, resisting the voters.

This is, to me, at the heart of this whole issue right here. To resist the President's orders that have been supported by the voters is unacceptable, and we need the means to hold those individuals accountable.

America is supposed to be a government of the people, by the people, and for the people. It is not a government in which career bureaucrats dictate the way things will go, particularly when they are doing so in direct opposition to the will of the President, regardless of which party is represented in the White House.

My colleague, Mr. CONNOLLY, is of the view that President Trump's order somehow reinstated a 19th-century-style political patronage system, but he is sorely mistaken. President Trump did not create Schedule F to reinstate a patronage system. Had he wanted to do that, he could have converted Schedule F to employees and to the same kind of at-will political employees that Schedule C has. That is not what he did.

President Trump's order simply made it easier to discipline or remove civil servants in policymaking roles who actively work to undermine the policies of their politically accountable superiors.

It also made it easier to deal with just plain poor performers. Who among us really wants to deal with poor performers? The executive order originally avoided meddling with Senior Executive Service individuals and preserved protections for nonpolicy-related civil service positions. In fact, those are the very types of positions that were the original object of the 19th century civil service reforms that eliminated the patronage system.

Regardless of one's view of Schedule F, this amendment simply is not needed, in spite of the fact that President Biden reversed it. This amendment is not needed. It is not wise. The personnel reforms President Trump's order attempted have been sorely needed and should not be precluded from any future administration, as well.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, my friend from Georgia has it all wrong. He is right about the will of the people, but the will of the people does not elect a tyrant, a dictator, or a king. They elect a President to preside who is subject to the careful checks and balances of the Constitution of the United States.

For 140 years, this Congress, after passing the Pendleton Act, has insisted that our civil service should not be partisan. In fact, we passed the Hatch Act to regulate their political activities, unlike any other American, to ensure that the American people get fair, unbiased, and nonpartisan service from their public servants.

Schedule F that was proposed by the previous President upturned that and if it had been implemented fully, it would have politicized the civil service in an unprecedented way that would have returned us to the spoils system of the 19th century. That is what we are doing here.

The second thing we are doing, which my friend may or may not care about but many of us do, is to reassert the role of Congress, irrespective of who is in the White House.

Any President must come to this body before he or she proposes to create a new Cabinet office, dissolve an existing one, or change it fundamentally. That is what this simple amendment does. It is a bipartisan amendment. I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HICE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 455 OFFERED BY MR. NEGUSE

The SPEAKER pro tempore. It is now in order to consider amendment No. 455 printed in part A of House Report 117–405.

Mr. NEGUSE. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E, add the following:

TITLE LIX—COLORADO AND GRAND CANYON PUBLIC LANDS

SEC. 5901. DEFINITION OF STATE.

In subtitles A through D, the term ''State'' means the State of Colorado.

Subtitle A—Continental Divide

SEC. 5911. DEFINITIONS.

In this subtitle:

(1) COVERED AREA.—The term ''covered area'' means any area designated as wilderness by the amendments to section 2(a) of

the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 5912(a).

(2) HISTORIC LANDSCAPE.—The term ''Historic Landscape'' means the Camp Hale National Historic Landscape designated by section 5918(a).

(3) RECREATION MANAGEMENT AREA.—The term ''Recreation Management Area'' means the Tenmile Recreation Management Area designated by section 5914(a).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(5) WILDLIFE CONSERVATION AREA.—The term ''Wildlife Conservation Area'' means, as applicable—

(A) the Porcupine Gulch Wildlife Conservation Area designated by section 5915(a);

(B) the Williams Fork Mountains Wildlife Conservation Area designated by section 5916(a); and

(C) the Spraddle Creek Wildlife Conservation Area designated by section 5917(a).

SEC. 5912. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

(1) in paragraph (18), by striking ''1993,'' and inserting ''1993, and certain Federal land within the White River National Forest that comprises approximately 6,896 acres, as generally depicted as 'Proposed Ptarmigan Peak Wilderness Additions' on the map entitled 'Proposed Ptarmigan Peak Wilderness Additions' and dated June 24, 2019,''; and

(2) by adding at the end the following:

''(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as 'Proposed Megan Dickie Wilderness Addition' on the map entitled 'Holy Cross Wilderness Addition Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

''(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as 'Proposed Hoosier Ridge Wilderness' on the map entitled 'Tenmile Proposal' and dated April 22, 2022, which shall be known as the 'Hoosier Ridge Wilderness'.

''(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as 'Proposed Tenmile Wilderness' on the map entitled 'Tenmile Proposal' and dated April 22, 2022, which shall be known as the 'Tenmile Wilderness'.

''(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 7,634 acres, as generally depicted as 'Proposed Freeman Creek Wilderness Addition' and 'Proposed Spraddle Creek Wilderness Addition' on the map entitled 'Eagles Nest Wilderness Additions Proposal' and dated April 26, 2022, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).''.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) GRAZING.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) COORDINATION.—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies.

SEC. 5913. WILLIAMS FORK MOUNTAINS POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres, as generally depicted as ''Proposed Williams Fork Mountains Wilderness'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allotments known as—

(A) the ''Big Hole Allotment''; and

(B) the ''Blue Ridge Allotment''.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

(1) DESIGNATION.—The potential wilderness area designated by subsection (a) shall be designated as wilderness, to be known as the ''Williams Fork Mountains Wilderness''—

(A) effective not earlier than the date that is 180 days after the date of enactment this Act; and

(B) on the earliest of—

(i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;

(ii) the date described in subsection (d)(2); and

(iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).

(2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Mountains Wilderness in accordance with the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date on which the Williams Fork Mountains Wilderness is designated in accordance with paragraph (1).

SEC. 5914. TENMILE RECREATION MANAGEMENT AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 17,120 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Tenmile Recreation Management Area'' on the map entitled ''Tenmile Proposal'' and dated April 22, 2022, are designated as the ''Tenmile Recreation Management Area''.

(b) PURPOSES.—The purposes of the Recreation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, watershed, habitat, and ecological resources of the Recreation Management Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Recreation Management Area—

(A) in a manner that conserves, protects, and enhances—

(i) the purposes of the Recreation Management Area described in subsection (b); and

(ii) recreation opportunities, including mountain biking, hiking, fishing, horseback riding, snowshoeing, climbing, skiing, camping, and hunting; and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Recreation Management Area as the Secretary determines would further the purposes described in subsection (b).

(B) VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Recreation Management Area shall be limited to the roads, vehicle classes, and periods authorized for motorized vehicle use on the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Recreation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as the Secretary determines to be appropriate;

(II) authorizing the use of motorized vehicles for administrative purposes or roadside camping;

(III) constructing temporary roads or permitting the use of motorized vehicles to carry out pre- or post-fire watershed protection projects;

(IV) authorizing the use of motorized vehicles to carry out any activity described in subsection (d), (e)(1), or (f); or

(V) responding to an emergency.

(C) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Recreation Management Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Recreation Management Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—

(1) EFFECT ON WATER MANAGEMENT INFRASTRUCTURE.—Nothing in this section affects the construction, repair, reconstruction, replacement, operation, maintenance, or renovation within the Recreation Management Area of—

(A) water management infrastructure in existence on the date of enactment of this Act; or

(B) any future infrastructure necessary for the development or exercise of water rights decreed before the date of enactment of this Act.

(2) APPLICABLE LAW.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Recreation Management Area.

(f) PERMITS.—Nothing in this section affects—

(1) any permit held by a ski area or other entity; or

(2) the implementation of associated activities or facilities authorized by law or permit outside the boundaries of the Recreation Management Area.

SEC. 5915. PORCUPINE GULCH WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 8,287 acres of Federal land located in the White River National Forest, as generally depicted as ''Proposed Porcupine Gulch Wildlife Conservation Area'' on the map entitled ''Porcupine Gulch Wildlife Conservation Area Proposal'' and dated June 24, 2019, are designated as the ''Porcupine Gulch Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—

(1) to conserve and protect a wildlife migration corridor over Interstate 70; and

(2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 5921(f) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations) and subject to valid existing rights, the use of the subsurface of the Wildlife Conservation Area to construct, realign, operate, or maintain regional transportation projects, including Interstate 70 and the Eisenhower-Johnson Tunnels.

(f) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 5916. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Williams Fork Mountains Wildlife Conservation Area'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, are designated as the ''Williams Fork Mountains Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

(C) BICYCLES.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 5917. SPRADDLE CREEK WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 2,674 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Spraddle Creek Wildlife Conservation Area'' on the map entitled ''Eagles Nest Wilderness Additions Proposal'' and dated April 26, 2022, are designated as the ''Spraddle Creek Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this subtitle.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(C) ROADS.—

(i) IN GENERAL.—Except as provided in clause (ii), no road shall be constructed in the Wildlife Conservation Area.

(ii) EXCEPTIONS.—Nothing in clause (i) prevents the Secretary from—

(I) constructing a temporary road as the Secretary determines to be necessary as a minimum requirement for carrying out a vegetation management project in the Wildlife Conservation Area; or

(II) responding to an emergency.

(iii) DECOMMISSIONING OF TEMPORARY ROADS.—Not later than 3 years after the date on which the applicable vegetation management project is completed, the Secretary shall decommission any temporary road constructed under clause (ii)(I) for the applicable vegetation management project.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized in the Wildlife Conservation Area under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 5918. CAMP HALE NATIONAL HISTORIC LANDSCAPE.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 28,197 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Camp Hale National Historic Landscape'' on the map entitled ''Camp Hale National Historic Landscape Proposal'' and dated April 22, 2022, are designated the ''Camp Hale National Historic Landscape''.

(b) PURPOSES.—The purposes of the Historic Landscape are—

(1) to provide for—

(A) the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(B) the preservation of the historic resources of the Historic Landscape, consistent with the other purposes of the Historic Landscape;

(C) recreational opportunities, with an emphasis on the activities related to the historic use of the Historic Landscape, including skiing, snowshoeing, snowmobiling, hiking, horseback riding, climbing, other road- and trail-based activities, and other outdoor activities; and

(D) the continued environmental remediation and removal of unexploded ordnance at the Camp Hale Formerly Used Defense Site and the Camp Hale historic cantonment area; and

(2) to conserve, protect, restore, and enhance for the benefit and enjoyment of present and future generations the scenic, watershed, and ecological resources of the Historic Landscape.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Historic Landscape in accordance with—

(A) the purposes of the Historic Landscape described in subsection (b); and

(B) any other applicable laws (including regulations).

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the Historic Landscape.

(B) CONTENTS.—The management plan prepared under subparagraph (A) shall include plans for—

(i) improving the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(ii) conducting historic preservation and veteran outreach and engagement activities;

(iii) managing recreational opportunities, including the use and stewardship of—

(I) the road and trail systems; and

(II) dispersed recreation resources;

(iv) the conservation, protection, restoration, or enhancement of the scenic, watershed, and ecological resources of the Historic Landscape, including—

(I) conducting the restoration and enhancement project under subsection (d);

(II) forest fuels, wildfire, and mitigation management; and

(III) watershed health and protection;

(v) environmental remediation and, consistent with subsection (e)(2), the removal of unexploded ordnance; and

(vi) managing the Historic Landscape in accordance with subsection (g).

(3) EXPLOSIVE HAZARDS.—The Secretary shall provide to the Secretary of the Army a notification of any unexploded ordnance (as defined in section 101(e) of title 10, United States Code) that is discovered in the Historic Landscape.

(d) CAMP HALE RESTORATION AND ENHANCEMENT PROJECT.—

(1) IN GENERAL.—The Secretary shall conduct a restoration and enhancement project in the Historic Landscape—

(A) to improve aquatic, riparian, and wetland conditions in and along the Eagle River and tributaries of the Eagle River;

(B) to maintain or improve recreation and interpretive opportunities and facilities; and

(C) to conserve historic values in the Camp Hale area.

(2) COORDINATION.—In carrying out the project described in paragraph (1), the Secretary shall coordinate with, and provide the opportunity to collaborate on the project to—

(A) the Corps of Engineers;

(B) the Camp Hale-Eagle River Headwaters Collaborative Group;

(C) the National Forest Foundation;

(D) the Colorado Department of Public Health and Environment;

(E) the Colorado State Historic Preservation Office;

(F) the Colorado Department of Natural Resources;

(G) units of local government; and

(H) other interested organizations and members of the public.

(e) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—The Secretary of the Army shall continue to carry out the projects and activities of the Department of the Army in existence on the date of enactment of this Act relating to cleanup of—

(A) the Camp Hale Formerly Used Defense Site; or

(B) the Camp Hale historic cantonment area.

(2) REMOVAL OF UNEXPLODED ORDNANCE.—

(A) IN GENERAL.—The Secretary of the Army may remove unexploded ordnance (as defined in section 101(e) of title 10, United States Code) from the Historic Landscape, as the Secretary of the Army determines to be appropriate in accordance with applicable law (including regulations).

(B) ACTION ON RECEIPT OF NOTICE.—On receipt from the Secretary of a notification of unexploded ordnance under subsection (c)(3), the Secretary of the Army may remove the unexploded ordnance in accordance with—

(i) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(iii) any other applicable provision of law (including regulations).

(3) EFFECT OF SUBSECTION.—Nothing in this subsection modifies any obligation in existence on the date of enactment of this Act relating to environmental remediation or removal of any unexploded ordnance located in or around the Camp Hale historic cantonment area, the Camp Hale Formerly Used Defense Site, or the Historic Landscape, including such an obligation under—

(A) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(C) any other applicable provision of law (including regulations).

(f) INTERAGENCY AGREEMENT.—As soon as practicable after the date of enactment of this Act, the Secretary and the Secretary of the Army shall enter into an agreement—

(1) to specify—

(A) the activities of the Secretary relating to the management of the Historic Landscape; and

(B) the activities of the Secretary of the Army relating to environmental remediation and the removal of unexploded ordnance in accordance with subsection (e) and other applicable laws (including regulations); and

(2) to require the Secretary to provide to the Secretary of the Army, by not later than 1 year after the date of enactment of this Act and periodically thereafter, as appropriate, a management plan for the Historic Landscape for purposes of the removal activities described in subsection (e).

(g) EFFECT.—Nothing in this section—

(1) affects the jurisdiction of the State over any water law, water right, or adjudication or administration relating to any water resource;

(2) affects any water right in existence on the date of enactment of this Act, or the exercise of such a water right, including—

(A) a water right subject to an interstate water compact (including full development of any apportionment made in accordance with such a compact);

(B) a water right decreed within, above, below, or through the Historic Landscape;

(C) a change, exchange, plan for augmentation, or other water decree with respect to a water right, including a conditional water right, in existence on the date of enactment of this Act—

(i) that is consistent with the purposes described in subsection (b); and

(ii) that does not result in diversion of a greater flow rate or volume of water for such a water right in existence on the date of enactment of this Act;

(D) a water right held by the United States;

(E) the management or operation of any reservoir, including the storage, management, release, or transportation of water; and

(F) the construction or operation of such infrastructure as is determined to be necessary by an individual or entity holding water rights to develop and place to beneficial use those rights, subject to applicable Federal, State, and local law (including regulations);

(3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right;

(4) affects—

(A) any permit held by a ski area or other entity; or

(B) the implementation of associated activities or facilities authorized by law or permit outside the boundaries of the Historic Landscape;

(5) prevents the Secretary from closing portions of the Historic Landscape for public safety, environmental remediation, or other use in accordance with applicable laws; or

(6) affects—

(A) any special use permit in effect on the date of enactment of this Act; or

(B) the renewal of a permit described in subparagraph (A).

(h) FUNDING.—There is authorized to be appropriated $10,000,000 for activities relating to historic interpretation, preservation, and restoration carried out in and around the Historic Landscape.

(i) DESIGNATION OF OVERLOOK.—The interpretive site located beside United States Route 24 in the State, at 39.431N 106.323W, is designated as the ''Sandy Treat Overlook''.

SEC. 5919. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW¼, the SE¼, and the NE¼ of the SE¼ of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified by subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

SEC. 5920. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) PURPOSE.—The purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1070) is amended by adding at the end the following:

''(3) BOUNDARY ADJUSTMENT.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as 'Potential Wilderness to Non-wilderness' on the map entitled 'Rocky Mountain National Park Proposed Wilderness Area Amendment' and dated January 16, 2018.''.

SEC. 5921. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle or an amendment made by this subtitle establishes a protective perimeter or buffer zone around—

(A) a covered area;

(B) a wilderness area or potential wilderness area designated by section 5913;

(C) the Recreation Management Area;

(D) a Wildlife Conservation Area; or

(E) the Historic Landscape.

(2) OUTSIDE ACTIVITIES.—The fact that a nonwilderness activity or use on land outside of an area described in paragraph (1) can be seen or heard from within the applicable area described in paragraph (1) shall not preclude the activity or use outside the boundary of the applicable area described in paragraph (1).

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this subtitle affects the treaty rights of an Indian Tribe.

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions that the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the areas described in subsection (b)(1) by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of each area described in subsection (b)(1) with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may—

(A) correct any typographical errors in the maps and legal descriptions; and

(B) in consultation with the State, make minor adjustments to the boundaries of the Tenmile Recreation Management Area designated by section 5914(a), the Porcupine Gulch Wildlife Conservation Area designated by section 5915(a), and the Williams Fork Mountains Wildlife Conservation Area designated by section 5916(a) to account for potential highway or multimodal transportation system construction, safety measures, maintenance, realignment, or widening.

(3) PUBLIC AVAILABILITY.—Each map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of an area described in subsection (b)(1) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness area, Recreation Management Area, Wildlife Conservation Area, or Historic Landscape, as applicable, in which the land or interest in land is located.

(f) WITHDRAWAL.—Subject to valid existing rights, the areas described in subsection (b)(1) are withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(g) MILITARY OVERFLIGHTS.—Nothing in this subtitle or an amendment made by this subtitle restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this subtitle or an amendment made by this subtitle, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

(A) any new unit of special use airspace over an area described in paragraph (1); or

(B) any military flight training or transportation over such an area.

(h) SENSE OF CONGRESS.—It is the sense of Congress that military aviation training on Federal public land in the State, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

Subtitle B—San Juan Mountains

SEC. 5931. DEFINITIONS.

In this subtitle:

(1) COVERED LAND.—The term ''covered land'' means—

(A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5932); and

(B) a Special Management Area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) SPECIAL MANAGEMENT AREA.—The term ''Special Management Area'' means each of—

(A) the Sheep Mountain Special Management Area designated by section 5933(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 5933(a)(2).

SEC. 5932. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as amended by section 5912(a)) is further amended by adding at the end the following:

''(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled 'Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

''(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

''(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled 'Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled 'Proposed Whitehouse Additions to the Mt. Sneffels Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled 'Proposed McKenna Peak Wilderness Area' and dated September 18, 2018, to be known as the 'McKenna Peak Wilderness'.''.

SEC. 5933. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018, is designated as the ''Sheep Mountain Special Management Area''.

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018, is designated as the ''Liberty Bell East Special Management Area''.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(ii) this subtitle; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management Areas, subject to such terms and conditions as the Secretary may require.

(B) PERMITTING.—The designation of the Special Management Areas by subsection (a) shall not affect the issuance of permits relating to the activities covered under subparagraph (A) after the date of enactment of this Act.

(C) BICYCLES.—The Secretary may permit the use of bicycles in—

(i) the portion of the Sheep Mountain Special Management Area identified as ''Ophir Valley Area'' on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as ''Liberty Bell Corridor'' on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018.

(d) APPLICABLE LAW.—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 762), except that, for purposes of this subtitle—

(1) any reference contained in that section to ''the lands designated as wilderness by this Act'', ''the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act'', or ''the areas described in sections 2, 5, 6, and 9 of this Act'' shall be considered to be a reference to ''the Special Management Areas''; and

(2) any reference contained in that section to ''this Act'' shall be considered to be a reference to ''the Colorado Outdoor Recreation and Economy Act''.

SEC. 5934. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz–7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz–6) the following:

''SEC. 2408. RELEASE.

''(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

''(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

''(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

''(2) shall be managed in accordance with this subtitle and any other applicable laws.''.

(b) MCKENNA PEAK WILDERNESS STUDY AREA.—

(1) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the McKenna Peak Wilderness Study Area in San Miguel County in the State not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5932) have been adequately studied for wilderness designation.

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5932)—

(A) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with applicable laws.

SEC. 5935. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle establishes a protective perimeter or buffer zone around covered land.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside of the covered land can be seen or heard from within covered land shall not preclude the activity or use outside the boundary of the covered land.

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this subtitle affects the treaty rights of any Indian Tribe, including rights under the Agreement of September 13, 1873, ratified by the Act of April 29, 1874 (18 Stat. 36, chapter 136).

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the covered land by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5932) and the Special Management Areas with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Forest Service.

(e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5932) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(f) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405) or H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(g) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5932) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(h) WITHDRAWAL.—Subject to valid existing rights, the covered land and the approximately 6,590 acres generally depicted on the map entitled ''Proposed Naturita Canyon Mineral Withdrawal Area'' and dated September 6, 2018, is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Subtitle C—Thompson Divide

SEC. 5941. PURPOSES.

The purposes of this subtitle are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws in order to protect the agricultural, ranching, wildlife, air quality, recreation, ecological, and scenic values of the area; and

(2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere.

SEC. 5942. DEFINITIONS.

In this subtitle:

(1) FUGITIVE METHANE EMISSIONS.—The term ''fugitive methane emissions'' means methane gas from the Federal land or interests in Federal land in Garfield, Gunnison, Delta, or Pitkin County in the State, within the boundaries of the ''Fugitive Coal Mine Methane Use Pilot Program Area'', as generally depicted on the pilot program map, that would leak or be vented into the atmosphere from—

(A) an active or inactive coal mine subject to a Federal coal lease; or

(B) an abandoned underground coal mine or the site of a former coal mine—

(i) that is not subject to a Federal coal lease; and

(ii) with respect to which the Federal interest in land includes mineral rights to the methane gas.

(2) PILOT PROGRAM.—The term ''pilot program'' means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 5945(a)(1).

(3) PILOT PROGRAM MAP.—The term ''pilot program map'' means the map entitled ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area'' and dated April 29, 2022.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—The term ''Thompson Divide lease'' means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

(B) EXCLUSIONS.—The term ''Thompson Divide lease'' does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right; or

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(6) THOMPSON DIVIDE MAP.—The term ''Thompson Divide map'' means the map entitled ''Greater Thompson Divide Area Map'' and dated November 5, 2021.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term ''Thompson Divide Withdrawal and Protection Area'' means the Federal land and minerals within the area generally depicted as the ''Thompson Divide Withdrawal and Protection Area'' on the Thompson Divide map.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ''Wolf Creek Storage Field development right'' means a development right for any of the Federal mineral leases numbered COC 0007496, COC 0007497, COC 0007498, COC 0007499, COC 0007500, COC 0007538, COC 0008128, COC 0015373, COC 0128018, COC 0051645, and COC 0051646, as generally depicted on the Thompson Divide map as ''Wolf Creek Storage Agreement''.

(B) EXCLUSIONS.—The term ''Wolf Creek Storage Field development right'' does not include any storage right or related activity within the area described in subparagraph (A).

SEC. 5943. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.

(a) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—Nothing in this subtitle affects the administration of grazing in the Thompson Divide Withdrawal and Protection Area.

SEC. 5944. THOMPSON DIVIDE LEASE CREDITS.

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

(i) the amount of the bonus bids paid for the applicable Thompson Divide leases;

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any reasonable expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for—

(A) legal fees or related expenses for legal work with respect to a Thompson Divide lease; or

(B) any expenses incurred before the issuance of a Thompson Divide lease.

(c) CANCELLATION.—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—

(1) shall be permanently cancelled; and

(2) shall not be reissued.

(d) CONDITIONS.—

(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this subtitle; and

(B) other applicable laws (including regulations).

(2) ACCEPTANCE OF CREDITS.—The Secretary shall accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease under this section, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) CREDITS.—

(A) IN GENERAL.—In consideration for the transfer of development rights under paragraph (1), the Secretary may issue to a leaseholder described in that paragraph credits for any reasonable expenses incurred by the leaseholder in acquiring the Wolf Creek Storage Field development right or in the preparation of any drilling permit, sundry notice, or other related submission in support of the development right as of January 28, 2019, including any reasonable expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) APPROVAL.—Any credits for a transfer of the development rights under paragraph (1), shall be subject to—

(i) the exclusion described in subsection (b)(2);

(ii) the conditions described in subsection (d); and

(iii) the approval of the Secretary.

(3) LIMITATION OF TRANSFER.—Development rights acquired by the Secretary under paragraph (1)—

(A) shall be held for as long as the parent leases in the Wolf Creek Storage Field remain in effect; and

(B) shall not be—

(i) transferred;

(ii) reissued; or

(iii) otherwise used for mineral extraction.

SEC. 5945. GREATER THOMPSON DIVIDE FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.

(a) FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.—

(1) ESTABLISHMENT.—There is established in the Bureau of Land Management a pilot program, to be known as the ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program''.

(2) PURPOSE.—The purpose of the pilot program is to promote the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions—

(A) to reduce methane emissions;

(B) to promote economic development;

(C) to improve air quality; and

(D) to improve public safety.

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan—

(i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);

(ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

(B) COORDINATION.—In developing the plan under this paragraph, the Secretary shall coordinate with—

(i) the State;

(ii) Garfield, Gunnison, Delta, and Pitkin Counties in the State;

(iii) lessees of Federal coal within the counties referred to in clause (ii);

(iv) interested institutions of higher education in the State; and

(v) interested members of the public.

(b) FUGITIVE METHANE EMISSIONS INVENTORY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete an inventory of fugitive methane emissions.

(2) CONDUCT.—

(A) COLLABORATION.—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

(i) the Bureau of Land Management;

(ii) the United States Geological Survey;

(iii) the Environmental Protection Agency;

(iv) the United States Forest Service;

(v) State departments or agencies;

(vi) Garfield, Gunnison, Delta, or Pitkin County in the State;

(vii) the Garfield County Federal Mineral Lease District;

(viii) institutions of higher education in the State;

(ix) lessees of Federal coal within a county referred to in subparagraph (F);

(x) the National Oceanic and Atmospheric Administration;

(xi) the National Center for Atmospheric Research; or

(xii) other interested entities, including members of the public.

(B) FEDERAL SPLIT ESTATE.—

(i) IN GENERAL.—In conducting the inventory under paragraph (1) for Federal minerals on split estate land, the Secretary shall rely on available data.

(ii) LIMITATION.—Nothing in this section requires or authorizes the Secretary to enter or access private land to conduct the inventory under paragraph (1).

(3) CONTENTS.—The inventory conducted under paragraph (1) shall include—

(A) the general location and geographic coordinates of vents, seeps, or other sources producing significant fugitive methane emissions;

(B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions, including details of measurements taken and the basis for that emissions estimate;

(C) relevant data and other information available from—

(i) the Environmental Protection Agency;

(ii) the Mine Safety and Health Administration;

(iii) the Colorado Department of Natural Resources;

(iv) the Colorado Public Utility Commission;

(v) the Colorado Department of Health and Environment; and

(vi) the Office of Surface Mining Reclamation and Enforcement; and

(D) such other information as may be useful in advancing the purposes of the pilot program.

(4) PUBLIC PARTICIPATION; DISCLOSURE.—

(A) PUBLIC PARTICIPATION.—The Secretary shall, as appropriate, provide opportunities for public participation in the conduct of the inventory under paragraph (1).

(B) AVAILABILITY.—The Secretary shall make the inventory conducted under paragraph (1) publicly available.

(C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—

(i) poses a threat to public safety;

(ii) is confidential business information; or

(iii) is otherwise protected from public disclosure.

(5) IMPACT ON COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—For the purposes of conducting the inventory under paragraph (1), for land subject to a Federal coal lease, the Secretary shall use readily available methane emissions data.

(B) EFFECT.—Nothing in this section requires the holder of a Federal coal lease to report additional data or information to the Secretary.

(6) USE.—The Secretary shall use the inventory conducted under paragraph (1) in carrying out—

(A) the leasing program under subsection (c); and

(B) the capping or destruction of fugitive methane emissions under subsection (d).

(c) FUGITIVE METHANE EMISSIONS LEASING PROGRAM AND SEQUESTRATION.—

(1) IN GENERAL.—Subject to valid existing rights and in accordance with this section, not later than 1 year after the date of completion of the inventory required under subsection (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.

(2) FUGITIVE METHANE EMISSIONS FROM COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use or destroy the fugitive methane emissions.

(B) CONDITIONS.—The authority under subparagraph (A) shall be subject to—

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary may require.

(C) LIMITATIONS.—The program carried out under paragraph (1) shall only include fugitive methane emissions that can be captured for use or destroyed in a manner that does not—

(i) endanger the safety of any coal mine worker; or

(ii) unreasonably interfere with any ongoing operation at a coal mine.

(D) COOPERATION.—

(i) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—

(I) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material; or

(II) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions.

(ii) GUIDANCE.—In support of cooperative efforts with holders of valid existing Federal coal leases to capture for use or destroy fugitive methane emissions, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance to the public for the implementation of authorities and programs to encourage the capture for use and destruction of fugitive methane emissions, while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

(3) FUGITIVE METHANE EMISSIONS FROM LAND NOT SUBJECT TO A FEDERAL COAL LEASE.—

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 5943 and subject to valid existing rights and any other applicable law, the Secretary shall, for land not subject to a Federal coal lease—

(i) authorize the capture for use or destruction of fugitive methane emissions; and

(ii) make available for leasing such fugitive methane emissions as the Secretary determines to be in the public interest.

(B) SOURCE.—To the extent practicable, the Secretary shall offer for lease, individually or in combination, each significant source of fugitive methane emissions on land not subject to a Federal coal lease.

(C) BID QUALIFICATIONS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emissions.

(D) PRIORITY.—

(i) IN GENERAL.—If there is more than 1 qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the overall decrease in the fugitive methane emissions;

(II) the impacts to other natural resource values, including wildlife, water, and air; and

(III) other public interest values, including scenic, economic, recreation, and cultural values.

(E) LEASE FORM.—

(i) IN GENERAL.—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

(ii) DUE DILIGENCE.—The lease form developed under clause (i) shall include terms and conditions requiring the leased fugitive methane emissions to be put to beneficial

use or destroyed by not later than 3 years after the date of issuance of the lease.

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid, as the Secretary determines to be necessary, and royalty rate for leases under this paragraph.

(d) SEQUESTRATION.—If, by not later than 4 years after the date of completion of the inventory under subsection (b), any significant fugitive methane emissions are not leased under subsection (c)(3), the Secretary shall, subject to the availability of appropriations and in accordance with applicable law, take all reasonable measures—

(1) to provide incentives for new leases under subsection (c)(3);

(2) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or

(3) to destroy the fugitive methane emissions, if incentivizing leases under paragraph (1) or sequestration under paragraph (2) is not feasible, with priority for locations that destroy the greatest quantity of fugitive methane emissions at the lowest cost.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall 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 detailing—

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations of the Secretary on whether the pilot program could be expanded to include—

(A) other significant sources of emissions of fugitive methane located outside the boundaries of the area depicted as ''Fugitive Coal Mine Methane Use Pilot Program Area'' on the pilot program map; and

(B) the leasing of natural methane seeps under the activities authorized pursuant to subsection (c)(3).

SEC. 5946. EFFECT.

Except as expressly provided in this subtitle, nothing in this subtitle—

(1) expands, diminishes, or impairs any valid existing mineral leases, mineral interest, or other property rights wholly or partially within the Thompson Divide Withdrawal and Protection Area, including access to the leases, interests, rights, or land in accordance with applicable Federal, State, and local laws (including regulations);

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this subtitle, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

Subtitle D—Curecanti National Recreation Area

SEC. 5951. DEFINITIONS.

In this subtitle:

(1) MAP.—The term ''map'' means the map entitled ''Curecanti National Recreation Area, Proposed Boundary'', numbered 616/100,485D, and dated April 25, 2022 .

(2) NATIONAL RECREATION AREA.—The term ''National Recreation Area'' means the Curecanti National Recreation Area established by section 5952(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 5952. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this subtitle, consisting of approximately 50,300 acres of land in the State, as generally depicted on the map as ''Curecanti National Recreation Area Proposed Boundary''.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this subtitle; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWER PLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this subtitle affects or interferes with the authority of the Secretary—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Recreation Act (16 U.S.C. 4601–12 et seq.).

(B) RECLAMATION LAND.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'' that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'', as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within or adjacent to the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within or adjacent to the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns private land located within the area generally depicted as ''Conservation Opportunity Area'' on the map entitled ''Preferred Alternative'' in the document entitled ''Report to Congress: Curecanti Special Resource Study'' and dated June 2009, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and scenic resources in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land within the Conservation Opportunity Area by purchase, exchange, or donation, in accordance with section 5953;

(B) by providing technical assistance to the individual, including cooperative assistance;

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land acquired by the United States under paragraph (5) shall—

(A) become part of the National Recreation Area; and

(B) be managed in accordance with this subtitle.

(7) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area, including land acquired pursuant to this section, is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(8) GRAZING.—

(A) STATE LAND SUBJECT TO A STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this subtitle is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may continue to use established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 5953, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 5953 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled ''Management Policies 2006: The Guide to Managing the National Park System'') to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(E) TERMINATION OF LEASES.—Within the National Recreation Area, the Secretary may—

(i) accept the voluntary termination of a lease or permit for grazing; or

(ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.

(9) WATER RIGHTS.—Nothing in this subtitle—

(A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(E) constitutes an express or implied Federal reservation of any water or water rights with respect to the National Recreation Area.

(10) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this subtitle diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the ''program'').

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B) by the date that is 10 years after the date of enactment of this Act.

(D) REPORTS.—Not later than each of 2 years, 5 years, and 8 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the progress made in fulfilling the obligation of the Secretary described in subparagraph (B).

(d) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this subtitle affects the treaty rights of any Indian Tribe.

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the National Recreation Area by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

SEC. 5953. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) IN GENERAL.—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;

(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) STATE LAND.—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,500 acres of land identified on the map as ''U.S. Forest Service proposed transfer to the National Park Service'' is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) BUREAU OF LAND MANAGEMENT LAND.—Administrative jurisdiction over the approximately 6,100 acres of land identified on the map as ''Bureau of Land Management proposed transfer to National Park Service'' is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction over the land identified on the map as ''Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal'' shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

(c) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal for reclamation purposes of the land identified on the map as ''Potential exchange lands'' shall be relinquished by the Commissioner of Reclamation and revoked by the Director of the Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for private land described in section 5952(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

(B) if not exchanged under subparagraph (A), shall be added to, and managed as a part of, the National Recreation Area.

(d) ADDITION TO NATIONAL RECREATION AREA.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

SEC. 5954. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date on which funds are made available to carry out this subtitle, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

SEC. 5955. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

Subtitle E—Grand Canyon Protection

SEC. 5961. WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE STATE OF ARIZONA.

(a) DEFINITION OF MAP.—In this section, the term ''Map'' means the map prepared by the Bureau of Land Management entitled ''Grand Canyon Protection Act'' and dated January 22, 2021.

(b) WITHDRAWAL.—Subject to valid existing rights, the approximately 1,006,545 acres of Federal land in the State of Arizona, generally depicted on the Map as ''Federal Mineral Estate to be Withdrawn'', including any land or interest in land that is acquired by the United States after the date of the enactment of this subtitle, are hereby withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(c) AVAILABILITY OF MAP.—The Map shall be kept on file and made available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Colorado (Mr. NEGUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. NEGUSE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise this morning in support of this amendment offered by myself and Chairman GRIJALVA.

The amendment would amend H.R. 7900 to add the text of two bills, H.R. 577, the Colorado Outdoor Recreation and Economy Act, otherwise known as the CORE Act, and H.R. 1052, the Grand Canyon Protection Act.

Both of these bills have already passed the House multiple times with bipartisan support. In fact, each of the bills has passed this Chamber four times, including last year in the NDAA and the year before that.

They would protect public lands, natural resources, Tribal cultural sites, and help preserve our access to clean water, clean air, and a livable environment.

My bill, the CORE Act, in particular, would conserve over 400,000 acres of public lands and consists of four titles that Coloradans have been asking Congress to pass for literally over a decade.

One provision in particular that I would note is the Camp Hale and 10th Mountain Division legacy. This includes establishing the first-ever national historic landscape at Camp Hale in my district in Eagle County, Colorado, in honor of the storied legacy of the Army's 10th Mountain Division in Colorado and around the world.

The mountains of Colorado are where American soldiers received the training that allowed them to defeat the Germans in the northern Italian Alps and lead our Nation to victory during World War II.

Today, Camp Hale is home to a network of 34 backcountry huts connected by 350 miles of trails. Hut visitors share the special spirit of the 10th Mountain Division in their pursuit of excellence, self-reliance, and love of the outdoors.

We believe this national historic designation will certainly ensure that future generations can learn about the incredible contributions to our country by the patriots in the 10th Mountain Division.

We believe that this bill would do much to preserve our public lands in Colorado and beyond.

Mr. Speaker, I am proud to support this bill, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Arkansas is recognized for 5 minutes.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume. I rise in opposition to Neguse amendment No. 455.

This amendment would permanently ban mineral and energy development on over 1.2 million acres of public lands in northern Arizona and Colorado.

Not only will this amendment kill jobs in rural communities, but it will threaten our national security by making us more dependent on foreign adversaries like Russia. I can't believe we would consider adding this amendment when inflation is at 9.1 percent, a 40-year high; gas prices have been hovering over $5 per gallon; and one of our major adversaries invaded its free and sovereign neighbor.

This NDAA is meant to enhance our national security at a critical time in our Nation's history, not weaken it by taking critical minerals permanently off-line.

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Instead, Democrats are adding this amendment in the dead of night, hoping that we wouldn't notice.

The Arizona component of this amendment permanently withdraws over 1 million acres from uranium mining. Currently, the domestic uranium industry is supplying less than 1 percent of the uranium needed to power the U.S. nuclear reactor fleet. Let me say that again. Less than 1 percent of what we need to power our fleet.

In 2019, roughly half of our uranium supply was sourced from countries that are hostile to the United States, including Russia, Kazakhstan, Uzbekistan, and Chinese-owned mines in Namibia. Allies like Canada and Australia have slowly been accounting for less and less of this supply, dropping from 51 percent in 2017 to 39 percent in 2019.

Passing this mineral withdrawal will play into Putin's hands and weaken our mineral independence and national security. Proponents of this amendment will tell you that it is necessary to protect the Grand Canyon from destructive mining. Nothing could be further from the truth.

Nobody is mining in the Grand Canyon. Nobody wants to mine in the Grand Canyon. Nobody will mine in the Grand Canyon in the future—never. There are already buffer zones in place, it is called the Grand Canyon National Park.

Unfortunately, this continues the disturbing trend—just today, technically yesterday at this point—committee Democrats passed a bill to permanently withdraw over 200,000 acres in northern Minnesota that constitutes 95 percent of our Nation's nuclear reserves, 88 percent of our cobalt, and 75 percent of our platinum reserves.

These are not the kind of policies we should be advancing, and I urge my colleagues to oppose the amendment. I reserve the balance of my time.

Mr. NEGUSE. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 3 minutes remaining.

Mr. NEGUSE. Mr. Speaker, a couple quick points.

One, I certainly have a lot of respect for my colleague, and he and I work together on a number of different issues. I think we can have a debate about uranium mining. I would hope that he would rethink or reevaluate his comment regarding the dead of night because he knows, just as well as I do, that these amendments come as no surprise to anyone in this Chamber. They have passed repeatedly in the NDAA. They were debated and obviously considered as part of the Rules Committee—I serve on the Rules Committee—it is not our choice that this debate, in particular, is happening at 1:30 in the morning—certainly not mine. I would hope my distinguished colleague on the other side would reconsider that comment.

With respect to uranium mining, let me just simply say that I am glad to hear that my colleague believes that there should be no mining in the Grand Canyon. If that is the case, I would certainly encourage him to vote for this bill because it is precisely what Chairman GRIJALVA is attempting to do by virtue of proposing this bill.

As the ranking member of the full Natural Resources Committee knows, the withdrawal in this particular bill covers less than 1 percent of known U.S. uranium reserves. I certainly believe we can meet our uranium needs more cheaply and easily elsewhere in the United States without mining the Grand Canyon—it is obviously a national monument that we all treasure as Americans.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 2¼ minutes to the gentlewoman from Colorado (Mrs. BOEBERT).

Mrs. BOEBERT. Mr. Speaker, good morning. I rise in opposition to amendment No. 455. It is currently almost 2 a.m. here on the House floor and most Americans are asleep. In China, they are finishing up with lunch, and after the videos we have seen this week, it is possible that Hunter Biden is on to his second fix for the night. Sadly, we are here on the floor trying to sneak in land grabs to the NDAA.

This Federal land grab would lock up 400,000 acres in Colorado with no regard to the terrible consequences this would have on the constituents of Colorado's Third District.

The bill also seeks to permanently prevent responsible oil and gas production on nearly 200,000 acres. While Americans are paying record-high gas prices, while Biden is shipping our oil reserves to the Communists in China, Democrats here in the House want to lock up more of our oil and gas underground never to be seen or utilized.

Mr. Speaker, 65 percent of the lands impacted by this amendment are in my district. Numerous stakeholders from the American Colorado Farm Bureau

to the Grand Junction Chamber of Commerce all oppose the CORE Act. It is stuff like this that ticks the American people off, and it is why the GOP will have the majority in November.

There are reasons why the Senate rejected this bill outright. It is because the American people don't want it. I am proud to have worked with them last time we passed the NDAA to remove this from the final passage. There are good reasons why it is so unpopular.

The CORE Act threatened to accelerate wildfires due to its numerous wildfire designations and other provisions that restrict Federal agencies' ability to actively manage their lands. Are Coloradans supposed to simply stand by and watch more and more of our State get swallowed up in wildfires?

That is what this legislation would do.

Nothing good happens after midnight, and this bill is no exception. I do believe that my colleague from Colorado wants cleaner air and cleaner water. I would ask him to help me in managing our public lands rather than locking them down. We all want to be good stewards of the land that we have been given.

Mr. NEGUSE. Mr. Speaker, may I inquire how much time the respective sides have remaining?

The SPEAKER pro tempore. The gentleman from Colorado has 1½ minutes remaining. The gentleman from Arkansas has 15 seconds remaining.

Mr. NEGUSE. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, in conclusion, I will strongly urge my colleagues to oppose this amendment, which has no place in a bill that is supposed to bolster our national security, not harm it.

Mr. Speaker, I yield back the balance of my time.

Mr. NEGUSE. Mr. Speaker, I would just simply say this with respect to wildfires: My district has been the epicenter for wildfires in Colorado over the course of the last 3 years. Two of the largest wildfires in the history of Colorado happened in the Second Congressional District, and the most destructive fire in the history of our State happened just 6 months ago in my community.

I have worked tirelessly with my colleagues. I am the co-chair of the bipartisan Wildfire Caucus with Representative JOHN CURTIS out of Utah. We have worked closely together on this issue.

We passed a bipartisan infrastructure law out of this Chamber as well as the Senate, and the President signed it. It allocated literally billions of dollars to forest management, to doing that critical mitigation work, which is already happening in Colorado, in the Arapaho and Roosevelt National Forests, thanks to that bill. It is unfortunate that only 13 of my colleagues on the other side of the aisle chose to join us in that effort.

With respect to support for the underlying legislation, we can disagree about the contours of this particular bill. What we can't disagree about, in my view, are the facts: Gunnison County, Pitkin County, San Juan County, Ouray County, San Miguel County, Eagle County, the city of Aspen, the town of Avon, Basalt, Carbondale, Gunnison, Mountain Village, Ridgway, Telluride, Glenwood Springs—city after city, town after town, county after county, across the great State of Colorado, support the CORE Act, and it is because the vast majority of the people in my wonderful State support it, too.

Mr. Speaker, that is exactly why I ask my colleagues to support it tonight, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Colorado (Mr. NEGUSE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WESTERMAN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 0200

AMENDMENT NO. 456 OFFERED BY MS. DEGETTE

The SPEAKER pro tempore. It is now in order to consider amendment No. 456 printed in part A of House Report 117–405.

Ms. DEGETTE. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1348, after line 23, insert the following:

DIVISION F—PUBLIC LANDS

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Protecting America's Wilderness Act''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

TITLE LXXI—COLORADO WILDERNESS

SEC. 101. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This title may be cited as the ''Colorado Wilderness Act of 2020''.

(b) SECRETARY DEFINED.—As used in this title, the term ''Secretary'' means the Secretary of the Interior or the Secretary of Agriculture, as appropriate.

SEC. 102. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM IN THE STATE OF COLORADO.

(a) ADDITIONS.—Section 2(a) of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 756; 16 U.S.C. 1132 note) is amended by adding at the end the following paragraphs:

''(23) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 316 acres, as generally depicted on a map titled 'Maroon Bells Addition Proposed Wilderness', dated July 20, 2018, which is hereby incorporated in and shall be deemed to be a part of the Maroon Bells-Snowmass Wilderness Area designated by Public Law 88–577.

''(24) Certain lands managed by the Gunnison Field Office of the Bureau of Land Management, which comprise approximately 38,217 acres, as generally depicted on a map titled 'Redcloud & Handies Peak Proposed Wilderness', dated October 9, 2019, which shall be known as the Redcloud Peak Wilderness.

''(25) Certain lands managed by the Gunnison Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompahgre, and Gunnison National Forests, which comprise approximately 26,734 acres, as generally depicted on a map titled 'Redcloud & Handies Peak Proposed Wilderness', dated October 9, 2019, which shall be known as the Handies Peak Wilderness.

''(26) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 16,481 acres, as generally depicted on a map titled 'Table Mountain & McIntyre Hills Proposed Wilderness', dated November 7, 2019, which shall be known as the McIntyre Hills Wilderness.

''(27) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 10,282 acres, as generally depicted on a map titled 'Grand Hogback Proposed Wilderness', dated October 16, 2019, which shall be known as the Grand Hogback Wilderness.

''(28) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 25,624 acres, as generally depicted on a map titled 'Demaree Canyon Proposed Wilderness', dated October 9, 2019, which shall be known as the Demaree Canyon Wilderness.

''(29) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 28,279 acres, as generally depicted on a map titled 'Little Books Cliff Proposed Wilderness', dated October 9, 2019, which shall be known as the Little Bookcliffs Wilderness.

''(30) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 14,886 acres, as generally depicted on a map titled 'Bull Gulch & Castle Peak Proposed Wilderness', dated January 29, 2020, which shall be known as the Bull Gulch Wilderness.

''(31) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 12,016 acres, as generally depicted on a map titled 'Bull Gulch & Castle Peak Proposed Wilderness Areas', dated January 29, 2020, which shall be known as the Castle Peak Wilderness.''.

(b) FURTHER ADDITIONS.—The following lands in the State of Colorado administered by the Bureau of Land Management or the United States Forest Service are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 19,240 acres, as generally depicted on a map titled ''Assignation Ridge Proposed Wilderness'', dated November 12, 2019, which shall be known as the Assignation Ridge Wilderness.

(2) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 23,116 acres, as generally depicted on a map titled ''Badger Creek Proposed Wilderness'', dated November 7, 2019, which shall be known as the Badger Creek Wilderness.

(3) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 35,251 acres, as generally depicted on a map titled ''Beaver Creek Proposed Wilderness'', dated November 7, 2019, which shall be known as the Beaver Creek Wilderness.

(4) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or the Bureau of Reclamation or located in the Pike and San Isabel National Forests, which comprise approximately 32,884 acres, as generally depicted on a map titled ''Grape Creek Proposed Wilderness'', dated November 7, 2019, which shall be known as the Grape Creek Wilderness.

(5) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 13,351 acres, as generally depicted on a map titled ''North & South Bangs Canyon Proposed Wilderness'', dated October 9, 2019, which shall be known as the North Bangs Canyon Wilderness.

(6) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 5,144 acres, as generally depicted on a map titled ''North & South Bangs Canyon Proposed Wilderness'', dated October 9, 2019, which shall be known as the South Bangs Canyon Wilderness.

(7) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 26,624 acres, as generally depicted on a map titled ''Unaweep & Palisade Proposed Wilderness'', dated October 9, 2019, which shall be known as The Palisade Wilderness.

(8) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompaghre, and Gunnison National Forests, which comprise approximately 19,776 acres, as generally depicted on a map titled ''Unaweep & Palisade Proposed Wilderness'', dated October 9, 2019, which shall be known as the Unaweep Wilderness.

(9) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management and Uncompaghre Field Office of the Bureau of Land Management and in the Manti-LaSal National Forest, which comprise approximately 37,637 acres, as generally depicted on a map titled ''Sewemup Mesa Proposed Wilderness'', dated November 7, 2019, which shall be known as the Sewemup Mesa Wilderness.

(10) Certain lands managed by the Kremmling Field Office of the Bureau of Land Management, which comprise approximately 31 acres, as generally depicted on a map titled ''Platte River Addition Proposed Wilderness'', dated July 20, 2018, and which are hereby incorporated in and shall be deemed to be part of the Platte River Wilderness designated by Public Law 98–550.

(11) Certain lands managed by the Uncompahgre Field Office of the Bureau of Land Management, which comprise approximately 17,587 acres, as generally depicted on a map titled ''Roubideau Proposed Wilderness'', dated October 9, 2019, which shall be known as the Roubideau Wilderness.

(12) Certain lands managed by the Uncompahgre Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompaghre, and Gunnison National Forests, which comprise approximately 12,102 acres, as generally depicted on a map titled ''Norwood Canyon Proposed Wilderness'', dated November 7, 2019, which shall be known as the Norwood Canyon Wilderness.

(13) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management, which comprise approximately 24,475 acres, as generally depicted on a map titled ''Papoose & Cross Canyon Proposed Wilderness'', and dated January 29, 2020, which shall be known as the Cross Canyon Wilderness.

(14) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management, which comprise approximately 21,220 acres, as generally depicted on a map titled ''McKenna Peak Proposed Wilderness'', dated October 16, 2019, which shall be known as the McKenna Peak Wilderness.

(15) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management, which comprise approximately 14,270 acres, as generally depicted on a map titled ''Weber-Menefee Mountain Proposed Wilderness'', dated October 9, 2019, which shall be known as the Weber-Menefee Mountain Wilderness.

(16) Certain lands managed by the Uncompahgre and Tres Rios Field Offices of the Bureau of Land Management or the Bureau of Reclamation, which comprise approximately 33,351 acres, as generally depicted on a map titled ''Dolores River Canyon Proposed Wilderness'', dated November 7, 2019, which shall be known as the Dolores River Canyon Wilderness.

(17) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 17,922 acres, as generally depicted on a map titled ''Browns Canyon Proposed Wilderness'', dated October 9, 2019, which shall be known as the Browns Canyon Wilderness.

(18) Certain lands managed by the San Luis Field Office of the Bureau of Land Management, which comprise approximately 10,527 acres, as generally depicted on a map titled ''San Luis Hills Proposed Wilderness'', dated October 9, 2019 which shall be known as the San Luis Hills Wilderness.

(19) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 23,559 acres, as generally depicted on a map titled ''Table Mountain & McIntyre Hills Proposed Wilderness'', dated November 7, 2019, which shall be known as the Table Mountain Wilderness.

(20) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management or located in the San Juan National Forest, which comprise approximately 10,844 acres, as generally depicted on a map titled ''North & South Ponderosa Gorge Proposed Wilderness'', and dated January 31, 2020, which shall be known as the North Ponderosa Gorge Wilderness.

(21) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management or located in the San Juan National Forest, which comprise approximately 12,393 acres, as generally depicted on a map titled ''North & South Ponderosa Gorge Proposed Wilderness'', and dated January 31, 2020 which shall be known as the South Ponderosa Gorge Wilderness.

(22) Certain lands managed by the Little Snake Field Office of the Bureau of Land Management which comprise approximately 33,168 acres, as generally depicted on a map titled ''Diamond Breaks Proposed Wilderness'', and dated January 31, 2020 which shall be known as the Diamond Breaks Wilderness.

(23) Certain lands managed by the Tres Rios Field Office of the Bureau of Land Management which comprises approximately 4,782 acres, as generally depicted on the map titled ''Papoose & Cross Canyon Proposed Wilderness' '', and dated January 29, 2020 which shall be known as the Papoose Canyon Wilderness.

(c) WEST ELK ADDITION.—Certain lands in the State of Colorado administered by the Gunnison Field Office of the Bureau of Land Management, the United States National Park Service, and the Bureau of Reclamation, which comprise approximately 6,695 acres, as generally depicted on a map titled ''West Elk Addition Proposed Wilderness'', dated October 9, 2019, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System and are hereby incorporated in and shall be deemed to be a part of the West Elk Wilderness designated by Public Law 88–577. The boundary adjacent to Blue Mesa Reservoir shall be 50 feet landward from the water's edge, and shall change according to the water level.

(d) BLUE MESA RESERVOIR.—If the Bureau of Reclamation determines that lands within the West Elk Wilderness Addition are necessary for future expansion of the Blue Mesa Reservoir, the Secretary shall by publication of a revised boundary description in the Federal Register revise the boundary of the West Elk Wilderness Addition.

(e) MAPS AND DESCRIPTIONS.—As soon as practicable after the date of enactment of the Act, the Secretary shall file a map and a boundary description of each area designated as wilderness by this section with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Each map and boundary description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in the map or boundary description. The maps and boundary descriptions shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, Department of the Interior, and in the Office of the Chief of the Forest Service, Department of Agriculture, as appropriate.

(f) STATE AND PRIVATE LANDS.—Lands within the exterior boundaries of any wilderness area designated under this section that are owned by a private entity or by the State of Colorado, including lands administered by the Colorado State Land Board, shall be included within such wilderness area if such lands are acquired by the United States. Such lands may be acquired by the United States only as provided in the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 103. ADMINISTRATIVE PROVISIONS.

(a) IN GENERAL.—Subject to valid existing rights, lands designated as wilderness by this title shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this title, except that, with respect to any wilderness areas designated by this title, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(b) GRAZING.—Grazing of livestock in wilderness areas designated by this title shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), as further interpreted by section 108 of Public Law 96–560, and the guidelines set forth in appendix A of House Report 101–405 of the 101st Congress.

(c) STATE JURISDICTION.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title shall be construed as affecting the jurisdiction or responsibilities of the State of Colorado with respect to wildlife and fish in Colorado.

(d) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around any area designated as wilderness by this title.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that an activity or use on land outside the areas designated as wilderness by this title can be seen or heard within the wilderness shall not preclude the activity or use outside the boundary of the wilderness.

(e) MILITARY HELICOPTER OVERFLIGHTS AND OPERATIONS.—

(1) IN GENERAL.—Nothing in this title restricts or precludes—

(A) low-level overflights of military helicopters over the areas designated as wilderness by this title, including military overflights that can be seen or heard within any wilderness area;

(B) military flight testing and evaluation;

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes over any wilderness area; or

(D) helicopter operations at designated landing zones within the potential wilderness areas established by subsection (i)(1).

(2) AERIAL NAVIGATION TRAINING EXERCISES.—The Colorado Army National Guard, through the High-Altitude Army National Guard Aviation Training Site, may conduct aerial navigation training maneuver exercises over, and associated operations within, the potential wilderness areas designated by this title—

(A) in a manner and degree consistent with the memorandum of understanding dated August 4, 1987, entered into among the Colorado Army National Guard, the Bureau of Land Management, and the Forest Service; or

(B) in a manner consistent with any subsequent memorandum of understanding entered into among the Colorado Army National Guard, the Bureau of Land Management, and the Forest Service.

(f) RUNNING EVENTS.—The Secretary may continue to authorize competitive running events currently permitted in the Redcloud Peak Wilderness Area and Handies Peak Wilderness Area in a manner compatible with the preservation of such areas as wilderness.

(g) LAND TRADES.—If the Secretary trades privately owned land within the perimeter of the Redcloud Peak Wilderness Area or the Handies Peak Wilderness Area in exchange for Federal land, then such Federal land shall be located in Hinsdale County, Colorado.

(h) RECREATIONAL CLIMBING.—Nothing in this title prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(i) POTENTIAL WILDERNESS DESIGNATIONS.—

(1) IN GENERAL.—The following lands are designated as potential wilderness areas:

(A) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 7,376 acres, as generally depicted on a map titled ''Pisgah East & West Proposed Wilderness'' and dated October 16, 2019, which, upon designation as wilderness under paragraph (2), shall be known as the Pisgah East Wilderness.

(B) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 6,828 acres, as generally depicted on a map titled ''Pisgah East & West Proposed Wilderness'' and dated October 16, 2019, which, upon designation as wilderness under paragraph (2), shall be known as the Pisgah West Wilderness.

(C) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 16,101 acres, as generally depicted on a map titled ''Flat Tops Proposed Wilderness Addition'', dated October 9, 2019, and which, upon designation as wilderness under paragraph (2), shall be incorporated in and shall be deemed to be a part of the Flat Tops Wilderness designated by Public Law 94–146.

(2) DESIGNATION AS WILDERNESS.—Lands designated as a potential wilderness area by subparagraphs (A) through (C) of paragraph (1) shall be designated as wilderness on the date on which the Secretary publishes in the Federal Register a notice that all nonconforming uses of those lands authorized by subsection (e) in the potential wilderness area that would be in violation of the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased. Such publication in the Federal Register and designation as wilderness shall occur for the potential wilderness area as the nonconforming uses cease in that potential wilderness area and designation as wilderness is not dependent on cessation of nonconforming uses in the other potential wilderness area.

(3) MANAGEMENT.—Except for activities provided for under subsection (e), lands designated as a potential wilderness area by

paragraph (1) shall be managed by the Secretary in accordance with the Wilderness Act as wilderness pending the designation of such lands as wilderness under this subsection.

SEC. 104. WATER.

(a) EFFECT ON WATER RIGHTS.—Nothing in this title—

(1) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(2) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(3) affects any interstate water compact in existence on the date of enactment of this Act;

(4) authorizes or imposes any new reserved Federal water rights; and

(5) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Colorado on or before the date of the enactment of this Act.

(b) MIDSTREAM AREAS.—

(1) PURPOSE.—The purpose of this subsection is to protect for the benefit and enjoyment of present and future generations—

(A) the unique and nationally important values of areas designated as wilderness by section 102(b) (including the geological, cultural, archaeological, paleontological, natural, scientific, recreational, environmental, biological, wilderness, wildlife, riparian, historical, educational, and scenic resources of the public land); and

(B) the water resources of area streams, based on seasonally available flows, that are necessary to support aquatic, riparian, and terrestrial species and communities.

(2) WILDERNESS WATER RIGHTS.—

(A) IN GENERAL.—The Secretary shall ensure that any water rights within the wilderness designated by section 102(b) required to fulfill the purposes of such wilderness are secured in accordance with subparagraphs (B) through (G).

(B) STATE LAW.—

(i) PROCEDURAL REQUIREMENTS.—Any water rights for which the Secretary pursues adjudication shall be appropriated, adjudicated, changed, and administered in accordance with the procedural requirements and priority system of State law.

(ii) ESTABLISHMENT OF WATER RIGHTS.—

(I) IN GENERAL.—Except as provided in subclause (II), the purposes and other substantive characteristics of the water rights pursued under this paragraph shall be established in accordance with State law.

(II) EXCEPTION.—Notwithstanding subclause (I) and in accordance with this title, the Secretary may appropriate and seek adjudication of water rights to maintain surface water levels and stream flows on and across the wilderness designated by section 102(b) to fulfill the purposes of such wilderness.

(C) DEADLINE.—The Secretary shall promptly, but not earlier than January 1, 2021, appropriate the water rights required to fulfill the purposes of the wilderness designated by section 102(b).

(D) REQUIRED DETERMINATION.—The Secretary shall not pursue adjudication for any instream flow water rights unless the Secretary makes a determination pursuant to subparagraph (E)(ii) or (F).

(E) COOPERATIVE ENFORCEMENT.—

(i) IN GENERAL.—The Secretary shall not pursue adjudication of any Federal instream flow water rights established under this paragraph if—

(I) the Secretary determines, upon adjudication of the water rights by the Colorado Water Conservation Board, that the Board holds water rights sufficient in priority, amount, and timing to fulfill the purposes of this subsection; and

(II) the Secretary has entered into a perpetual agreement with the Colorado Water Conservation Board to ensure full exercise, protection, and enforcement of the State water rights within the wilderness to reliably fulfill the purposes of this subsection.

(ii) ADJUDICATION.—If the Secretary determines that the provisions of clause (i) have not been met, the Secretary shall adjudicate and exercise any Federal water rights required to fulfill the purposes of the wilderness in accordance with this paragraph.

(F) INSUFFICIENT WATER RIGHTS.—If the Colorado Water Conservation Board modifies the instream flow water rights obtained under subparagraph (E) to such a degree that the Secretary determines that water rights held by the State are insufficient to fulfill the purposes of this title, the Secretary shall adjudicate and exercise Federal water rights required to fulfill the purposes of this title in accordance with subparagraph (B).

(G) FAILURE TO COMPLY.—The Secretary shall promptly act to exercise and enforce the water rights described in subparagraph (E) if the Secretary determines that—

(i) the State is not exercising its water rights consistent with subparagraph (E)(i)(I); or

(ii) the agreement described in subparagraph (E)(i)(II) is not fulfilled or complied with sufficiently to fulfill the purposes of this title.

(3) WATER RESOURCE FACILITY.—Notwithstanding any other provision of law, beginning on the date of enactment of this title, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for development of any new irrigation and pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, transmission, other ancillary facility, or other water, diversion, storage, or carriage structure in the wilderness designated by section 102(b).

(c) ACCESS AND OPERATION.—

(1) DEFINITION.—As used in this subsection, the term ''water resource facility'' means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(2) ACCESS TO WATER RESOURCE FACILITIES.—Subject to the provisions of this subsection, the Secretary shall allow reasonable access to water resource facilities in existence on the date of enactment of this Act within the areas described in sections 102(b) and 102(c), including motorized access where necessary and customarily employed on routes existing as of the date of enactment of this Act.

(3) ACCESS ROUTES.—Existing access routes within such areas customarily employed as of the date of enactment of this Act may be used, maintained, repaired, and replaced to the extent necessary to maintain their present function, design, and serviceable operation, so long as such activities have no increased adverse impacts on the resources and values of the areas described in sections 102(b) and 102(c) than existed as of the date of enactment of this Act.

(4) USE OF WATER RESOURCE FACILITIES.—Subject to the provisions of this subsection and subsection (a)(4), the Secretary shall allow water resource facilities existing on the date of enactment of this Act within areas described in sections 102(b) and 102(c) to be used, operated, maintained, repaired, and replaced to the extent necessary for the continued exercise, in accordance with Colorado State law, of vested water rights adjudicated for use in connection with such facilities by a court of competent jurisdiction prior to the date of enactment of this Act. The impact of an existing facility on the water resources and values of the area shall not be increased as a result of changes in the adjudicated type of use of such facility as of the date of enactment of this Act.

(5) REPAIR AND MAINTENANCE.—Water resource facilities, and access routes serving such facilities, existing within the areas described in sections 102(b) and 102(c) on the date of enactment of this Act shall be maintained and repaired when and to the extent necessary to prevent increased adverse impacts on the resources and values of the areas described in sections 102(b) and 102(c).

SEC. 105. SENSE OF CONGRESS.

It is the sense of Congress that military aviation training on Federal public lands in Colorado, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

SEC. 106. DEPARTMENT OF DEFENSE STUDY ON IMPACTS THAT THE EXPANSION OF WILDERNESS DESIGNATIONS IN THE WESTERN UNITED STATES WOULD HAVE ON THE READINESS OF THE ARMED FORCES OF THE UNITED STATES WITH RESPECT TO AVIATION TRAINING.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on the impacts that the expansion of wilderness designations in the Western United States would have on the readiness of the Armed Forces of the United States with respect to aviation training.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study required under subsection (a).

TITLE LXXII—NORTHWEST CALIFORNIA WILDERNESS, RECREATION, AND WORKING FORESTS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Northwest California Wilderness, Recreation, and Working Forests Act''.

SEC. 202. DEFINITIONS.

In this title:

(1) SECRETARY.—The term ''Secretary'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of California.

Subtitle A—Restoration and Economic Development

SEC. 211. SOUTH FORK TRINITY-MAD RIVER RESTORATION AREA.

(a) DEFINITIONS.—In this section:

(1) COLLABORATIVELY DEVELOPED.—The term ''collaboratively developed'' means projects that are developed and implemented through a collaborative process that—

(A) includes—

(i) appropriate Federal, State, and local agencies; and

(ii) multiple interested persons representing diverse interests; and

(B) is transparent and nonexclusive.

(2) PLANTATION.—The term ''plantation'' means a forested area that has been artificially established by planting or seeding.

(3) RESTORATION.—The term ''restoration'' means the process of assisting the recovery

of an ecosystem that has been degraded, damaged, or destroyed by establishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystem sustainability, resilience, and health under current and future conditions.

(4) RESTORATION AREA.—The term ''restoration area'' means the South Fork Trinity-Mad River Restoration Area, established by subsection (b).

(5) SHADED FUEL BREAK.—The term ''shaded fuel break'' means a vegetation treatment that effectively addresses all project-generated slash and that retains: adequate canopy cover to suppress plant regrowth in the forest understory following treatment; the longest lived trees that provide the most shade over the longest period of time; the healthiest and most vigorous trees with the greatest potential for crown-growth in plantations and in natural stands adjacent to plantations; and all mature hardwoods, when practicable.

(6) STEWARDSHIP CONTRACT.—The term ''stewardship contract'' means an agreement or contract entered into under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

(7) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' has the meaning given the term by section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(b) ESTABLISHMENT.—Subject to valid existing rights, there is established the South Fork Trinity-Mad River Restoration Area, comprising approximately 729,089 acres of Federal land administered by the Forest Service and approximately 1,280 acres of Federal land administered by the Bureau of Land Management, as generally depicted on the map entitled ''South Fork Trinity-Mad River Restoration Area—Proposed'' and dated July 3, 2018, to be known as the South Fork Trinity-Mad River Restoration Area.

(c) PURPOSES.—The purposes of the restoration area are to—

(1) establish, restore, and maintain fire-resilient forest structures containing late successional forest structure characterized by large trees and multistoried canopies, as ecologically appropriate;

(2) protect late successional reserves;

(3) enhance the restoration of Federal lands within the restoration area;

(4) reduce the threat posed by wildfires to communities within the restoration area;

(5) protect and restore aquatic habitat and anadromous fisheries;

(6) protect the quality of water within the restoration area; and

(7) allow visitors to enjoy the scenic, recreational, natural, cultural, and wildlife values of the restoration area.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the restoration area—

(A) in a manner consistent with the purposes described in subsection (c);

(B) in a manner that—

(i) in the case of the Forest Service, prioritizes restoration of the restoration area over other nonemergency vegetation management projects on the portions of the Six Rivers and Shasta-Trinity National Forests in Humboldt and Trinity Counties; and

(ii) in the case of the United States Fish and Wildlife Service, establishes with the Forest Service an agreement for cooperation to ensure timely completion of consultation required by section 7 of the Endangered Species Act (15 U.S.C. 1536) on restoration projects within the restoration area and agreement to maintain and exchange information on planning schedules and priorities on a regular basis;

(C) in accordance with—

(i) the laws (including regulations) and rules applicable to the National Forest System for land managed by the Forest Service;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for land managed by the Bureau of Land Management;

(iii) this title; and

(iv) any other applicable law (including regulations); and

(D) in a manner consistent with congressional intent that consultation for restoration projects within the restoration area is completed in a timely and efficient manner.

(2) CONFLICT OF LAWS.—

(A) IN GENERAL.—The establishment of the restoration area shall not change the management status of any land or water that is designated wilderness or as a wild and scenic river, including lands and waters designated by this title.

(B) RESOLUTION OF CONFLICT.—If there is a conflict between the laws applicable to the areas described in subparagraph (A) and this section, the more restrictive provision shall control.

(3) USES.—

(A) IN GENERAL.—The Secretary shall only allow uses of the restoration area that the Secretary determines would further the purposes described in subsection (c).

(B) PRIORITY.—The Secretary shall prioritize restoration activities within the restoration area.

(C) LIMITATION.—Nothing in this section shall limit the Secretary's ability to plan, approve, or prioritize activities outside of the restoration area.

(4) WILDLAND FIRE.—

(A) IN GENERAL.—Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the restoration area, consistent with the purposes of this section.

(B) PRIORITY.—The Secretary may use prescribed burning and managed wildland fire to the fullest extent practicable to achieve the purposes of this section.

(5) ROAD DECOMMISSIONING.—

(A) IN GENERAL.—To the extent practicable, the Secretary shall decommission unneeded National Forest System roads identified for decommissioning and unauthorized roads identified for decommissioning within the restoration area—

(i) subject to appropriations;

(ii) consistent with the analysis required by subparts A and B of part 212 of title 36, Code of Federal Regulations; and

(iii) in accordance with existing law.

(B) ADDITIONAL REQUIREMENT.—In making determinations regarding road decommissioning under subparagraph (A), the Secretary shall consult with—

(i) appropriate State, Tribal, and local governmental entities; and

(ii) members of the public.

(C) DEFINITION.—As used in subparagraph (A), the term ''decommission'' means—

(i) to reestablish vegetation on a road; and

(ii) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(6) VEGETATION MANAGEMENT.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the Secretary may conduct vegetation management projects in the restoration area only where necessary to—

(i) maintain or restore the characteristics of ecosystem composition and structure;

(ii) reduce wildfire risk to communities by promoting forests that are fire resilient;

(iii) improve the habitat of threatened, endangered, or sensitive species;

(iv) protect or improve water quality; or

(v) enhance the restoration of lands within the restoration area.

(B) ADDITIONAL REQUIREMENTS.—

(i) SHADED FUEL BREAKS.—In carrying out subparagraph (A), the Secretary shall prioritize, as practicable, the establishment of a network of shaded fuel breaks within—

(I) the portions of the wildland-urban interface that are within 150 feet from private property contiguous to Federal land;

(II) 150 feet from any road that is open to motorized vehicles as of the date of enactment of this Act—

(aa) except that, where topography or other conditions require, the Secretary may establish shaded fuel breaks up to 275 feet from a road so long as the combined total width of the shaded fuel breaks for both sides of the road does not exceed 300 feet; and

(bb) provided that the Secretary shall include vegetation treatments within a minimum of 25 feet of the road where practicable, feasible, and appropriate as part of any shaded fuel break; or

(III) 150 feet of any plantation.

(ii) PLANTATIONS; RIPARIAN RESERVES.—The Secretary may undertake vegetation management projects—

(I) in areas within the restoration area in which fish and wildlife habitat is significantly compromised as a result of past management practices (including plantations); and

(II) within designated riparian reserves only where necessary to maintain the integrity of fuel breaks and to enhance fire resilience.

(C) COMPLIANCE.—The Secretary shall carry out vegetation management projects within the restoration area—

(i) in accordance with—

(I) this section; and

(II) existing law (including regulations);

(ii) after providing an opportunity for public comment; and

(iii) subject to appropriations.

(D) BEST AVAILABLE SCIENCE.—The Secretary shall use the best available science in planning and implementing vegetation management projects within the restoration area.

(7) GRAZING.—

(A) EXISTING GRAZING.—The grazing of livestock in the restoration area, where established before the date of enactment of this Act, shall be permitted to continue—

(i) subject to—

(I) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(II) applicable law (including regulations); and

(ii) in a manner consistent with the purposes described in subsection (c).

(B) TARGETED NEW GRAZING.—The Secretary may issue annual targeted grazing permits for the grazing of livestock in the restoration area, where not established before the date of the enactment of this Act, to control noxious weeds, aid in the control of wildfire within the wildland-urban interface, or to provide other ecological benefits subject to—

(i) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(ii) a manner consistent with the purposes described in subsection (c).

(C) BEST AVAILABLE SCIENCE.—The Secretary shall use the best available science when determining whether to issue targeted grazing permits within the restoration area.

(e) WITHDRAWAL.—Subject to valid existing rights, the restoration area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(f) USE OF STEWARDSHIP CONTRACTS.—To the maximum extent practicable, the Secretary shall—

(1) use stewardship contracts to implement this section; and

(2) use revenue derived from such stewardship contracts for restoration and other activities within the restoration area which shall include staff and administrative costs to support timely consultation activities for restoration projects.

(g) COLLABORATION.—In developing and implementing restoration projects in the restoration area, the Secretary shall consult with collaborative groups with an interest in the restoration area.

(h) ENVIRONMENTAL REVIEW.—A collaboratively developed restoration project within the restoration area may be carried out in accordance with the provisions for hazardous fuel reduction projects set forth in sections 214, 215, and 216 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6514–6516), as applicable.

(i) MULTIPARTY MONITORING.—The Secretary of Agriculture shall—

(1) in collaboration with the Secretary of the Interior and interested persons, use a multiparty monitoring, evaluation, and accountability process to assess the positive or negative ecological, social, and economic effects of restoration projects within the restoration area; and

(2) incorporate the monitoring results into the management of the restoration area.

(j) FUNDING.—The Secretary shall use all existing authorities to secure as much funding as necessary to fulfill the purposes of the restoration area.

(k) FOREST RESIDUES UTILIZATION.—

(1) IN GENERAL.—In accordance with applicable law, including regulations, and this section, the Secretary may utilize forest residues from restoration projects, including shaded fuel breaks, in the restoration area for research and development of biobased products that result in net carbon sequestration.

(2) PARTNERSHIPS.—In carrying out paragraph (1), the Secretary may enter into partnerships with universities, nongovernmental organizations, industry, Tribes, and Federal, State, and local governmental agencies.

SEC. 212. REDWOOD NATIONAL AND STATE PARKS RESTORATION.

(a) PARTNERSHIP AGREEMENTS.—The Secretary of the Interior is authorized to undertake initiatives to restore degraded redwood forest ecosystems in Redwood National and State Parks in partnership with the State of California, local agencies, and nongovernmental organizations.

(b) COMPLIANCE.—In carrying out any initiative authorized by subsection (a), the Secretary of the Interior shall comply with all applicable law.

SEC. 213. CALIFORNIA PUBLIC LANDS REMEDIATION PARTNERSHIP.

(a) DEFINITIONS.—In this section:

(1) PARTNERSHIP.—The term ''partnership'' means the California Public Lands Remediation Partnership, established by subsection (b).

(2) PRIORITY LANDS.—The term ''priority lands'' means Federal land within the State that is determined by the partnership to be a high priority for remediation.

(3) REMEDIATION.—The term ''remediation'' means to facilitate the recovery of lands and waters that have been degraded, damaged, or destroyed by illegal marijuana cultivation or another illegal activity. Remediation includes but is not limited to removal of trash, debris, and other material, and establishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystem sustainability, resilience, and health under current and future conditions.

(b) ESTABLISHMENT.—There is hereby established a California Public Lands Remediation Partnership.

(c) PURPOSES.—The purposes of the partnership are to—

(1) coordinate the activities of Federal, State, Tribal, and local authorities, and the private sector, in the remediation of priority lands in the State affected by illegal marijuana cultivation or other illegal activities; and

(2) use the resources and expertise of each agency, authority, or entity in implementing remediation activities on priority lands in the State.

(d) MEMBERSHIP.—The members of the partnership shall include the following:

(1) The Secretary of Agriculture, or a designee of the Secretary of Agriculture to represent the Forest Service.

(2) The Secretary of the Interior, or a designee of the Secretary of the Interior, to represent the United States Fish and Wildlife Service, Bureau of Land Management, and National Park Service.

(3) The Director of the Office of National Drug Control Policy, or a designee of the Director.

(4) The Secretary of the State Natural Resources Agency, or a designee of the Secretary, to represent the California Department of Fish and Wildlife.

(5) A designee of the California State Water Resources Control Board.

(6) A designee of the California State Sheriffs' Association.

(7) One member to represent federally recognized Indian Tribes, to be appointed by the Secretary of Agriculture.

(8) One member to represent nongovernmental organizations with an interest in Federal land remediation, to be appointed by the Secretary of Agriculture.

(9) One member to represent local governmental interests, to be appointed by the Secretary of Agriculture.

(10) A law enforcement official from each of the following:

(A) The Department of the Interior.

(B) The Department of Agriculture.

(11) A scientist to provide expertise and advise on methods needed for remediation efforts, to be appointed by the Secretary of Agriculture.

(12) A designee of the National Guard Counter Drug Program.

(e) DUTIES.—To further the purposes of this section, the partnership shall—

(1) identify priority lands for remediation in the State;

(2) secure resources from Federal and non-Federal sources to apply to remediation of priority lands in the State;

(3) support efforts by Federal, State, Tribal, and local agencies, and nongovernmental organizations in carrying out remediation of priority lands in the State;

(4) support research and education on the impacts of, and solutions to, illegal marijuana cultivation and other illegal activities on priority lands in the State;

(5) involve other Federal, State, Tribal, and local agencies, nongovernmental organizations, and the public in remediation efforts, to the extent practicable; and

(6) take any other administrative or advisory actions as necessary to address remediation of priority lands in the State.

(f) AUTHORITIES.—To implement this section, the partnership may, subject to the prior approval of the Secretary of Agriculture—

(1) make grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;

(2) enter into cooperative agreements with, or provide grants or technical assistance to, the State, political subdivisions of the State, nonprofit organizations, Federal agencies, and other interested parties;

(3) hire and compensate staff;

(4) obtain funds or services from any source, including Federal and non-Federal funds, and funds and services provided under any other Federal law or program;

(5) contract for goods or services; and

(6) support activities of partners and any other activities that further the purposes of this section.

(g) PROCEDURES.—The partnership shall establish such rules and procedures as it deems necessary or desirable.

(h) LOCAL HIRING.—The partnership shall, to the maximum extent practicable and in accordance with existing law, give preference to local entities and persons when carrying out this section.

(i) SERVICE WITHOUT COMPENSATION.—Members of the partnership shall serve without pay.

(j) DUTIES AND AUTHORITIES OF THE SECRETARY OF AGRICULTURE.—

(1) IN GENERAL.—The Secretary of Agriculture shall convene the partnership on a regular basis to carry out this section.

(2) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary of Agriculture and Secretary of the Interior may provide technical and financial assistance, on a reimbursable or nonreimbursable basis, as determined by the appropriate Secretary, to the partnership or any members of the partnership to carry out this title.

(3) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture and Secretary of the Interior may enter into cooperative agreements with the partnership, any members of the partnership, or other public or private entities to provide technical, financial, or other assistance to carry out this title.

SEC. 214. TRINITY LAKE VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service, may establish, in cooperation with any other public or private entities that the Secretary may determine to be appropriate, a visitor center in Weaverville, California—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of the Whiskeytown-Shasta-Trinity National Recreation Area.

(b) REQUIREMENTS.—The Secretary shall ensure that the visitor center authorized under subsection (a) is designed to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of the Whiskeytown-Shasta-Trinity National Recreation Area and other nearby Federal lands.

(c) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture may, in a manner consistent with this title, enter into cooperative agreements with the State and any other appropriate institutions and organizations to carry out the purposes of this section.

SEC. 215. DEL NORTE COUNTY VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture and Secretary of the Interior, acting jointly or separately, may establish, in cooperation with any other public or private entities that the Secretaries determine to be appropriate, a visitor center in Del Norte County, California—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of Redwood National and State Parks, the

Smith River National Recreation Area, and other nearby Federal lands.

(b) REQUIREMENTS.—The Secretaries shall ensure that the visitor center authorized under subsection (a) is designed to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of Redwood National and State Parks, the Smith River National Recreation Area, and other nearby Federal lands.

SEC. 216. MANAGEMENT PLANS.

(a) IN GENERAL.—In revising the land and resource management plan for the Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests, the Secretary shall—

(1) consider the purposes of the South Fork Trinity-Mad River Restoration Area established by section 211; and

(2) include or update the fire management plan for the wilderness areas and wilderness additions established by this title.

(b) REQUIREMENT.—In carrying out the revisions required by subsection (a), the Secretary shall—

(1) develop spatial fire management plans in accordance with—

(A) the Guidance for Implementation of Federal Wildland Fire Management Policy dated February 13, 2009, including any amendments to that guidance; and

(B) other appropriate policies;

(2) ensure that a fire management plan—

(A) considers how prescribed or managed fire can be used to achieve ecological management objectives of wilderness and other natural or primitive areas; and

(B) in the case of a wilderness area expanded by section 231, provides consistent direction regarding fire management to the entire wilderness area, including the addition;

(3) consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public; and

(4) comply with applicable laws (including regulations).

SEC. 217. STUDY; PARTNERSHIPS RELATED TO OVERNIGHT ACCOMMODATIONS.

(a) STUDY.—The Secretary of the Interior, in consultation with interested Federal, State, Tribal, and local entities, and private and nonprofit organizations, shall conduct a study to evaluate the feasibility and suitability of establishing overnight accommodations near Redwood National and State Parks on—

(1) Federal land at the northern boundary or on land within 20 miles of the northern boundary; and

(2) Federal land at the southern boundary or on land within 20 miles of the southern boundary.

(b) PARTNERSHIPS.—

(1) AGREEMENTS AUTHORIZED.—If the study conducted under subsection (a) determines that establishing the described accommodations is suitable and feasible, the Secretary may enter into agreements with qualified private and nonprofit organizations for the development, operation, and maintenance of overnight accommodations.

(2) CONTENTS.—Any agreements entered into under paragraph (1) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization.

(3) COMPLIANCE.—The Secretary shall enter agreements under paragraph (1) in accordance with existing law.

(4) EFFECT.—Nothing in this subsection—

(A) reduces or diminishes the authority of the Secretary to manage land and resources under the jurisdiction of the Secretary; or

(B) amends or modifies the application of any existing law (including regulations) applicable to land under the jurisdiction of the Secretary.

Subtitle B—Recreation

SEC. 221. HORSE MOUNTAIN SPECIAL MANAGEMENT AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, there is established the Horse Mountain Special Management Area (referred to in this section as the ''special management area'') comprising approximately 7,399 acres of Federal land administered by the Forest Service in Humboldt County, California, as generally depicted on the map entitled ''Horse Mountain Special Management Area—Proposed'' and dated April 13, 2017.

(b) PURPOSES.—The purpose of the special management area is to enhance the recreational and scenic values of the special management area while conserving the plants, wildlife, and other natural resource values of the area.

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act and in accordance with paragraph (2), the Secretary shall develop a comprehensive plan for the long-term management of the special management area.

(2) CONSULTATION.—In developing the management plan required under paragraph (1), the Secretary shall consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public.

(3) ADDITIONAL REQUIREMENT.—The management plan required under paragraph (1) shall ensure that recreational use within the special management area does not cause significant adverse impacts on the plants and wildlife of the special management area.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the special management area—

(A) in furtherance of the purposes described in subsection (b); and

(B) in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) RECREATION.—The Secretary shall continue to authorize, maintain, and enhance the recreational use of the special management area, including hunting, fishing, camping, hiking, hang gliding, sightseeing, nature study, horseback riding, rafting, mountain biking, and motorized recreation on authorized routes, and other recreational activities, so long as such recreational use is consistent with the purposes of the special management area, this section, other applicable law (including regulations), and applicable management plans.

(3) MOTORIZED VEHICLES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the use of motorized vehicles in the special management area shall be permitted only on roads and trails designated for the use of motorized vehicles.

(B) USE OF SNOWMOBILES.—The winter use of snowmobiles shall be allowed in the special management area—

(i) during periods of adequate snow coverage during the winter season; and

(ii) subject to any terms and conditions determined to be necessary by the Secretary.

(4) NEW TRAILS.—

(A) IN GENERAL.—The Secretary may construct new trails for motorized or nonmotorized recreation within the special management area in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(B) PRIORITY.—In establishing new trails within the special management area, the Secretary shall—

(i) prioritize the establishment of loops that provide high-quality, diverse recreational experiences; and

(ii) consult with members of the public.

(e) WITHDRAWAL.—Subject to valid existing rights, the special management area is withdrawn from—

(1) all forms of appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under laws relating to mineral and geothermal leasing.

SEC. 222. BIGFOOT NATIONAL RECREATION TRAIL.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Agriculture, in cooperation with the Secretary of the Interior, shall submit to the Committee on Natural Resources of the House of Representatives and Committee on Energy and Natural Resources of the Senate a study that describes the feasibility of establishing a nonmotorized Bigfoot National Recreation Trail that follows the route described in paragraph (2).

(2) ROUTE.—The trail described in paragraph (1) shall extend from the Ides Cove Trailhead in the Mendocino National Forest to Crescent City, California, by roughly following the route as generally depicted on the map entitled ''Bigfoot National Recreation Trail—Proposed'' and dated July 25, 2018.

(3) ADDITIONAL REQUIREMENT.—In completing the study required by subsection (a), the Secretary of Agriculture shall consult with—

(A) appropriate Federal, State, Tribal, regional, and local agencies;

(B) private landowners;

(C) nongovernmental organizations; and

(D) members of the public.

(b) DESIGNATION.—

(1) IN GENERAL.—Upon a determination that the Bigfoot National Recreation Trail is feasible and meets the requirements for a National Recreation Trail in section 1243 of title 16, United States Code, the Secretary of Agriculture shall designate the Bigfoot National Recreation Trail in accordance with—

(A) the National Trails System Act (Public Law 90–543);

(B) this title; and

(C) other applicable law (including regulations).

(2) ADMINISTRATION.—Upon designation by the Secretary of Agriculture, the Bigfoot National Recreation Trail (referred to in this section as the ''trail'') shall be administered by the Secretary of Agriculture, in consultation with—

(A) other Federal, State, Tribal, regional, and local agencies;

(B) private landowners; and

(C) other interested organizations.

(3) PRIVATE PROPERTY RIGHTS.—

(A) IN GENERAL.—No portions of the trail may be located on non-Federal land without the written consent of the landowner.

(B) PROHIBITION.—The Secretary of Agriculture shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally managed area without the consent of the owner of the land or interest in the land.

(C) EFFECT.—Nothing in this section—

(i) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

(ii) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

(c) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary of Agriculture may enter into cooperative agreements with State, Tribal, and local government entities and private entities to complete needed trail construction, reconstruction, realignment, maintenance, or education projects related to the Bigfoot National Recreation Trail.

(d) MAP.—

(1) MAP REQUIRED.—Upon designation of the Bigfoot National Recreation Trail, the Secretary of Agriculture shall prepare a map of the trail.

(2) PUBLIC AVAILABILITY.—The map referred to in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 223. ELK CAMP RIDGE RECREATION TRAIL.

(a) DESIGNATION.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary of Agriculture after an opportunity for public comment, shall designate a trail (which may include a system of trails)—

(A) for use by off-highway vehicles or mountain bicycles, or both; and

(B) to be known as the Elk Camp Ridge Recreation Trail.

(2) REQUIREMENTS.—In designating the Elk Camp Ridge Recreation Trail (referred to in this section as the ''trail''), the Secretary shall only include trails that are—

(A) as of the date of enactment of this Act, authorized for use by off-highway vehicles or mountain bikes, or both; and

(B) located on land that is managed by the Forest Service in Del Norte County.

(3) MAP.—A map that depicts the trail shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(b) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the trail—

(A) in accordance with applicable laws (including regulations);

(B) to ensure the safety of citizens who use the trail; and

(C) in a manner by which to minimize any damage to sensitive habitat or cultural resources.

(2) MONITORING; EVALUATION.—To minimize the impacts of the use of the trail on environmental and cultural resources, the Secretary shall annually assess the effects of the use of off-highway vehicles and mountain bicycles on—

(A) the trail;

(B) land located in proximity to the trail; and

(C) plants, wildlife, and wildlife habitat.

(3) CLOSURE.—The Secretary, in consultation with the State and Del Norte County, and subject to paragraph (4), may temporarily close or permanently reroute a portion of the trail if the Secretary determines that—

(A) the trail is having an adverse impact on—

(i) wildlife habitats;

(ii) natural resources;

(iii) cultural resources; or

(iv) traditional uses;

(B) the trail threatens public safety; or

(C) closure of the trail is necessary—

(i) to repair damage to the trail; or

(ii) to repair resource damage.

(4) REROUTING.—Any portion of the trail that is temporarily closed by the Secretary under paragraph (3) may be permanently rerouted along any road or trail—

(A) that is—

(i) in existence as of the date of the closure of the portion of the trail;

(ii) located on public land; and

(iii) open to motorized or mechanized use; and

(B) if the Secretary determines that rerouting the portion of the trail would not significantly increase or decrease the length of the trail.

(5) NOTICE OF AVAILABLE ROUTES.—The Secretary shall ensure that visitors to the trail have access to adequate notice relating to the availability of trail routes through—

(A) the placement of appropriate signage along the trail; and

(B) the distribution of maps, safety education materials, and other information that the Secretary concerned determines to be appropriate.

(c) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 224. TRINITY LAKE TRAIL.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 18 months after the date of enactment of this Act, the Secretary shall study the feasibility and public interest of constructing a recreational trail for nonmotorized uses around Trinity Lake.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—Subject to appropriations, and in accordance with paragraph (3), if the Secretary determines under paragraph (1) that the construction of the trail described in such paragraph is feasible and in the public interest, the Secretary may provide for the construction of the trail.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—The trail may be constructed under this section through the acceptance of volunteer services and contributions from non-Federal sources to reduce or eliminate the need for Federal expenditures to construct the trail.

(3) COMPLIANCE.—In carrying out this section, the Secretary shall comply with—

(A) the laws (including regulations) generally applicable to the National Forest System; and

(B) this title.

(b) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 225. TRAILS STUDY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture, in accordance with subsection (b) and in consultation with interested parties, shall conduct a study to improve motorized and nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the portions of the Six Rivers, Shasta-Trinity, and Mendocino National Forests located in Del Norte, Humboldt, Trinity, and Mendocino Counties.

(b) CONSULTATION.—In carrying out the study required by subsection (a), the Secretary of Agriculture shall consult with the Secretary of the Interior regarding opportunities to improve, through increased coordination, recreation trail opportunities on land under the jurisdiction of the Secretary of the Interior that shares a boundary with the national forest land described in subsection (a).

SEC. 226. CONSTRUCTION OF MOUNTAIN BICYCLING ROUTES.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 18 months after the date of enactment of this Act, the Secretary of Agriculture shall study the feasibility and public interest of constructing recreational trails for mountain bicycling and other nonmotorized uses on the routes as generally depicted in the report entitled ''Trail Study for Smith River National Recreation Area Six Rivers National Forest'' and dated 2016.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—Subject to appropriations, and in accordance with paragraph (3), if the Secretary determines under paragraph (1) that the construction of one or more routes described in such paragraph is feasible and in the public interest, the Secretary may provide for the construction of the routes.

(B) MODIFICATIONS.—The Secretary may modify the routes as necessary in the opinion of the Secretary.

(C) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—Routes may be constructed under this section through the acceptance of volunteer services and contributions from non-Federal sources to reduce or eliminate the need for Federal expenditures to construct the route.

(3) COMPLIANCE.—In carrying out this section, the Secretary shall comply with—

(A) the laws (including regulations) generally applicable to the National Forest System; and

(B) this title.

(b) EFFECT.—Nothing in this section affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

SEC. 227. PARTNERSHIPS.

(a) AGREEMENTS AUTHORIZED.—The Secretary is authorized to enter into agreements with qualified private and nonprofit organizations to undertake the following activities on Federal lands in Mendocino, Humboldt, Trinity, and Del Norte Counties—

(1) trail and campground maintenance;

(2) public education, visitor contacts, and outreach; and

(3) visitor center staffing.

(b) CONTENTS.—Any agreements entered into under subsection (a) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization.

(c) COMPLIANCE.—The Secretary shall enter into agreements under subsection (a) in accordance with existing law.

(d) EFFECT.—Nothing in this section—

(1) reduces or diminishes the authority of the Secretary to manage land and resources under the jurisdiction of the Secretary; or

(2) amends or modifies the application of any existing law (including regulations) applicable to land under the jurisdiction of the Secretary.

Subtitle C—Conservation

SEC. 231. DESIGNATION OF WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) BLACK BUTTE RIVER WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 11,117 acres, as generally depicted on the map entitled ''Black Butte River Wilderness—Proposed'' and dated April 13, 2017, which shall be known as the Black Butte River Wilderness.

(2) CHANCHELULLA WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 6,212 acres, as generally depicted on the map entitled ''Chanchelulla Wilderness Additions—Proposed'' and dated July 16, 2018, which is incorporated in, and considered to be a part of, the Chanchelulla Wilderness, as designated by section 101(a)(4) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1619).

(3) CHINQUAPIN WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 27,258 acres, as generally depicted on the map entitled ''Chinquapin Wilderness—Proposed'' and dated January 15, 2020, which shall be known as the Chinquapin Wilderness.

(4) ELKHORN RIDGE WILDERNESS ADDITION.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 37 acres, as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated October 24, 2019, which is incorporated in, and considered to be a part of, the Elkhorn Ridge Wilderness, as designated by section 6(d) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2070).

(5) ENGLISH RIDGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 6,204 acres, as generally depicted on the map entitled ''English Ridge Wilderness—Proposed'' and dated March 29, 2019, which shall be known as the English Ridge Wilderness.

(6) HEADWATERS FOREST WILDERNESS.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 4,360 acres, as generally depicted on the map entitled ''Headwaters Forest Wilderness—Proposed'' and dated October 15, 2019, which shall be known as the Headwaters Forest Wilderness.

(7) MAD RIVER BUTTES WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 6,002 acres, as generally depicted on the map entitled ''Mad River Buttes Wilderness—Proposed'' and dated July 25, 2018, which shall be known as the Mad River Buttes Wilderness.

(8) MOUNT LASSIC WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 1,292 acres, as generally depicted on the map entitled ''Mount Lassic Wilderness Additions—Proposed'' and dated February 23, 2017, which is incorporated in, and considered to be a part of, the Mount Lassic Wilderness, as designated by section 3(6) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065).

(9) NORTH FORK EEL WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising approximately 16,274 acres, as generally depicted on the map entitled ''North Fork Wilderness Additions'' and dated January 15, 2020, which is incorporated in, and considered to be a part of, the North Fork Eel Wilderness, as designated by section 101(a)(19) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1621).

(10) PATTISON WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 28,595 acres, as generally depicted on the map entitled ''Pattison Wilderness—Proposed'' and dated July 16, 2018, which shall be known as the Pattison Wilderness.

(11) SANHEDRIN WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 112 acres, as generally depicted on the map entitled ''Sanhedrin Wilderness Addition—Proposed'' and dated March 29, 2019, which is incorporated in, and considered to be a part of, the Sanhedrin Wilderness, as designated by section 3(2) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065).

(12) SISKIYOU WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 27,747 acres, as generally depicted on the map entitled ''Siskiyou Wilderness Additions and Potential Wildernesses—Proposed'' and dated July 24, 2018, which is incorporated in, and considered to be a part of, the Siskiyou Wilderness, as designated by section 101(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(5) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065)).

(13) SOUTH FORK EEL RIVER WILDERNESS ADDITION.—Certain Federal land managed by the Bureau of Land Management in the State, comprising approximately 603 acres, as generally depicted on the map entitled ''South Fork Eel River Wilderness Additions—Proposed'' and dated October 24, 2019, which is incorporated in, and considered to be a part of, the South Fork Eel River Wilderness, as designated by section 3(10) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2066).

(14) SOUTH FORK TRINITY RIVER WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 26,446 acres, as generally depicted on the map entitled ''South Fork Trinity River Wilderness and Potential Wildernesses—Proposed'' and dated March 11, 2019, which shall be known as the South Fork Trinity River Wilderness.

(15) TRINITY ALPS WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 60,826 acres, as generally depicted on the maps entitled ''Trinity Alps Proposed Wilderness Additions EAST'' and ''Trinity Alps Proposed Wilderness Additions WEST'' and dated January 15, 2020, which is incorporated in, and considered to be a part of, the Trinity Alps Wilderness, as designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(7) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065)).

(16) UNDERWOOD WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 15,069 acres, as generally depicted on the map entitled ''Underwood Wilderness—Proposed'' and dated January 15, 2020, which shall be known as the Underwood Wilderness.

(17) YOLLA BOLLY-MIDDLE EEL WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising approximately 10,729 acres, as generally depicted on the map entitled ''Yolla Bolly Middle Eel Wilderness Additions and Potential Wildernesses—Proposed'' and dated June 7, 2018, which is incorporated in, and considered to be a part of, the Yolla Bolly-Middle Eel Wilderness, as designated by section 3 of the Wilderness Act (16 U.S.C. 1132) (as amended by section 3(4) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065)).

(18) YUKI WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising approximately 11,076 acres, as generally depicted on the map entitled ''Yuki Wilderness Additions—Proposed'' and dated January 15, 2020, which is incorporated in, and considered to be a part of, the Yuki Wilderness, as designated by section 3(3) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065).

(b) REDESIGNATION OF NORTH FORK WILDERNESS AS NORTH FORK EEL RIVER WILDERNESS.—Section 101(a)(19) of Public Law 98–425 (16 U.S.C. 1132 note; 98 Stat. 1621) is amended by striking ''North Fork Wilderness'' and inserting ''North Fork Eel River Wilderness''. Any reference in a law, map, regulation, document, paper, or other record of the United States to the North Fork Wilderness shall be deemed to be a reference to the North Fork Eel River Wilderness.

(c) ELKHORN RIDGE WILDERNESS ADJUSTMENTS.—The boundary of the Elkhorn Ridge Wilderness established by section 6(d) of Public Law 109–362 (16 U.S.C. 1132 note) is adjusted by deleting approximately 30 acres of Federal land as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated October 24, 2019.

SEC. 232. ADMINISTRATION OF WILDERNESS.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness areas and wilderness additions established by section 231 shall be administered by the Secretary in accordance with this subtitle and the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take such measures in a wilderness area or wilderness addition designated by section 231 as are necessary for the control of fire, insects, and diseases in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—Nothing in this subtitle limits funding for fire and fuels management in the wilderness areas or wilderness additions designated by this title.

(3) ADMINISTRATION.—Consistent with paragraph (1) and other applicable Federal law, to ensure a timely and efficient response to fire emergencies in the wilderness additions designated by this subtitle, the Secretary of Agriculture shall—

(A) not later than 1 year after the date of enactment of this Act, establish agency approval procedures (including appropriate delegations of authority to the Forest Supervisor, District Manager, or other agency officials) for responding to fire emergencies; and

(B) enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in the wilderness areas and wilderness additions designated by this title, if established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2)(A) for lands under the jurisdiction of the Secretary of Agriculture, the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617); or

(B) for lands under the jurisdiction of the Secretary of the Interior, the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects the jurisdiction or responsibilities of the State with respect to fish and wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities that are necessary to maintain or restore fish, wildlife, and plant populations and habitats in the wilderness areas or wilderness additions designated by section 231, if the management activities are—

(A) consistent with relevant wilderness management plans; and

(B) conducted in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) appropriate policies, such as the policies established in Appendix B of House Report 101–405.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Congress does not intend for designation of wilderness or wilderness additions by this title to lead to the creation

of protective perimeters or buffer zones around each wilderness area or wilderness addition.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that nonwilderness activities or uses can be seen or heard from within a wilderness area shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area.

(f) MILITARY ACTIVITIES.—Nothing in this subtitle precludes—

(1) low-level overflights of military aircraft over the wilderness areas or wilderness additions designated by section 231;

(2) the designation of new units of special airspace over the wilderness areas or wilderness additions designated by section 231; or

(3) the use or establishment of military flight training routes over the wilderness areas or wilderness additions designated by section 231.

(g) HORSES.—Nothing in this subtitle precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as a wilderness area or wilderness addition by section 231—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(h) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas and wilderness additions designated by section 231 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral materials and geothermal leasing laws.

(i) USE BY MEMBERS OF INDIAN TRIBES.—

(1) ACCESS.—In recognition of the past use of wilderness areas and wilderness additions designated by this title by members of Indian Tribes for traditional cultural and religious purposes, the Secretary shall ensure that Indian Tribes have access to the wilderness areas and wilderness additions designated by section 231 for traditional cultural and religious purposes.

(2) TEMPORARY CLOSURES.—

(A) IN GENERAL.—In carrying out this section, the Secretary, on request of an Indian Tribe, may temporarily close to the general public one or more specific portions of a wilderness area or wilderness addition to protect the privacy of the members of the Indian Tribe in the conduct of the traditional cultural and religious activities in the wilderness area or wilderness addition.

(B) REQUIREMENT.—Any closure under subparagraph (A) shall be made in such a manner as to affect the smallest practicable area for the minimum period of time necessary for the activity to be carried out.

(3) APPLICABLE LAW.—Access to the wilderness areas and wilderness additions under this subsection shall be in accordance with—

(A) Public Law 95–341 (commonly known as the American Indian Religious Freedom Act) (42 U.S.C. 1996 et seq.); and

(B) the Wilderness Act (16 U.S.C. 1131 et seq.).

(j) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area or wilderness addition designated by section 231 that is acquired by the United States shall—

(1) become part of the wilderness area in which the land is located;

(2) be withdrawn in accordance with subsection (h); and

(3) be managed in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable law.

(k) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas and wilderness additions designated by section 231 if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(l) AUTHORIZED EVENTS.—The Secretary may continue to authorize the competitive equestrian event permitted since 2012 in the Chinquapin Wilderness established by section 231 in a manner compatible with the preservation of the area as wilderness.

(m) RECREATIONAL CLIMBING.—Nothing in this title prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

SEC. 233. DESIGNATION OF POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as potential wilderness areas:

(1) Certain Federal land managed by the Forest Service, comprising approximately 3,797 acres, as generally depicted on the map entitled ''Chinquapin Proposed Potential Wilderness'' and dated January 15, 2020.

(2) Certain Federal land administered by the National Park Service, compromising approximately 31,000 acres, as generally depicted on the map entitled ''Redwood National Park—Potential Wilderness'' and dated October 9, 2019.

(3) Certain Federal land managed by the Forest Service, comprising approximately 8,961 acres, as generally depicted on the map entitled ''Siskiyou Wilderness Additions and Potential Wildernesses—Proposed'' and dated July 24, 2018.

(4) Certain Federal land managed by the Forest Service, comprising approximately 405 acres, as generally depicted on the map entitled ''South Fork Trinity River Wilderness and Potential Wildernesses—Proposed'' and dated March 11, 2019.

(5) Certain Federal land managed by the Forest Service, comprising approximately 1,256 acres, as generally depicted on the map entitled ''Trinity Alps Proposed Potential Wilderness'' and dated January 15, 2020.

(6) Certain Federal land managed by the Forest Service, comprising approximately 4,282 acres, as generally depicted on the map entitled ''Yolla Bolly Middle Eel Wilderness Additions and Potential Wildernesses—Proposed'' and dated June 7, 2018.

(7) Certain Federal land managed by the Forest Service, comprising approximately 2,909 acres, as generally depicted on the map entitled ''Yuki Proposed Potential Wilderness'' and dated January 15, 2020.

(b) MANAGEMENT.—Except as provided in subsection (c) and subject to valid existing rights, the Secretary shall manage the potential wilderness areas designated by subsection (a) (referred to in this section as ''potential wilderness areas'') as wilderness until the potential wilderness areas are designated as wilderness under subsection (d).

(c) ECOLOGICAL RESTORATION.—

(1) IN GENERAL.—For purposes of ecological restoration (including the elimination of nonnative species, removal of illegal, unused, or decommissioned roads, repair of skid tracks, and any other activities necessary to restore the natural ecosystems in a potential wilderness area and consistent with paragraph (2)), the Secretary may use motorized equipment and mechanized transport in a potential wilderness area until the potential wilderness area is designated as wilderness under subsection (d).

(2) LIMITATION.—To the maximum extent practicable, the Secretary shall use the minimum tool or administrative practice necessary to accomplish ecological restoration with the least amount of adverse impact on wilderness character and resources.

(d) EVENTUAL WILDERNESS DESIGNATION.—The potential wilderness areas shall be designated as wilderness and as a component of the National Wilderness Preservation System on the earlier of—

(1) the date on which the Secretary publishes in the Federal Register notice that the conditions in a potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed; or

(2) the date that is 10 years after the date of enactment of this Act for potential wilderness areas located on lands managed by the Forest Service.

(e) ADMINISTRATION AS WILDERNESS.—

(1) IN GENERAL.—On its designation as wilderness under subsection (d), a potential wilderness area shall be administered in accordance with section 232 and the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) DESIGNATION.—On its designation as wilderness under subsection (d)—

(A) the land described in subsection (a)(1) shall be incorporated in, and considered to be a part of, the Chinquapin Wilderness established by section 231(a)(3);

(B) the land described in subsection (a)(3) shall be incorporated in, and considered to be a part of, the Siskiyou Wilderness as designated by section 231(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(5) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(12));

(C) the land described in subsection (a)(4) shall be incorporated in, and considered to be a part of, the South Fork Trinity River Wilderness established by section 231(a)(14);

(D) the land described in subsection (a)(5) shall be incorporated in, and considered to be a part of, the Trinity Alps Wilderness as designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623) (as amended by section 3(7) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(15));

(E) the land described in subsection (a)(6) shall be incorporated in, and considered to be a part of, the Yolla Bolly-Middle Eel Wilderness as designated by section 3 of the Wilderness Act (16 U.S.C. 1132) (as amended by section 3(4) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(17)); and

(F) the land described in subsection (a)(7) shall be incorporated in, and considered to be a part of, the Yuki Wilderness as designated by section 3(3) of Public Law 109–362 (16 U.S.C. 1132 note; 120 Stat. 2065) and expanded by section 231(a)(18).

(f) REPORT.—Within 3 years after the date of enactment of this Act, and every 3 years thereafter until the date upon which the potential wilderness is designated wilderness under subsection (d), the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of ecological restoration within the potential wilderness area and the progress toward the potential wilderness area's eventual wilderness designation under subsection (d).

SEC. 234. DESIGNATION OF WILD AND SCENIC RIVERS.

Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) SOUTH FORK TRINITY RIVER.—The following segments from the source tributaries in the Yolla Bolly-Middle Eel Wilderness, to be administered by the Secretary of Agriculture:

''(A) The 18.3-mile segment from its multiple source springs in the Cedar Basin of the Yolla Bolly-Middle Eel Wilderness in section 15, T. 27 N., R. 10 W. to .25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The .65-mile segment from .25 miles upstream of Wild Mad Road to the confluence with the unnamed tributary approximately .4 miles downstream of the Wild Mad Road in section 29, T. 28 N., R. 11 W., as a scenic river.

''(C) The 9.8-mile segment from .75 miles downstream of Wild Mad Road to Silver Creek, as a wild river.

''(D) The 5.4-mile segment from Silver Creek confluence to Farley Creek, as a scenic river.

''(E) The 3.6-mile segment from Farley Creek to Cave Creek, as a recreational river.

''(F) The 5.6-mile segment from Cave Creek to the confluence of the unnamed creek upstream of Hidden Valley Ranch in section 5, T. 15, R. 7 E., as a wild river.

''(G) The 2.5-mile segment from unnamed creek confluence upstream of Hidden Valley Ranch to the confluence with the unnamed creek flowing west from Bear Wallow Mountain in section 29, T. 1 N., R. 7 E., as a scenic river.

''(H) The 3.8-mile segment from the unnamed creek confluence in section 29, T. 1 N., R. 7 E. to Plummer Creek, as a wild river.

''(I) The 1.8-mile segment from Plummer Creek to the confluence with the unnamed tributary north of McClellan Place in section 6, T. 1 N., R. 7 E., as a scenic river.

''(J) The 5.4-mile segment from the unnamed tributary confluence in section 6, T. 1 N., R. 7 E. to Hitchcock Creek, as a wild river.

''(K) The 7-mile segment from Eltapom Creek to the Grouse Creek, as a scenic river.

''(L) The 5-mile segment from Grouse Creek to Coon Creek, as a wild river.

''(232) EAST FORK SOUTH FORK TRINITY RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 8.4-mile segment from its source in the Pettijohn Basin in the Yolla Bolly-Middle Eel Wilderness in section 10, T. 3 S., R. 10 W. to .25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The 3.4-mile segment from .25 miles upstream of the Wild Mad Road to the South Fork Trinity River, as a recreational river.

''(233) RATTLESNAKE CREEK.—The 5.9-mile segment from the confluence with the unnamed tributary in the southeast corner of section 5, T. 1 S., R. 12 W. to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a recreational river.

''(234) BUTTER CREEK.—The 7-mile segment from .25 miles downstream of the Road 3N08 crossing to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a scenic river.

''(235) HAYFORK CREEK.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 3.2-mile segment from Little Creek to Bear Creek, as a recreational river.

''(B) The 13.2-mile segment from Bear Creek to the northern boundary of section 19, T. 3 N., R. 7 E., as a scenic river.

''(236) OLSEN CREEK.—The 2.8-mile segment from the confluence of its source tributaries in section 5, T. 3 N., R. 7 E. to the northern boundary of section 24, T. 3 N., R. 6 E., to be administered by the Secretary of the Interior as a scenic river.

''(237) RUSCH CREEK.—The 3.2-mile segment from .25 miles downstream of the 32N11 Road crossing to Hayfork Creek, to be administered by the Secretary of Agriculture as a recreational river.

''(238) ELTAPOM CREEK.—The 3.4-mile segment from Buckhorn Creek to the South Fork Trinity River, to be administered by the Secretary of Agriculture as a wild river.

''(239) GROUSE CREEK.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 3.9-mile segment from Carson Creek to Cow Creek, as a scenic river.

''(B) The 7.4-mile segment from Cow Creek to the South Fork Trinity River, as a recreational river.

''(240) MADDEN CREEK.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 6.8-mile segment from the confluence of Madden Creek and its unnamed tributary in section 18, T. 5 N., R. 5 E. to Fourmile Creek, as a wild river.

''(B) The 1.6-mile segment from Fourmile Creek to the South Fork Trinity River, as a recreational river.

''(241) CANYON CREEK.—The following segments to be administered by the Secretary of Agriculture and the Secretary of the Interior:

''(A) The 6.6-mile segment from the outlet of lower Canyon Creek Lake to Bear Creek upstream of Ripstein, as a wild river.

''(B) The 11.2-mile segment from Bear Creek upstream of Ripstein to the southern boundary of section 25, T. 34 N., R. 11 W., as a recreational river.

''(242) NORTH FORK TRINITY RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 12-mile segment from the confluence of source tributaries in section 24, T. 8 N., R. 12 W. to the Trinity Alps Wilderness boundary upstream of Hobo Gulch, as a wild river.

''(B) The .5-mile segment from where the river leaves the Trinity Alps Wilderness to where it fully reenters the Trinity Alps Wilderness downstream of Hobo Gulch, as a scenic river.

''(C) The 13.9-mile segment from where the river fully reenters the Trinity Alps Wilderness downstream of Hobo Gulch to the Trinity Alps Wilderness boundary upstream of the County Road 421 crossing, as a wild river.

''(D) The 1.3-mile segment from the Trinity Alps Wilderness boundary upstream of the County Road 421 crossing to the Trinity River, as a recreational river.

''(243) EAST FORK NORTH FORK TRINITY RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 9.5-mile segment from the river's source north of Mt. Hilton in section 19, T. 36 N., R. 10 W. to the end of Road 35N20 approximately .5 miles downstream of the confluence with the East Branch East Fork North Fork Trinity River, as a wild river.

''(B) The 3.25-mile segment from the end of Road 35N20 to .25 miles upstream of Coleridge, as a scenic river.

''(C) The 4.6-mile segment from .25 miles upstream of Coleridge to the confluence of Fox Gulch, as a recreational river.

''(244) NEW RIVER.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 12.7-mile segment of Virgin Creek from its source spring in section 22, T. 9 N., R. 7 E. to Slide Creek, as a wild river.

''(B) The 2.3-mile segment of the New River where it begins at the confluence of Virgin and Slide Creeks to Barron Creek, as a wild river.

''(245) MIDDLE EEL RIVER.—The following segment, to be administered by the Secretary of Agriculture:

''(A) The 37.7-mile segment from its source in Frying Pan Meadow to Rose Creek, as a wild river.

''(B) The 1.5-mile segment from Rose Creek to the Black Butte River, as a recreational river.

''(C) The 10.5-mile segment of Balm of Gilead Creek from its source in Hopkins Hollow to the Middle Eel River, as a wild river.

''(D) The 13-mile segment of the North Fork Middle Fork Eel River from the source on Dead Puppy Ridge in section 11, T. 26 N., R. 11 W. to the confluence of the Middle Eel River, as a wild river.

''(246) NORTH FORK EEL RIVER, CA.—The 14.3-mile segment from the confluence with Gilman Creek to the Six Rivers National Forest boundary, to be administered by the Secretary of Agriculture as a wild river.

''(247) RED MOUNTAIN CREEK, CA.—The following segments to be administered by the Secretary of Agriculture:

''(A) The 5.25-mile segment from its source west of Mike's Rock in section 23, T. 26 N., R. 12 E. to the confluence with Littlefield Creek, as a wild river.

''(B) The 1.6-mile segment from the confluence with Littlefield Creek to the confluence with the unnamed tributary in section 32, T. 26 N., R. 8 E., as a scenic river.

''(C) The 1.25-mile segment from the confluence with the unnamed tributary in section 32, T. 4 S., R. 8 E. to the confluence with the North Fork Eel River, as a wild river.

''(248) REDWOOD CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 6.2-mile segment from the confluence with Lacks Creek to the confluence with Coyote Creek as a scenic river on publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the boundaries of the segments have been acquired in fee title to establish a manageable addition to the system.

''(B) The 19.1-mile segment from the confluence with Coyote Creek in section 2, T. 8 N., R. 2 E. to the Redwood National Park boundary upstream of Orick in section 34, T. 11 N., R. 1 E. as a scenic river.

''(C) The 2.3-mile segment of Emerald Creek (also known as Harry Weir Creek) from its source in section 29, T. 10 N., R. 2 E. to the confluence with Redwood Creek as a scenic river.

''(249) LACKS CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 5.1-mile segment from the confluence with two unnamed tributaries in section 14, T. 7 N., R. 3 E. to Kings Crossing in section 27, T. 8 N., R. 3 E. as a wild river.

''(B) The 2.7-mile segment from Kings Crossing to the confluence with Redwood Creek as a scenic river upon publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the segment have been acquired in fee title or as scenic easements to establish a manageable addition to the system.

''(250) LOST MAN CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 6.4-mile segment of Lost Man Creek from its source in section 5, T. 10 N., R. 2 E. to .25 miles upstream of the Prairie Creek confluence, as a recreational river.

''(B) The 2.3-mile segment of Larry Damm Creek from its source in section 8, T. 11 N., R. 2 E. to the confluence with Lost Man Creek, as a recreational river.

''(251) LITTLE LOST MAN CREEK.—The 3.6-mile segment of Little Lost Man Creek from its source in section 6, T. 10 N., R. 2 E. to .25 miles upstream of the Lost Man Creek road

crossing, to be administered by the Secretary of the Interior as a wild river.

''(252) SOUTH FORK ELK RIVER.—The following segments to be administered by the Secretary of the Interior through a cooperative management agreement with the State of California:

''(A) The 3.6-mile segment of the Little South Fork Elk River from the source in section 21, T. 3 N., R. 1 E. to the confluence with the South Fork Elk River, as a wild river.

''(B) The 2.2-mile segment of the unnamed tributary of the Little South Fork Elk River from its source in section 15, T. 3 N., R. 1 E. to the confluence with the Little South Fork Elk River, as a wild river.

''(C) The 3.6-mile segment of the South Fork Elk River from the confluence of the Little South Fork Elk River to the confluence with Tom Gulch, as a recreational river.

''(253) SALMON CREEK.—The 4.6-mile segment from its source in section 27, T. 3 N., R. 1 E. to the Headwaters Forest Reserve boundary in section 18, T. 3 N., R. 1 E. to be administered by the Secretary of the Interior as a wild river through a cooperative management agreement with the State of California.

''(254) SOUTH FORK EEL RIVER.—The following segments to be administered by the Secretary of the Interior:

''(A) The 6.2-mile segment from the confluence with Jack of Hearts Creek to the southern boundary of the South Fork Eel Wilderness in section 8, T. 22 N., R. 16 W., as a recreational river to be administered by the Secretary through a cooperative management agreement with the State of California.

''(B) The 6.1-mile segment from the southern boundary of the South Fork Eel Wilderness to the northern boundary of the South Fork Eel Wilderness in section 29, T. 23 N., R. 16 W., as a wild river.

''(255) ELDER CREEK.—The following segments to be administered by the Secretary of the Interior through a cooperative management agreement with the State of California:

''(A) The 3.6-mile segment from its source north of Signal Peak in section 6, T. 21 N., R. 15 W. to the confluence with the unnamed tributary near the center of section 28, T. 22 N., R. 16 W., as a wild river.

''(B) The 1.3-mile segment from the confluence with the unnamed tributary near the center of section 28, T. 22 N., R. 15 W. to the confluence with the South Fork Eel River, as a recreational river.

''(C) The 2.1-mile segment of Paralyze Canyon from its source south of Signal Peak in section 7, T. 21 N., R. 15 W. to the confluence with Elder Creek, as a wild river.

''(256) CEDAR CREEK.—The following segments to be administered as a wild river by the Secretary of the Interior:

''(A) The 7.7-mile segment from its source in section 22, T. 24 N., R. 16 W. to the southern boundary of the Red Mountain unit of the South Fork Eel Wilderness.

''(B) The 1.9-mile segment of North Fork Cedar Creek from its source in section 28, T. 24 N., R. 16 E. to the confluence with Cedar Creek.

''(257) EAST BRANCH SOUTH FORK EEL RIVER.—The following segments to be administered by the Secretary of the Interior as a scenic river on publication by the Secretary of a notice in the Federal Register that sufficient inholdings within the boundaries of the segments have been acquired in fee title or as scenic easements to establish a manageable addition to the system:

''(A) The 2.3-mile segment of Cruso Cabin Creek from the confluence of two unnamed tributaries in section 18, T. 24 N., R. 15 W. to the confluence with Elkhorn Creek.

''(B) The 1.8-mile segment of Elkhorn Creek from the confluence of two unnamed tributaries in section 22, T. 24 N., R. 16 W. to the confluence with Cruso Cabin Creek.

''(C) The 14.2-mile segment of the East Branch South Fork Eel River from the confluence of Cruso Cabin and Elkhorn Creeks to the confluence with Rays Creek.

''(D) The 1.7-mile segment of the unnamed tributary from its source on the north flank of Red Mountain's north ridge in section 2, T. 24 N., R. 17 W. to the confluence with the East Branch South Fork Eel River.

''(E) The 1.3-mile segment of the unnamed tributary from its source on the north flank of Red Mountain's north ridge in section 1, T. 24 N., R. 17 W. to the confluence with the East Branch South Fork Eel River.

''(F) The 1.8-mile segment of Tom Long Creek from the confluence with the unnamed tributary in section 12, T. 5 S., R. 4 E. to the confluence with the East Branch South Fork Eel River.

''(258) MATTOLE RIVER ESTUARY.—The 1.5-mile segment from the confluence of Stansberry Creek to the Pacific Ocean, to be administered as a recreational river by the Secretary of the Interior.

''(259) HONEYDEW CREEK.—The following segments to be administered as a wild river by the Secretary of the Interior:

''(A) The 5.1-mile segment of Honeydew Creek from its source in the southwest corner of section 25, T. 3 S., R. 1 W. to the eastern boundary of the King Range National Conservation Area in section 18, T. 3 S., R. 1 E.

''(B) The 2.8-mile segment of West Fork Honeydew Creek from its source west of North Slide Peak to the confluence with Honeydew Creek.

''(C) The 2.7-mile segment of Upper East Fork Honeydew Creek from its source in section 23, T. 3 S., R. 1 W. to the confluence with Honeydew Creek.

''(260) BEAR CREEK.—The following segments to be administered by the Secretary of the Interior:

''(A) The 1.9-mile segment of North Fork Bear Creek from the confluence with the unnamed tributary immediately downstream of the Horse Mountain Road crossing to the confluence with the South Fork, as a scenic river.

''(B) The 6.1-mile segment of South Fork Bear Creek from the confluence in section 2, T. 5 S., R. 1 W. with the unnamed tributary flowing from the southwest flank of Queen Peak to the confluence with the North Fork, as a scenic river.

''(C) The 3-mile segment of Bear Creek from the confluence of the North and South Forks to the southern boundary of section 11, T. 4 S., R. 1 E., as a wild river.

''(261) GITCHELL CREEK.—The 3-mile segment of Gitchell Creek from its source near Saddle Mountain to the Pacific Ocean to be administered by the Secretary of the Interior as a wild river.

''(262) BIG FLAT CREEK.—The following segments to be administered by the Secretary of the Interior as a wild river:

''(A) The 4-mile segment of Big Flat Creek from its source near King Peak in section 36, T. 3 S., R. 1 W. to the Pacific Ocean.

''(B) The .8-mile segment of the unnamed tributary from its source in section 35, T. 3 S., R. 1 W. to the confluence with Big Flat Creek.

''(C) The 2.7-mile segment of North Fork Big Flat Creek from the source in section 34, T. 3 S., R. 1 W. to the confluence with Big Flat Creek.

''(263) BIG CREEK.—The following segments to be administered by the Secretary of the Interior as wild rivers:

''(A) The 2.7-mile segment of Big Creek from its source in section 26, T. 3 S., R. 1 W. to the Pacific Ocean.

''(B) The 1.9-mile unnamed southern tributary from its source in section 25, T. 3 S., R. 1 W. to the confluence with Big Creek.

''(264) ELK CREEK.—The 11.4-mile segment from its confluence with Lookout Creek to its confluence with Deep Hole Creek, to be jointly administered by the Secretaries of Agriculture and the Interior, as a wild river.

''(265) EDEN CREEK.—The 2.7-mile segment from the private property boundary in the northwest quarter of section 27, T. 21 N., R. 12 W. to the eastern boundary of section 23, T. 21 N., R. 12 W., to be administered by the Secretary of the Interior as a wild river.

''(266) DEEP HOLE CREEK.—The 4.3-mile segment from the private property boundary in the southwest quarter of section 13, T. 20 N., R. 12 W. to the confluence with Elk Creek, to be administered by the Secretary of the Interior as a wild river.

''(267) INDIAN CREEK.—The 3.3-mile segment from 300 feet downstream of the jeep trail in section 13, T. 20 N., R. 13 W. to the confluence with the Eel River, to be administered by the Secretary of the Interior as a wild river.

''(268) FISH CREEK.—The 4.2-mile segment from the source at Buckhorn Spring to the confluence with the Eel River, to be administered by the Secretary of the Interior as a wild river.''.

SEC. 235. SANHEDRIN SPECIAL CONSERVATION MANAGEMENT AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, there is established the Sanhedrin Special Conservation Management Area (referred to in this section as the ''conservation management area''), comprising approximately 14,177 acres of Federal land administered by the Forest Service in Mendocino County, California, as generally depicted on the map entitled ''Sanhedrin Special Conservation Management Area—Proposed'' and dated April 12, 2017.

(b) PURPOSES.—The purposes of the conservation management area are to—

(1) conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, roadless, cultural, historical, natural, educational, and scientific resources of the conservation management area;

(2) protect and restore late-successional forest structure, oak woodlands and grasslands, aquatic habitat, and anadromous fisheries within the conservation management area;

(3) protect and restore the wilderness character of the conservation management area; and

(4) allow visitors to enjoy the scenic, natural, cultural, and wildlife values of the conservation management area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the conservation management area—

(A) in a manner consistent with the purposes described in subsection (b); and

(B) in accordance with—

(i) the laws (including regulations) generally applicable to the National Forest System;

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) USES.—The Secretary shall only allow uses of the conservation management area that the Secretary determines would further the purposes described in subsection (b).

(d) MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except as provided in paragraph (3), the use of motorized vehicles in the conservation management area shall be permitted only on existing roads, trails,

and areas designated for use by such vehicles as of the date of enactment of this Act.

(2) NEW OR TEMPORARY ROADS.—Except as provided in paragraph (3), no new or temporary roads shall be constructed within the conservation management area.

(3) EXCEPTION.—Nothing in paragraph (1) or (2) prevents the Secretary from—

(A) rerouting or closing an existing road or trail to protect natural resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary;

(B) designating routes of travel on lands acquired by the Secretary and incorporated into the conservation management area if the designations are—

(i) consistent with the purposes described in subsection (b); and

(ii) completed, to the maximum extent practicable, within 3 years of the date of acquisition;

(C) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project carried out in accordance with subsection (e);

(D) authorizing the use of motorized vehicles for administrative purposes; or

(E) responding to an emergency.

(4) DECOMMISSIONING OF TEMPORARY ROADS.—

(A) REQUIREMENT.—The Secretary shall decommission any temporary road constructed under paragraph (3)(C) not later than 3 years after the date on which the applicable vegetation management project is completed.

(B) DEFINITION.—As used in subparagraph (A), the term ''decommission'' means—

(i) to reestablish vegetation on a road; and

(ii) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(e) TIMBER HARVEST.—

(1) IN GENERAL.—Except as provided in paragraph (2), no harvesting of timber shall be allowed within the conservation management area.

(2) EXCEPTIONS.—The Secretary may authorize harvesting of timber in the conservation management area—

(A) if the Secretary determines that the harvesting is necessary to further the purposes of the conservation management area;

(B) in a manner consistent with the purposes described in subsection (b); and

(C) subject to—

(i) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(ii) all applicable laws (including regulations).

(f) GRAZING.—The grazing of livestock in the conservation management area, where established before the date of enactment of this Act, shall be permitted to continue—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(B) applicable law (including regulations); and

(2) in a manner consistent with the purposes described in subsection (b).

(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—Consistent with this section, the Secretary may take any measures within the conservation management area that the Secretary determines to be necessary to control fire, insects, and diseases, including the coordination of those activities with a State or local agency.

(h) ACQUISITION AND INCORPORATION OF LAND AND INTERESTS IN LAND.—

(1) ACQUISITION AUTHORITY.—In accordance with applicable laws (including regulations), the Secretary may acquire any land or interest in land within or adjacent to the boundaries of the conservation management area by purchase from willing sellers, donation, or exchange.

(2) INCORPORATION.—Any land or interest in land acquired by the Secretary under paragraph (1) shall be—

(A) incorporated into, and administered as part of, the conservation management area; and

(B) withdrawn in accordance with subsection (i).

(i) WITHDRAWAL.—Subject to valid existing rights, all Federal land located in the conservation management area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patenting under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Subtitle D—Miscellaneous

SEC. 241. MAPS AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the—

(1) wilderness areas and wilderness additions designated by section 231;

(2) potential wilderness areas designated by section 233;

(3) South Fork Trinity-Mad River Restoration Area;

(4) Horse Mountain Special Management Area; and

(5) Sanhedrin Special Conservation Management Area.

(b) SUBMISSION OF MAPS AND LEGAL DESCRIPTIONS.—The Secretary shall file the maps and legal descriptions prepared under subsection (a) with—

(1) the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

(c) FORCE OF LAW.—The maps and legal descriptions prepared under subsection (a) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the maps and legal descriptions.

(d) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subsection (a) shall be on file and available for public inspection in the appropriate offices of the Forest Service, Bureau of Land Management, and National Park Service.

SEC. 242. UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.

As soon as practicable, in accordance with applicable laws (including regulations), the Secretary shall incorporate the designations and studies required by this title into updated management plans for units covered by this title.

SEC. 243. PACIFIC GAS AND ELECTRIC COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.

(a) EFFECT OF ACT.—Nothing in this title—

(1) affects any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized activity (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way acquired by or issued, granted, or permitted to Pacific Gas and Electric Company (including any predecessor or successor in interest or assign) that is located on land included in the South Fork Trinity—Mad River Restoration Area, Bigfoot National Recreation Trail, Sanhedrin Special Conservation Management Area, and Horse Mountain Special Management Area; or

(2) prohibits the upgrading or replacement of any—

(A) utility facilities of the Pacific Gas and Electric Company, including those utility facilities known on the date of enactment of this Act within the—

(i) South Fork Trinity—Mad River Restoration Area known as—

(I) Gas Transmission Line 177A or rights-of-way;

(II) Gas Transmission Line DFM 1312–02 or rights-of-way;

(III) Electric Transmission Line Bridgeville—Cottonwood 115 kV or rights-of-way;

(IV) Electric Transmission Line Humboldt—Trinity 60 kV or rights-of-way;

(V) Electric Transmission Line Humboldt—Trinity 115 kV or rights-of-way;

(VI) Electric Transmission Line Maple Creek—Hoopa 60 kV or rights-of-way;

(VII) Electric Distribution Line—Willow Creek 1101 12 kV or rights-of-way;

(VIII) Electric Distribution Line—Willow Creek 1103 12 kV or rights-of-way;

(IX) Electric Distribution Line—Low Gap 1101 12 kV or rights-of-way;

(X) Electric Distribution Line—Fort Seward 1121 12 kV or rights-of-way;

(XI) Forest Glen Border District Regulator Station or rights-of-way;

(XII) Durret District Gas Regulator Station or rights-of-way;

(XIII) Gas Distribution Line 4269C or rights-of-way;

(XIV) Gas Distribution Line 43991 or rights-of-way;

(XV) Gas Distribution Line 4993D or rights-of-way;

(XVI) Sportsmans Club District Gas Regulator Station or rights-of-way;

(XVII) Highway 36 and Zenia District Gas Regulator Station or rights-of-way;

(XVIII) Dinsmore Lodge 2nd Stage Gas Regulator Station or rights-of-way;

(XIX) Electric Distribution Line—Wildwood 1101 12kV or rights-of-way;

(XX) Low Gap Substation;

(XXI) Hyampom Switching Station; or

(XXII) Wildwood Substation;

(ii) Bigfoot National Recreation Trail known as—

(I) Gas Transmission Line 177A or rights-of-way;

(II) Electric Transmission Line Humboldt—Trinity 115 kV or rights-of-way;

(III) Electric Transmission Line Bridgeville—Cottonwood 115 kV or rights-of-way; or

(IV) Electric Transmission Line Humboldt—Trinity 60 kV or rights-of-way;

(iii) Sanhedrin Special Conservation Management Area known as, Electric Distribution Line—Willits 1103 12 kV or rights-of-way; or

(iv) Horse Mountain Special Management Area known as, Electric Distribution Line Willow Creek 1101 12 kV or rights-of-way; or

(B) utility facilities of the Pacific Gas and Electric Company in rights-of-way issued, granted, or permitted by the Secretary adjacent to a utility facility referred to in paragraph (1).

(b) PLANS FOR ACCESS.—Not later than 1 year after the date of enactment of this subtitle or the issuance of a new utility facility right-of-way within the South Fork Trinity—Mad River Restoration Area, Bigfoot National Recreation Trail, Sanhedrin Special Conservation Management Area, and Horse Mountain Special Management Area, whichever is later, the Secretary, in consultation with the Pacific Gas and Electric Company, shall publish plans for regular and emergency access by the Pacific Gas and Electric Company to the rights-of-way of the Pacific Gas and Electric Company.

TITLE LXXIII—CENTRAL COAST HERITAGE PROTECTION

SEC. 301. SHORT TITLE.

This title may be cited as the ''Central Coast Heritage Protection Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) SCENIC AREAS.—The term ''scenic area'' means a scenic area designated by section 308(a).

(2) SECRETARY.—The term ''Secretary'' means—

(A) with respect to land managed by the Bureau of Land Management, the Secretary of the Interior; and

(B) with respect to land managed by the Forest Service, the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of California.

(4) WILDERNESS AREA.—The term ''wilderness area'' means a wilderness area or wilderness addition designated by section 303(a).

SEC. 303. DESIGNATION OF WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 35,116 acres, as generally depicted on the map entitled ''Proposed Caliente Mountain Wilderness'' and dated November 13, 2019, which shall be known as the ''Caliente Mountain Wilderness''.

(2) Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 13,332 acres, as generally depicted on the map entitled ''Proposed Soda Lake Wilderness'' and dated June 25, 2019, which shall be known as the ''Soda Lake Wilderness''.

(3) Certain land in the Bakersfield Field Office of the Bureau of Land Management comprising approximately 12,585 acres, as generally depicted on the map entitled ''Proposed Temblor Range Wilderness'' and dated June 25, 2019, which shall be known as the ''Temblor Range Wilderness''.

(4) Certain land in the Los Padres National Forest comprising approximately 23,670 acres, as generally depicted on the map entitled ''Chumash Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Chumash Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(5) Certain land in the Los Padres National Forest comprising approximately 54,036 acres, as generally depicted on the maps entitled ''Dick Smith Wilderness Area Additions—Proposed Map 1 of 2 (Bear Canyon and Cuyama Peak Units)'' and ''Dick Smith Wilderness Area Additions—Proposed Map 2 of 2 (Buckhorn and Mono Units)'' and dated November 14, 2019, which shall be incorporated into and managed as part of the Dick Smith Wilderness as designated by the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note).

(6) Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 7,289 acres, as generally depicted on the map entitled ''Garcia Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Garcia Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(7) Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 8,774 acres, as generally depicted on the map entitled ''Machesna Mountain Wilderness—Proposed Additions'' and dated October 30, 2019, which shall be incorporated into and managed as part of the Machesna Mountain Wilderness as designated by the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note).

(8) Certain land in the Los Padres National Forest comprising approximately 30,184 acres, as generally depicted on the map entitled ''Matilija Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Matilija Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(9) Certain land in the Los Padres National Forest comprising approximately 23,969 acres, as generally depicted on the map entitled ''San Rafael Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the San Rafael Wilderness as designated by Public Law 90–271 (82 Stat. 51), the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note), and the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(10) Certain land in the Los Padres National Forest comprising approximately 2,921 acres, as generally depicted on the map entitled ''Santa Lucia Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Santa Lucia Wilderness as designated by the Endangered American Wilderness Act of 1978 (Public Law 95–237; 16 U.S.C. 1132 note).

(11) Certain land in the Los Padres National Forest comprising approximately 14,313 acres, as generally depicted on the map entitled ''Sespe Wilderness Area Additions—Proposed'' and dated March 29, 2019, which shall be incorporated into and managed as part of the Sespe Wilderness as designated by the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242).

(12) Certain land in the Los Padres National Forest comprising approximately 17,870 acres, as generally depicted on the map entitled ''Diablo Caliente Wilderness Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Diablo Caliente Wilderness''.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of the wilderness areas with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

SEC. 304. DESIGNATION OF THE MACHESNA MOUNTAIN POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the Los Padres National Forest comprising approximately 2,359 acres, as generally depicted on the map entitled ''Machesna Mountain Potential Wilderness'' and dated March 29, 2019, is designated as the Machesna Mountain Potential Wilderness Area.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Machesna Mountain Potential Wilderness Area (referred to in this section as the ''potential wilderness area'') with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) MANAGEMENT.—Except as provided in subsection (d) and subject to valid existing rights, the Secretary shall manage the potential wilderness area in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) TRAIL USE, CONSTRUCTION, RECONSTRUCTION, AND REALIGNMENT.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary may reconstruct, realign, or reroute the Pine Mountain Trail.

(2) REQUIREMENT.—In carrying out the reconstruction, realignment, or rerouting under paragraph (1), the Secretary shall—

(A) comply with all existing laws (including regulations); and

(B) to the maximum extent practicable, use the minimum tool or administrative practice necessary to accomplish the reconstruction, realignment, or rerouting with the least amount of adverse impact on wilderness character and resources.

(3) MOTORIZED VEHICLES AND MACHINERY.—In accordance with paragraph (2), the Secretary may use motorized vehicles and machinery to carry out the trail reconstruction, realignment, or rerouting authorized by this subsection.

(4) MOTORIZED AND MECHANIZED VEHICLES.—The Secretary may permit the use of motorized and mechanized vehicles on the existing Pine Mountain Trail in accordance with existing law (including regulations) and this subsection until such date as the potential wilderness area is designated as wilderness in accordance with subsection (h).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the potential wilderness area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into cooperative agreements with State, Tribal, and local governmental entities and private entities to complete the trail reconstruction, realignment, or rerouting authorized by subsection (d).

(g) BOUNDARIES.—The Secretary shall modify the boundary of the potential wilderness area to exclude any area within 150 feet of the centerline of the new location of any trail that has been reconstructed, realigned, or rerouted under subsection (d).

(h) WILDERNESS DESIGNATION.—

(1) IN GENERAL.—The potential wilderness area, as modified under subsection (g), shall be designated as wilderness and as a component of the National Wilderness Preservation System on the earlier of—

(A) the date on which the Secretary publishes in the Federal Register notice that the trail reconstruction, realignment, or rerouting authorized by subsection (d) has been completed; or

(B) the date that is 20 years after the date of enactment of this Act.

(2) ADMINISTRATION OF WILDERNESS.—On designation as wilderness under this section, the potential wilderness area shall be—

(A) incorporated into the Machesna Mountain Wilderness Area, as designated by the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note) and expanded by section 303; and

(B) administered in accordance with section 305 and the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 305. ADMINISTRATION OF WILDERNESS.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the wilderness area.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take any measures in a wilderness area as are necessary for the control of fire, insects, and diseases in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—Nothing in this title limits funding for fire and fuels management in the wilderness areas.

(3) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of enactment of this Act, the Secretary shall amend the local information in the Fire Management Reference System or individual operational plans that apply to the land designated as a wilderness area.

(4) ADMINISTRATION.—Consistent with paragraph (1) and other applicable Federal law, to ensure a timely and efficient response to fire emergencies in the wilderness areas, the Secretary shall enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in the wilderness areas, if established before the date of enactment of this Act, shall be permitted to continue, subject to any reasonable regulations as the Secretary considers necessary in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4));

(2) the guidelines set forth in Appendix A of House Report 101–405, accompanying H.R. 2570 of the 101st Congress for land under the jurisdiction of the Secretary of the Interior;

(3) the guidelines set forth in House Report 96–617, accompanying H.R. 5487 of the 96th Congress for land under the jurisdiction of the Secretary of Agriculture; and

(4) all other laws governing livestock grazing on Federal public land.

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects the jurisdiction or responsibilities of the State with respect to fish and wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities that are necessary to maintain or restore fish and wildlife populations and habitats in the wilderness areas, if the management activities are—

(A) consistent with relevant wilderness management plans;

(B) conducted in accordance with appropriate policies, such as the policies established in Appendix B of House Report 101–405; and

(C) in accordance with memoranda of understanding between the Federal agencies and the State Department of Fish and Wildlife.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Congress does not intend for the designation of wilderness areas by this title to lead to the creation of protective perimeters or buffer zones around each wilderness area.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that nonwilderness activities or uses can be seen or heard from within a wilderness area shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area.

(f) MILITARY ACTIVITIES.—Nothing in this title precludes—

(1) low-level overflights of military aircraft over the wilderness areas;

(2) the designation of new units of special airspace over the wilderness areas; or

(3) the use or establishment of military flight training routes over wilderness areas.

(g) HORSES.—Nothing in this title precludes horseback riding in, or the entry of recreational saddle or pack stock into, a wilderness area—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(h) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(i) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area that is acquired by the United States shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with—

(A) this section;

(B) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(C) any other applicable law.

(j) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

SEC. 306. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) INDIAN CREEK, MONO CREEK, AND MATILIJA CREEK, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) INDIAN CREEK, CALIFORNIA.—The following segments of Indian Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 9.5-mile segment of Indian Creek from its source in sec. 19, T. 7 N., R. 26 W., to the Dick Smith Wilderness boundary, as a wild river.

''(B) The 1-mile segment of Indian Creek from the Dick Smith Wilderness boundary to 0.25 miles downstream of Road 6N24, as a scenic river.

''(C) The 3.9-mile segment of Indian Creek from 0.25 miles downstream of Road 6N24 to the southern boundary of sec. 32, T. 6 N., R. 26 W., as a wild river.

''(232) MONO CREEK, CALIFORNIA.—The following segments of Mono Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 4.2-mile segment of Mono Creek from its source in sec. 1, T. 7 N., R. 26 W., to 0.25 miles upstream of Don Victor Fire Road in sec. 28, T. 7 N., R. 25 W., as a wild river.

''(B) The 2.1-mile segment of Mono Creek from 0.25 miles upstream of the Don Victor Fire Road in sec. 28, T. 7 N., R. 25 W., to 0.25 miles downstream of Don Victor Fire Road in sec. 34, T. 7 N., R. 25 W., as a recreational river.

''(C) The 14.7-mile segment of Mono Creek from 0.25 miles downstream of Don Victor Fire Road in sec. 34, T. 7 N., R. 25 W., to the Ogilvy Ranch private property boundary in sec. 22, T. 6 N., R. 26 W., as a wild river.

''(D) The 3.5-mile segment of Mono Creek from the Ogilvy Ranch private property boundary to the southern boundary of sec. 33, T. 6 N., R. 26 W., as a recreational river.

''(233) MATILIJA CREEK, CALIFORNIA.—The following segments of Matilija Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 7.2-mile segment of the Matilija Creek from its source in sec. 25, T. 6 N., R. 25 W., to the private property boundary in sec. 9, T. 5 N., R. 24 W., as a wild river.

''(B) The 7.25-mile segment of the Upper North Fork Matilija Creek from its source in sec. 36, T. 6 N., R. 24 W., to the Matilija Wilderness boundary, as a wild river.''.

(b) SESPE CREEK, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (142) and inserting the following:

''(142) SESPE CREEK, CALIFORNIA.—The following segments of Sespe Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 2.7-mile segment of Sespe Creek from the private property boundary in sec. 10, T. 6 N., R. 24 W., to the Hartman Ranch private property boundary in sec. 14, T. 6 N., R. 24 W., as a wild river.

''(B) The 15-mile segment of Sespe Creek from the Hartman Ranch private property boundary in sec. 14, T. 6 N., R. 24 W., to the western boundary of sec. 6, T. 5 N., R. 22 W., as a recreational river.

''(C) The 6.1-mile segment of Sespe Creek from the western boundary of sec. 6, T. 5 N., R. 22 W., to the confluence with Trout Creek, as a scenic river.

''(D) The 28.6-mile segment of Sespe Creek from the confluence with Trout Creek to the southern boundary of sec. 35, T. 5 N., R. 20 W., as a wild river.''.

(c) SISQUOC RIVER, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (143) and inserting the following:

''(143) SISQUOC RIVER, CALIFORNIA.—The following segments of the Sisquoc River and its tributaries in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 33-mile segment of the main stem of the Sisquoc River extending from its origin downstream to the Los Padres Forest boundary, as a wild river.

''(B) The 4.2-mile segment of the South Fork Sisquoc River from its source northeast of San Rafael Mountain in sec. 2, T. 7 N.,

R. 28 W., to its confluence with the Sisquoc River, as a wild river.

''(C) The 10.4-mile segment of Manzana Creek from its source west of San Rafael Peak in sec. 4, T. 7 N., R. 28 W., to the San Rafael Wilderness boundary upstream of Nira Campground, as a wild river.

''(D) The 0.6-mile segment of Manzana Creek from the San Rafael Wilderness boundary upstream of the Nira Campground to the San Rafael Wilderness boundary downstream of the confluence of Davy Brown Creek, as a recreational river.

''(E) The 5.8-mile segment of Manzana Creek from the San Rafael Wilderness boundary downstream of the confluence of Davy Brown Creek to the private property boundary in sec. 1, T. 8 N., R. 30 W., as a wild river.

''(F) The 3.8-mile segment of Manzana Creek from the private property boundary in sec. 1, T. 8 N., R. 30 W., to the confluence of the Sisquoc River, as a recreational river.

''(G) The 3.4-mile segment of Davy Brown Creek from its source west of Ranger Peak in sec. 32, T. 8 N., R. 29 W., to 300 feet upstream of its confluence with Munch Canyon, as a wild river.

''(H) The 1.4-mile segment of Davy Brown Creek from 300 feet upstream of its confluence with Munch Canyon to its confluence with Manzana Creek, as a recreational river.

''(I) The 2-mile segment of Munch Canyon from its source north of Ranger Peak in sec. 33, T. 8 N., R. 29 W., to 300 feet upstream of its confluence with Sunset Valley Creek, as a wild river.

''(J) The 0.5-mile segment of Munch Canyon from 300 feet upstream of its confluence with Sunset Valley Creek to its confluence with Davy Brown Creek, as a recreational river.

''(K) The 2.6-mile segment of Fish Creek from 500 feet downstream of Sunset Valley Road to its confluence with Manzana Creek, as a wild river.

''(L) The 1.5-mile segment of East Fork Fish Creek from its source in sec. 26, T. 8 N., R. 29 W., to its confluence with Fish Creek, as a wild river.''.

(d) PIRU CREEK, CALIFORNIA.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (199) and inserting the following:

''(199) PIRU CREEK, CALIFORNIA.—The following segments of Piru Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 9.1-mile segment of Piru Creek from its source in sec. 3, T. 6 N., R. 22 W., to the private property boundary in sec. 4, T. 6 N., R. 21 W., as a wild river.

''(B) The 17.2-mile segment of Piru Creek from the private property boundary in sec. 4, T. 6 N., R. 21 W., to 0.25 miles downstream of the Gold Hill Road, as a scenic river.

''(C) The 4.1-mile segment of Piru Creek from 0.25 miles downstream of Gold Hill Road to the confluence with Trail Canyon, as a wild river.

''(D) The 7.25-mile segment of Piru Creek from the confluence with Trail Canyon to the confluence with Buck Creek, as a scenic river.

''(E) The 3-mile segment of Piru Creek from 0.5 miles downstream of Pyramid Dam at the first bridge crossing to the boundary of the Sespe Wilderness, as a recreational river.

''(F) The 13-mile segment of Piru Creek from the boundary of the Sespe Wilderness to the boundary of the Sespe Wilderness, as a wild river.

''(G) The 2.2-mile segment of Piru Creek from the boundary of the Sespe Wilderness to the upper limit of Piru Reservoir, as a recreational river.''.

(e) EFFECT.—The designation of additional miles of Piru Creek under subsection (d) shall not affect valid water rights in existence on the date of enactment of this Act.

(f) MOTORIZED USE OF TRAILS.—Nothing in this section (including the amendments made by this section) affects the motorized use of trails designated by the Forest Service for motorized use that are located adjacent to and crossing upper Piru Creek, if the use is consistent with the protection and enhancement of river values under the National Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 307. DESIGNATION OF THE FOX MOUNTAIN POTENTIAL WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the Los Padres National Forest comprising approximately 41,082 acres, as generally depicted on the map entitled ''Fox Mountain Potential Wilderness Area'' and dated November 14, 2019, is designated as the Fox Mountain Potential Wilderness Area.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of the Fox Mountain Potential Wilderness Area (referred to in this section as the ''potential wilderness area'') with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of Agriculture may correct any clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) MANAGEMENT.—Except as provided in subsection (d) and subject to valid existing rights, the Secretary shall manage the potential wilderness area in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) TRAIL USE CONSTRUCTION, RECONSTRUCTION, AND REALIGNMENT.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary of Agriculture may—

(A) construct a new trail for use by hikers, equestrians, and mechanized vehicles that connects the Aliso Park Campground to the Bull Ridge Trail; and

(B) reconstruct or realign—

(i) the Bull Ridge Trail; and

(ii) the Rocky Ridge Trail.

(2) REQUIREMENT.—In carrying out the construction, reconstruction, or alignment under paragraph (1), the Secretary shall—

(A) comply with all existing laws (including regulations); and

(B) to the maximum extent practicable, use the minimum tool or administrative practice necessary to accomplish the construction, reconstruction, or alignment with the least amount of adverse impact on wilderness character and resources.

(3) MOTORIZED VEHICLES AND MACHINERY.—In accordance with paragraph (2), the Secretary may use motorized vehicles and machinery to carry out the trail construction, reconstruction, or realignment authorized by this subsection.

(4) MECHANIZED VEHICLES.—The Secretary may permit the use of mechanized vehicles on the existing Bull Ridge Trail and Rocky Ridge Trail in accordance with existing law (including regulations) and this subsection until such date as the potential wilderness area is designated as wilderness in accordance with subsection (h).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the potential wilderness area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into cooperative agreements with State, Tribal, and local governmental entities and private entities to complete the trail construction, reconstruction, and realignment authorized by subsection (d).

(g) BOUNDARIES.—The Secretary shall modify the boundary of the potential wilderness area to exclude any area within 50 feet of the centerline of the new location of any trail that has been constructed, reconstructed, or realigned under subsection (d).

(h) WILDERNESS DESIGNATION.—

(1) IN GENERAL.—The potential wilderness area, as modified under subsection (g), shall be designated as wilderness and as a component of the National Wilderness Preservation System on the earlier of—

(A) the date on which the Secretary publishes in the Federal Register notice that the trail construction, reconstruction, or alignment authorized by subsection (d) has been completed; or

(B) the date that is 20 years after the date of enactment of this Act.

(2) ADMINISTRATION OF WILDERNESS.—On designation as wilderness under this section, the potential wilderness area shall be—

(A) incorporated into the San Rafael Wilderness, as designated by Public Law 90–271 (82 Stat. 51), the California Wilderness Act of 1984 (Public Law 98–425; 16 U.S.C. 1132 note), and the Los Padres Condor Range and River Protection Act (Public Law 102–301; 106 Stat. 242), and section 303; and

(B) administered in accordance with section 305 and the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 308. DESIGNATION OF SCENIC AREAS.

(a) IN GENERAL.—Subject to valid existing rights, there are established the following scenic areas:

(1) CONDOR RIDGE SCENIC AREA.—Certain land in the Los Padres National Forest comprising approximately 18,666 acres, as generally depicted on the map entitled ''Condor Ridge Scenic Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Condor Ridge Scenic Area''.

(2) BLACK MOUNTAIN SCENIC AREA.—Certain land in the Los Padres National Forest and the Bakersfield Field Office of the Bureau of Land Management comprising approximately 16,216 acres, as generally depicted on the map entitled ''Black Mountain Scenic Area—Proposed'' and dated March 29, 2019, which shall be known as the ''Black Mountain Scenic Area''.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and legal description of the Condor Ridge Scenic Area and Black Mountain Scenic Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included

in this title, except that the Secretary of Agriculture may correct any clerical and typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(c) PURPOSE.—The purpose of the scenic areas is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the scenic areas.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall administer the scenic areas—

(A) in a manner that conserves, protects, and enhances the resources of the scenic areas, and in particular the scenic character attributes of the scenic areas; and

(B) in accordance with—

(i) this section;

(ii) the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.) for land under the jurisdiction of the Secretary of the Interior;

(iii) any laws (including regulations) relating to the National Forest System, for land under the jurisdiction of the Secretary of Agriculture; and

(iv) any other applicable law (including regulations).

(2) USES.—The Secretary shall only allow those uses of the scenic areas that the Secretary determines would further the purposes described in subsection (c).

(e) WITHDRAWAL.—Subject to valid existing rights, the Federal land in the scenic areas is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) PROHIBITED USES.—The following shall be prohibited on the Federal land within the scenic areas:

(1) Permanent roads.

(2) Permanent structures.

(3) Timber harvesting except when necessary for the purposes described in subsection (g).

(4) Transmission lines.

(5) Except as necessary to meet the minimum requirements for the administration of the scenic areas and to protect public health and safety—

(A) the use of motorized vehicles; or

(B) the establishment of temporary roads.

(6) Commercial enterprises, except as necessary for realizing the purposes of the scenic areas.

(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—Consistent with this section, the Secretary may take any measures in the scenic areas that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines to be appropriate, the coordination of those activities with the State or a local agency.

(h) ADJACENT MANAGEMENT.—The fact that an otherwise authorized activity or use can be seen or heard within a scenic area shall not preclude the activity or use outside the boundary of the scenic area.

SEC. 309. CONDOR NATIONAL SCENIC TRAIL.

(a) IN GENERAL.—The contiguous trail established pursuant to this section shall be known as the ''Condor National Scenic Trail'' named after the California condor, a critically endangered bird species that lives along the extent of the trail corridor.

(b) PURPOSE.—The purposes of the Condor National Scenic Trail are to—

(1) provide a continual extended hiking corridor that connects the southern and northern portions of the Los Padres National Forest, spanning the entire length of the forest along the coastal mountains of southern and central California; and

(2) provide for the public enjoyment of the nationally significant scenic, historic, natural, and cultural qualities of the Los Padres National Forest.

(c) AMENDMENT.—Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(31) CONDOR NATIONAL SCENIC TRAIL.—

''(A) IN GENERAL.—The Condor National Scenic Trail, a trail extending approximately 400 miles from Lake Piru in the southern portion of the Los Padres National Forest to the Bottchers Gap Campground in northern portion of the Los Padres National Forest.

''(B) ADMINISTRATION.—The trail shall be administered by the Secretary of Agriculture, in consultation with—

''(i) other Federal, State, Tribal, regional, and local agencies;

''(ii) private landowners; and

''(iii) other interested organizations.

''(C) RECREATIONAL USES.—Notwithstanding section 7(c), the use of motorized vehicles on roads or trails included in the Condor National Scenic Trail on which motorized vehicles are permitted as of the date of enactment of this paragraph may be permitted.

''(D) PRIVATE PROPERTY RIGHTS.—

''(i) PROHIBITION.—The Secretary shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally managed area without the consent of the owner of land or interest in land.

''(ii) EFFECT.—Nothing in this paragraph—

''(I) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

''(II) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

''(E) REALIGNMENT.—The Secretary of Agriculture may realign segments of the Condor National Scenic Trail as necessary to fulfill the purposes of the trail.

''(F) MAP.—A map generally depicting the trail described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service.''.

(d) STUDY.—

(1) STUDY REQUIRED.—Not later than 3 years after the date of enactment of this Act, in accordance with this section, the Secretary of Agriculture shall conduct a study that—

(A) addresses the feasibility of, and alternatives for, connecting the northern and southern portions of the Los Padres National Forest by establishing a trail across the applicable portions of the northern and southern Santa Lucia Mountains of the southern California Coastal Range; and

(B) considers realignment of the trail or construction of new trail segments to avoid existing trail segments that currently allow motorized vehicles.

(2) CONTENTS.—In carrying out the study required by paragraph (1), the Secretary of Agriculture shall—

(A) conform to the requirements for national scenic trail studies described in section 5(b) of the National Trails System Act (16 U.S.C. 1244(b));

(B) provide for a continual hiking route through and connecting the southern and northern sections of the Los Padres National Forest;

(C) promote recreational, scenic, wilderness and cultural values;

(D) enhance connectivity with the overall National Forest trail system;

(E) consider new connectors and realignment of existing trails;

(F) emphasize safe and continuous public access, dispersal from high-use areas, and suitable water sources; and

(G) to the extent practicable, provide all-year use.

(3) ADDITIONAL REQUIREMENT.—In completing the study required by paragraph (1), the Secretary of Agriculture shall consult with—

(A) appropriate Federal, State, Tribal, regional, and local agencies;

(B) private landowners;

(C) nongovernmental organizations; and

(D) members of the public.

(4) SUBMISSION.—The Secretary of Agriculture shall submit the study required by paragraph (1) to—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(5) ADDITIONS AND ALTERATIONS TO THE CONDOR NATIONAL SCENIC TRAIL.—

(A) IN GENERAL.—Upon completion of the study required by paragraph (1), if the Secretary of Agriculture determines that additional or alternative trail segments are feasible for inclusion in the Condor National Scenic Trail, the Secretary of Agriculture shall include those segments in the Condor National Scenic Trail.

(B) EFFECTIVE DATE.—Additions or alternations to the Condor National Scenic Trail shall be effective on the date the Secretary of Agriculture publishes in the Federal Register notice that the additional or alternative segments are included in the Condor National Scenic Trail.

(e) COOPERATIVE AGREEMENTS.—In carrying out this section (including the amendments made by this section), the Secretary of Agriculture may enter into cooperative agreements with State, Tribal, and local government entities and private entities to complete needed trail construction, reconstruction, and realignment projects authorized by this section (including the amendments made by this section).

SEC. 310. FOREST SERVICE STUDY.

Not later than 6 years after the date of enactment of this Act, the Secretary of Agriculture (acting through the Chief of the Forest Service) shall study the feasibility of opening a new trail, for vehicles measuring 50 inches or less, connecting Forest Service Highway 95 to the existing off-highway vehicle trail system in the Ballinger Canyon off-highway vehicle area.

SEC. 311. NONMOTORIZED RECREATION OPPORTUNITIES.

Not later than 6 years after the date of enactment of this Act, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the Santa Barbara, Ojai, and Mt. Pinos ranger districts.

SEC. 312. USE BY MEMBERS OF TRIBES.

(a) ACCESS.—The Secretary shall ensure that Tribes have access, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), to the wilderness areas, scenic areas, and potential wilderness areas designated by this title for traditional cultural and religious purposes.

(b) TEMPORARY CLOSURES.—

(1) IN GENERAL.—In carrying out this section, the Secretary, on request of a Tribe, may temporarily close to the general public one or more specific portions of a wilderness

area, scenic area, or potential wilderness area designated by this title to protect the privacy of the members of the Tribe in the conduct of traditional cultural and religious activities.

(2) REQUIREMENT.—Any closure under paragraph (1) shall be—

(A) made in such a manner as to affect the smallest practicable area for the minimum period of time necessary for the activity to be carried out; and

(B) be consistent with the purpose and intent of Public Law 95–341 (commonly known as the American Indian Religious Freedom Act) (42 U.S.C. 1996) and the Wilderness Act (16 U.S.C. 1131 et seq.).

TITLE LXXIV—SAN GABRIEL MOUNTAINS FOOTHILLS AND RIVERS PROTECTION

SEC. 401. SHORT TITLE.

This title may be cited as the ''San Gabriel Mountains Foothills and Rivers Protection Act''.

SEC. 402. DEFINITION OF STATE.

In this title, the term ''State'' means the State of California.

Subtitle A—San Gabriel National Recreation Area

SEC. 411. PURPOSES.

The purposes of this subtitle are—

(1) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the Recreation Area;

(2) to provide environmentally responsible, well-managed recreational opportunities within the Recreation Area;

(3) to improve access to and from the Recreation Area;

(4) to provide expanded educational and interpretive services to increase public understanding of, and appreciation for, the natural and cultural resources of the Recreation Area;

(5) to facilitate the cooperative management of the land and resources within the Recreation Area, in collaboration with the State and political subdivisions of the State, historical, business, cultural, civic, recreational, tourism and other nongovernmental organizations, and the public; and

(6) to allow the continued use of the Recreation Area by all individuals, entities, and local government agencies in activities relating to integrated water management, flood protection, water conservation, water quality, water rights, water supply, groundwater recharge and monitoring, wastewater treatment, public roads and bridges, and utilities within or adjacent to the Recreation Area.

SEC. 412. DEFINITIONS.

In this subtitle:

(1) ADJUDICATION.—The term ''adjudication'' means any final judgment, order, ruling, or decree entered in any judicial proceeding adjudicating or affecting water rights, surface water management, or groundwater management.

(2) ADVISORY COUNCIL.—The term ''Advisory Council'' means the San Gabriel National Recreation Area Public Advisory Council established under section 417(a).

(3) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) public lands under the jurisdiction of the Secretary of the Interior; and

(B) lands under the jurisdiction of the Secretary of Defense, acting through the Chief of Engineers.

(4) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Recreation Area required under section 414(d).

(5) PARTNERSHIP.—The term ''Partnership'' means the San Gabriel National Recreation Area Partnership established by section 418(a).

(6) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given the term in 42 U.S.C. 300(f)(4) or in section 116275 of the California Health and Safety Code.

(7) RECREATION AREA.—The term ''Recreation Area'' means the San Gabriel National Recreation Area established by section 413(a).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) UTILITY FACILITY.—The term ''utility facility'' means—

(A) any electric substations, communication facilities, towers, poles, and lines, ground wires, communication circuits, and other structures, and related infrastructure; and

(B) any such facilities associated with a public water system.

(10) WATER RESOURCE FACILITY.—The term ''water resource facility'' means irrigation and pumping facilities, dams and reservoirs, flood control facilities, water conservation works, including debris protection facilities, sediment placement sites, rain gauges and stream gauges, water quality facilities, recycled water facilities, water pumping, conveyance and distribution systems, water storage tanks and reservoirs, and water treatment facilities, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, groundwater recharge facilities, water conservation, water filtration plants, and other water diversion, conservation, groundwater recharge, storage, and carriage structures.

SEC. 413. SAN GABRIEL NATIONAL RECREATION AREA.

(a) ESTABLISHMENT; BOUNDARIES.—Subject to valid existing rights, there is established as a unit of the National Park System in the State the San Gabriel National Recreation Area depicted as the ''Proposed San Gabriel National Recreation Area'' on the map entitled ''San Gabriel National Recreation Area Proposed Boundary,'' numbered 503/152,737, and dated July 2019.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and a legal description of the Recreation Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical or typographical error in the map or legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION AND JURISDICTION.—

(1) PUBLIC LANDS.—The public lands included in the Recreation Area shall be administered by the Secretary, acting through the Director of the National Park Service.

(2) DEPARTMENT OF DEFENSE LAND.—Although certain Federal lands under the jurisdiction of the Secretary of Defense are included in the recreation area, nothing in this subtitle transfers administration jurisdiction of such Federal lands from the Secretary of Defense or otherwise affects Federal lands under the jurisdiction of the Secretary of Defense.

(3) STATE AND LOCAL JURISDICTION.—Nothing in this subtitle alters, modifies, or diminishes any right, responsibility, power, authority, jurisdiction, or entitlement of the State, a political subdivision of the State, including, but not limited to courts of competent jurisdiction, regulatory commissions, boards, and departments, or any State or local agency under any applicable Federal, State, or local law (including regulations).

SEC. 414. MANAGEMENT.

(a) NATIONAL PARK SYSTEM.—Subject to valid existing rights, the Secretary shall manage the public lands included in the Recreation Area in a manner that protects and enhances the natural resources and values of the public lands, in accordance with—

(1) this subtitle;

(2) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753 and 102101 of title 54, United States Code (formerly known as the ''National Park Service Organic Act'');

(3) the laws generally applicable to units of the National Park System; and

(4) other applicable law, regulations, adjudications, and orders.

(b) COOPERATION WITH SECRETARY OF DEFENSE.—The Secretary shall cooperate with the Secretary of Defense to develop opportunities for the management of the Federal land under the jurisdiction of the Secretary of Defense included in the Recreation Area in accordance with the purposes described in section 411, to the maximum extent practicable.

(c) TREATMENT OF NON-FEDERAL LAND.—

(1) IN GENERAL.—Nothing in this subtitle—

(A) authorizes the Secretary to take any action that would affect the use of any land not owned by the United States within the Recreation Area;

(B) affects the use of, or access to, any non-Federal land within the Recreation Area;

(C) modifies any provision of Federal, State, or local law with respect to public access to, or use of, non-Federal land;

(D) requires any owner of non-Federal land to allow public access (including Federal, State, or local government access) to private property or any other non-Federal land;

(E) alters any duly adopted land use regulation, approved land use plan, or any other regulatory authority of any State or local agency or unit of Tribal government;

(F) creates any liability, or affects any liability under any other law, of any private property owner or other owner of non-Federal land with respect to any person injured on the private property or other non-Federal land;

(G) conveys to the Partnership any land use or other regulatory authority;

(H) shall be construed to cause any Federal, State, or local regulation or permit requirement intended to apply to units of the National Park System to affect the Federal lands under the jurisdiction of the Secretary of Defense or non-Federal lands within the boundaries of the recreation area; or

(I) requires any local government to participate in any program administered by the Secretary.

(2) COOPERATION.—The Secretary is encouraged to work with owners of non-Federal land who have agreed to cooperate with the Secretary to advance the purposes of this subtitle.

(3) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this subtitle establishes any protective perimeter or buffer zone around the Recreation Area.

(B) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that an activity or use of land can be seen or heard from within the Recreation Area shall not preclude the activity or land use up to the boundary of the Recreation Area.

(4) FACILITIES.—Nothing in this subtitle affects the operation, maintenance, modification, construction, destruction, removal, relocation, improvement or expansion of any

water resource facility or public water system, or any solid waste, sanitary sewer, water or waste-water treatment, groundwater recharge or conservation, hydroelectric, conveyance distribution system, recycled water facility, or utility facility located within or adjacent to the Recreation Area.

(5) EXEMPTION.—Section 100903 of title 54, United States Code, shall not apply to the Puente Hills landfill, materials recovery facility, or intermodal facility.

(d) MANAGEMENT PLAN.—

(1) DEADLINE.—Not later than 3 years after the date of the enactment of this Act, the Secretary and the Advisory Council shall establish a comprehensive management plan for the Recreation Area that supports the purposes described in section 411.

(2) USE OF EXISTING PLANS.—In developing the management plan, to the extent consistent with this section, the Secretary may incorporate any provision of a land use or other plan applicable to the public lands included in the Recreation Area.

(3) INCORPORATION OF VISITOR SERVICES PLAN.—To the maximum extent practicable, the Secretary shall incorporate into the management plan the visitor services plan under section 419(a)(2).

(4) PARTNERSHIP.—In developing the management plan, the Secretary shall consider recommendations of the Partnership. To the maximum extent practicable, the Secretary shall incorporate recommendations of the Partnership into the management plan if the Secretary determines that the recommendations are feasible and consistent with the purposes in section 411, this subtitle, and applicable laws (including regulations).

(e) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction of the State with respect to fish or wildlife located on public lands in the State.

SEC. 415. ACQUISITION OF NON-FEDERAL LAND WITHIN RECREATION AREA.

(a) LIMITED ACQUISITION AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may acquire non-Federal land within the boundaries of the Recreation Area only through exchange, donation, or purchase from a willing seller.

(2) ADDITIONAL REQUIREMENT.—As a further condition on the acquisition of land, the Secretary shall make a determination that the land contains important biological, cultural, historic, or recreational values.

(b) PROHIBITION ON USE OF EMINENT DOMAIN.—Nothing in this subtitle authorizes the use of eminent domain to acquire land or an interest in land.

(c) TREATMENT OF ACQUIRED LAND.—Any land or interest in land acquired by the United States within the boundaries of the Recreation Area shall be—

(1) included in the Recreation Area; and

(2) administered by the Secretary in accordance with—

(A) this subtitle; and

(B) other applicable laws (including regulations).

SEC. 416. WATER RIGHTS; WATER RESOURCE FACILITIES; PUBLIC ROADS; UTILITY FACILITIES.

(a) NO EFFECT ON WATER RIGHTS.—Nothing in this subtitle or section 422—

(1) shall affect the use or allocation, as in existence on the date of the enactment of this Act, of any water, water right, or interest in water (including potable, recycled, reclaimed, waste, imported, exported, banked, or stored water, surface water, groundwater, and public trust interest);

(2) shall affect any public or private contract in existence on the date of the enactment of this Act for the sale, lease, loan, or transfer of any water (including potable, recycled, reclaimed, waste, imported, exported, banked, or stored water, surface water, and groundwater);

(3) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before the date of the enactment of this Act;

(4) authorizes or imposes any new reserved Federal water right or expands water usage pursuant to any existing Federal reserved, riparian or appropriative right;

(5) shall be considered a relinquishment or reduction of any water rights (including potable, recycled, reclaimed, waste, imported, exported, banked, or stored water, surface water, and groundwater) held, reserved, or appropriated by any public entity or other persons or entities, on or before the date of the enactment of this Act;

(6) shall be construed to, or shall interfere or conflict with the exercise of the powers or duties of any watermaster, public agency, public water system, court of competent jurisdiction, or other body or entity responsible for groundwater or surface water management or groundwater replenishment as designated or established pursuant to any adjudication or Federal or State law, including the management of the San Gabriel River watershed and basin, to provide water supply or other environmental benefits;

(7) shall be construed to impede or adversely impact any previously adopted Los Angeles County Drainage Area project, as described in the report of the Chief of Engineers dated June 30, 1992, including any supplement or addendum to that report, or any maintenance agreement to operate that project;

(8) shall interfere or conflict with any action by a watermaster, water agency, public water system, court of competent jurisdiction, or public agency pursuant to any Federal or State law, water right, or adjudication, including any action relating to water conservation, water quality, surface water diversion or impoundment, groundwater recharge, water treatment, conservation or storage of water, pollution, waste discharge, the pumping of groundwater; the spreading, injection, pumping, storage, or the use of water from local sources, storm water flows, and runoff, or from imported or recycled water, that is undertaken in connection with the management or regulation of the San Gabriel River;

(9) shall interfere with, obstruct, hinder, or delay the exercise of, or access to, any water right by the owner of a public water system or any other individual or entity, including the construction, operation, maintenance, replacement, removal, repair, location, or relocation of any well; pipeline; or water pumping, treatment, diversion, impoundment, or storage facility; or other facility or property necessary or useful to access any water right or operate an public water system;

(10) shall require the initiation or reinitiation of consultation with the United States Fish and Wildlife Service under, or the application of any provision of, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) relating to any action affecting any water, water right, or water management or water resource facility in the San Gabriel River watershed and basin; or

(11) authorizes any agency or employee of the United States, or any other person, to take any action inconsistent with any of paragraphs (1) through (10).

(b) WATER RESOURCE FACILITIES.—

(1) NO EFFECT ON EXISTING WATER RESOURCE FACILITIES.—Nothing in this subtitle or section 422 shall affect—

(A) the use, operation, maintenance, repair, construction, destruction, removal, reconfiguration, expansion, improvement or replacement of a water resource facility or public water system within or adjacent to the Recreation Area or San Gabriel Mountains National Monument; or

(B) access to a water resource facility within or adjacent to the Recreation Area or San Gabriel Mountains National Monument.

(2) NO EFFECT ON NEW WATER RESOURCE FACILITIES.—Nothing in this subtitle or section 422 shall preclude the establishment of a new water resource facility (including instream sites, routes, and areas) within the Recreation Area or San Gabriel Mountains National Monument if the water resource facility or public water system is necessary to preserve or enhance the health, safety, reliability, quality or accessibility of water supply, or utility services to residents of Los Angeles County.

(3) FLOOD CONTROL.—Nothing in this subtitle or section 422 shall be construed to—

(A) impose any new restriction or requirement on flood protection, water conservation, water supply, groundwater recharge, water transfers, or water quality operations and maintenance; or

(B) increase the liability of an agency or public water system carrying out flood protection, water conservation, water supply, groundwater recharge, water transfers, or water quality operations.

(4) DIVERSION OR USE OF WATER.—Nothing in this subtitle or section 422 shall authorize or require the use of water or water rights in, or the diversion of water to, the Recreation Area or San Gabriel Mountains National Monument.

(c) UTILITY FACILITIES AND RIGHTS OF WAY.—Nothing in this subtitle or section 422 shall—

(1) affect the use, operation, maintenance, repair, construction, destruction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, removal, or replacement of a utility facility or appurtenant right-of-way within or adjacent to the Recreation Area or San Gabriel Mountains National Monument;

(2) affect access to a utility facility or right-of-way within or adjacent to the Recreation Area or San Gabriel Mountains National Monument; or

(3) preclude the establishment of a new utility facility or right-of-way (including instream sites, routes, and areas) within the Recreation Area or San Gabriel Mountains National Monument if such a facility or right-of-way is necessary for public health and safety, electricity supply, or other utility services.

(d) ROADS; PUBLIC TRANSIT.—

(1) DEFINITIONS.—In this subsection:

(A) PUBLIC ROAD.—The term ''public road'' means any paved road or bridge (including any appurtenant structure and right-of-way) that is—

(i) operated or maintained by a non-Federal entity; and

(ii)(I) open to vehicular use by the public; or

(II) used by a public agency or utility for the operation, maintenance, improvement, repair, removal, relocation, construction, destruction or rehabilitation of infrastructure, a utility facility, or a right-of-way.

(B) PUBLIC TRANSIT.—The term ''public transit'' means any transit service (including operations and rights-of-way) that is—

(i) operated or maintained by a non-Federal entity; and

(ii)(I) open to the public; or

(II) used by a public agency or contractor for the operation, maintenance, repair, construction, or rehabilitation of infrastructure, a utility facility, or a right-of-way.

(2) NO EFFECT ON PUBLIC ROADS OR PUBLIC TRANSIT.—Nothing in this subtitle or section 422—

(A) authorizes the Secretary to take any action that would affect the operation, maintenance, repair, or rehabilitation of public roads or public transit (including activities necessary to comply with Federal or State safety or public transit standards); or

(B) creates any new liability, or increases any existing liability, of an owner or operator of a public road.

SEC. 417. SAN GABRIEL NATIONAL RECREATION AREA PUBLIC ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish an advisory council, to be known as the ''San Gabriel National Recreation Area Public Advisory Council''.

(b) DUTIES.—The Advisory Council shall advise the Secretary regarding the development and implementation of the management plan and the visitor services plan.

(c) APPLICABLE LAW.—The Advisory Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) all other applicable laws (including regulations).

(d) MEMBERSHIP.—The Advisory Council shall consist of 22 members, to be appointed by the Secretary after taking into consideration recommendations of the Partnership, of whom—

(1) 2 shall represent local, regional, or national environmental organizations;

(2) 2 shall represent the interests of outdoor recreation, including off-highway vehicle recreation, within the Recreation Area;

(3) 2 shall represent the interests of community-based organizations, the missions of which include expanding access to the outdoors;

(4) 2 shall represent business interests;

(5) 1 shall represent Indian Tribes within or adjacent to the Recreation Area;

(6) 1 shall represent the interests of homeowners' associations within the Recreation Area;

(7) 3 shall represent the interests of holders of adjudicated water rights, public water systems, water agencies, wastewater and sewer agencies, recycled water facilities, and water management and replenishment entities;

(8) 1 shall represent energy and mineral development interests;

(9) 1 shall represent owners of Federal grazing permits or other land use permits within the Recreation Area;

(10) 1 shall represent archaeological and historical interests;

(11) 1 shall represent the interests of environmental educators;

(12) 1 shall represent cultural history interests;

(13) 1 shall represent environmental justice interests;

(14) 1 shall represent electrical utility interests; and

(15) 2 shall represent the affected public at large.

(e) TERMS.—

(1) STAGGERED TERMS.—A member of the Advisory Council shall be appointed for a term of 3 years, except that, of the members first appointed, 7 of the members shall be appointed for a term of 1 year and 7 of the members shall be appointed for a term of 2 years.

(2) REAPPOINTMENT.—A member may be reappointed to serve on the Advisory Council on the expiration of the term of service of the member.

(3) VACANCY.—A vacancy on the Advisory Council shall be filled in the same manner in which the original appointment was made.

(f) QUORUM.—A quorum shall be ten members of the advisory council. The operations of the advisory council shall not be impaired by the fact that a member has not yet been appointed as long as a quorum has been attained.

(g) CHAIRPERSON; PROCEDURES.—The Advisory Council shall elect a chairperson and establish such rules and procedures as the advisory council considers necessary or desirable.

(h) SERVICE WITHOUT COMPENSATION.—Members of the Advisory Council shall serve without pay.

(i) TERMINATION.—The Advisory Council shall cease to exist—

(1) on the date that is 5 years after the date on which the management plan is adopted by the Secretary; or

(2) on such later date as the Secretary considers to be appropriate.

SEC. 418. SAN GABRIEL NATIONAL RECREATION AREA PARTNERSHIP.

(a) ESTABLISHMENT.—There is established a Partnership, to be known as the ''San Gabriel National Recreation Area Partnership''.

(b) PURPOSES.—The purposes of the Partnership are to—

(1) coordinate the activities of Federal, State, Tribal, and local authorities and the private sector in advancing the purposes of this subtitle; and

(2) use the resources and expertise of each agency in improving management and recreational opportunities within the Recreation Area.

(c) MEMBERSHIP.—The Partnership shall include the following:

(1) The Secretary (or a designee) to represent the National Park Service.

(2) The Secretary of Defense (or a designee) to represent the Corps of Engineers.

(3) The Secretary of Agriculture (or a designee) to represent the Forest Service.

(4) The Secretary of the Natural Resources Agency of the State (or a designee) to represent—

(A) the California Department of Parks and Recreation; and

(B) the Rivers and Mountains Conservancy.

(5) One designee of the Los Angeles County Board of Supervisors.

(6) One designee of the Puente Hills Habitat Preservation Authority.

(7) Four designees of the San Gabriel Council of Governments, of whom one shall be selected from a local land conservancy.

(8) One designee of the San Gabriel Valley Economic Partnership.

(9) One designee of the Los Angeles County Flood Control District.

(10) One designee of the San Gabriel Valley Water Association.

(11) One designee of the Central Basin Water Association.

(12) One designee of the Main San Gabriel Basin Watermaster.

(13) One designee of a public utility company, to be appointed by the Secretary.

(14) One designee of the Watershed Conservation Authority.

(15) One designee of the Advisory Council for the period during which the Advisory Council remains in effect.

(16) One designee of San Gabriel Mountains National Monument Community Collaborative.

(d) DUTIES.—To advance the purposes described in section 411, the Partnership shall—

(1) make recommendations to the Secretary regarding the development and implementation of the management plan;

(2) review and comment on the visitor services plan under section 419(a)(2), and facilitate the implementation of that plan;

(3) assist units of local government, regional planning organizations, and nonprofit organizations in advancing the purposes of the Recreation Area by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values within the Recreation Area;

(B) establishing and maintaining interpretive exhibits and programs within the Recreation Area;

(C) developing recreational and educational opportunities in the Recreation Area in accordance with the purposes of this subtitle;

(D) increasing public awareness of, and appreciation for, natural, historic, scenic, and cultural resources of the Recreation Area;

(E) ensuring that signs identifying points of public access and sites of interest are posted throughout the Recreation Area;

(F) promoting a wide range of partnerships among governments, organizations, and individuals to advance the purposes of the Recreation Area; and

(G) ensuring that management of the Recreation Area takes into consideration—

(i) local ordinances and land-use plans; and

(ii) adjacent residents and property owners;

(4) make recommendations to the Secretary regarding the appointment of members to the Advisory Council; and

(5) carry out any other actions necessary to achieve the purposes of this subtitle.

(e) AUTHORITIES.—Subject to approval by the Secretary, for the purposes of preparing and implementing the management plan, the Partnership may use Federal funds made available under this section—

(1) to make grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;

(2) to enter into cooperative agreements with, or provide grants or technical assistance to, the State, political subdivisions of the State, nonprofit organizations, Federal agencies, and other interested parties;

(3) to hire and compensate staff;

(4) to obtain funds or services from any source, including funds and services provided under any other Federal law or program;

(5) to contract for goods or services; and

(6) to support activities of partners and any other activities that—

(A) advance the purposes of the Recreation Area; and

(B) are in accordance with the management plan.

(f) TERMS OF OFFICE; REAPPOINTMENT; VACANCIES.—

(1) TERMS.—A member of the Partnership shall be appointed for a term of 3 years.

(2) REAPPOINTMENT.—A member may be reappointed to serve on the Partnership on the expiration of the term of service of the member.

(3) VACANCY.—A vacancy on the Partnership shall be filled in the same manner in which the original appointment was made.

(g) QUORUM.—A quorum shall be 11 members of the Partnership. The operations of the Partnership shall not be impaired by the fact that a member has not yet been appointed as long as a quorum has been attained.

(h) CHAIRPERSON; PROCEDURES.—The Partnership shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(i) SERVICE WITHOUT COMPENSATION.—A member of the Partnership shall serve without compensation.

(j) DUTIES AND AUTHORITIES OF SECRETARY.—

(1) IN GENERAL.—The Secretary shall convene the Partnership on a regular basis to carry out this subtitle.

(2) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide to the Partnership or any member of the Partnership, on a reimbursable or nonreimbursable basis, such

technical and financial assistance as the Secretary determines to be appropriate to carry out this subtitle.

(3) COOPERATIVE AGREEMENTS.—The Secretary may enter into a cooperative agreement with the Partnership, a member of the Partnership, or any other public or private entity to provide technical, financial, or other assistance to carry out this subtitle.

(4) CONSTRUCTION OF FACILITIES ON NON-FEDERAL LAND.—

(A) IN GENERAL.—In order to facilitate the administration of the Recreation Area, the Secretary is authorized, subject to valid existing rights, to construct administrative or visitor use facilities on land owned by a nonprofit organization, local agency, or other public entity in accordance with this title and applicable law (including regulations).

(B) ADDITIONAL REQUIREMENTS.—A facility under this paragraph may only be developed—

(i) with the consent of the owner of the non-Federal land; and

(ii) in accordance with applicable Federal, State, and local laws (including regulations) and plans.

(5) PRIORITY.—The Secretary shall give priority to actions that—

(A) conserve the significant natural, historic, cultural, and scenic resources of the Recreation Area; and

(B) provide educational, interpretive, and recreational opportunities consistent with the purposes of the Recreation Area.

(k) COMMITTEES.—The Partnership shall establish—

(1) a Water Technical Advisory Committee to advise the Secretary regarding water-related issues relating to the Recreation Area; and

(2) a Public Safety Advisory Committee to advise the Secretary regarding public safety issues relating to the Recreation Area.

SEC. 419. VISITOR SERVICES AND FACILITIES.

(a) VISITOR SERVICES.—

(1) PURPOSE.—The purpose of this subsection is to facilitate the development of an integrated visitor services plan to improve visitor experiences in the Recreation Area through expanded recreational opportunities and increased interpretation, education, resource protection, and enforcement.

(2) VISITOR SERVICES PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall develop and carry out an integrated visitor services plan for the Recreation Area in accordance with this paragraph.

(B) CONTENTS.—The visitor services plan shall—

(i) assess current and anticipated future visitation to the Recreation Area, including recreation destinations;

(ii) consider the demand for various types of recreation (including hiking, picnicking, horseback riding, and the use of motorized and mechanized vehicles), as permissible and appropriate;

(iii) evaluate the impacts of recreation on natural and cultural resources, water rights and water resource facilities, public roads, adjacent residents and property owners, and utilities within the Recreation Area, as well as the effectiveness of current enforcement and efforts;

(iv) assess the current level of interpretive and educational services and facilities;

(v) include recommendations to—

(I) expand opportunities for high-demand recreational activities, in accordance with the purposes described in section 411;

(II) better manage Recreation Area resources and improve the experience of Recreation Area visitors through expanded interpretive and educational services and facilities, and improved enforcement; and

(III) better manage Recreation Area resources to reduce negative impacts on the environment, ecology, and integrated water management activities in the Recreation Area;

(vi) in coordination and consultation with affected owners of non-Federal land, assess options to incorporate recreational opportunities on non-Federal land into the Recreation Area—

(I) in manner consistent with the purposes and uses of the non-Federal land; and

(II) with the consent of the non-Federal landowner;

(vii) assess opportunities to provide recreational opportunities that connect with adjacent National Forest System land; and

(viii) be developed and carried out in accordance with applicable Federal, State, and local laws and ordinances.

(C) CONSULTATION.—In developing the visitor services plan, the Secretary shall—

(i) consult with—

(I) the Partnership;

(II) the Advisory Council;

(III) appropriate State and local agencies; and

(IV) interested nongovernmental organizations; and

(ii) involve members of the public.

(b) VISITOR USE FACILITIES.—

(1) IN GENERAL.—The Secretary may construct visitor use facilities in the Recreation Area.

(2) REQUIREMENTS.—Each facility under paragraph (1) shall be developed in accordance with applicable Federal, State, and local—

(A) laws (including regulations); and

(B) plans.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may accept and use donated funds (subject to appropriations), property, in-kind contributions, and services to carry out this subtitle.

(2) PROHIBITION.—The Secretary may not use the authority provided by paragraph (1) to accept non-Federal land that has been acquired after the date of the enactment of this Act through the use of eminent domain.

(d) COOPERATIVE AGREEMENTS.—In carrying out this subtitle, the Secretary may make grants to, or enter into cooperative agreements with, units of State, Tribal, and local governments and private entities to conduct research, develop scientific analyses, and carry out any other initiative relating to the management of, and visitation to, the Recreation Area.

Subtitle B—San Gabriel Mountains

SEC. 421. DEFINITIONS.

In this subtitle:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(2) WILDERNESS AREA OR ADDITION.—The term ''wilderness area or addition'' means any wilderness area or wilderness addition designated by section 423(a).

SEC. 422. NATIONAL MONUMENT BOUNDARY MODIFICATION.

(a) IN GENERAL.—The San Gabriel Mountains National Monument established by Presidential Proclamation 9194 (54 U.S.C. 320301 note) (referred to in this section as the ''Monument'') is modified to include the approximately 109,167 acres of additional National Forest System land depicted as the ''Proposed San Gabriel Mountains National Monument Expansion'' on the map entitled ''Proposed San Gabriel Mountains National Monument Expansion'' and dated June 26, 2019.

(b) ADMINISTRATION.—The Secretary shall administer the San Gabriel Mountains National Monument, including the lands added by subsection (a), in accordance with—

(1) Presidential Proclamation 9194, as issued on October 10, 2014 (54 U.S.C. 320301 note);

(2) the laws generally applicable to the Monument; and

(3) this title.

(c) MANAGEMENT PLAN.—Within 3 years after the date of enactment of this Act, the Secretary shall consult with State and local governments and the interested public to update the existing San Gabriel Mountains National Monument Plan to provide management direction and protection for the lands added to the Monument by subsection (a).

SEC. 423. DESIGNATION OF WILDERNESS AREAS AND ADDITIONS.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of National Forest System land in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(1) CONDOR PEAK WILDERNESS.—Certain Federal land in the Angeles National Forest, comprising approximately 8,207 acres, as generally depicted on the map entitled ''Condor Peak Wilderness—Proposed'' and dated June 6, 2019, which shall be known as the ''Condor Peak Wilderness''.

(2) SAN GABRIEL WILDERNESS ADDITIONS.—Certain Federal land in the Angeles National Forest, comprising approximately 2,032 acres, as generally depicted on the map entitled ''San Gabriel Wilderness Additions'' and dated June 6, 2019, which is incorporated in, and considered to be a part of, the San Gabriel Wilderness designated by Public Law 90–318 (16 U.S.C. 1132 note; 82 Stat. 131).

(3) SHEEP MOUNTAIN WILDERNESS ADDITIONS.—Certain Federal land in the Angeles National Forest, comprising approximately 13,726 acres, as generally depicted on the map entitled ''Sheep Mountain Wilderness Additions'' and dated June 6, 2019, which is incorporated in, and considered to be a part of, the Sheep Mountain Wilderness designated by section 101(a)(29) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 1623; Public Law 98–425).

(4) YERBA BUENA WILDERNESS.—Certain Federal land in the Angeles National Forest, comprising approximately 6,694 acres, as generally depicted on the map entitled ''Yerba Buena Wilderness—Proposed'' and dated June 6, 2019, which shall be known as the ''Yerba Buena Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and a legal description of the wilderness areas and additions with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any clerical or typographical error in the map or legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 424. ADMINISTRATION OF WILDERNESS AREAS AND ADDITIONS.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness areas and additions shall be administered by the Secretary in accordance with this section and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of the enactment of this Act.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take such measures in a wilderness area or addition designated in section 423 as are necessary for the control of fire, insects, or diseases in accordance with—

(A) section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)); and

(B) House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—Nothing in this subtitle limits funding for fire or fuels management in a wilderness area or addition.

(3) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of the enactment of this Act, the Secretary shall amend, as applicable, any local fire management plan that applies to a wilderness area or addition designated in section 423.

(4) ADMINISTRATION.—In accordance with paragraph (1) and any other applicable Federal law, to ensure a timely and efficient response to a fire emergency in a wilderness area or addition, the Secretary shall—

(A) not later than 1 year after the date of the enactment of this Act, establish agency approval procedures (including appropriate delegations of authority to the Forest Supervisor, District Manager, or other agency officials) for responding to fire emergencies; and

(B) enter into agreements with appropriate State or local firefighting agencies.

(c) GRAZING.—The grazing of livestock in a wilderness area or addition, if established before the date of the enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines contained in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(d) FISH AND WILDLIFE.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish or wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—

(A) IN GENERAL.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activity that are necessary to maintain or restore fish or wildlife populations or habitats in the wilderness areas and wilderness additions designated in section 423, if the management activities are—

(i) consistent with relevant wilderness management plans; and

(ii) conducted in accordance with appropriate policies, such as the policies established in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(B) INCLUSIONS.—A management activity under subparagraph (A) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values while causing the minimum impact necessary to accomplish those tasks.

(C) EXISTING ACTIVITIES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and appropriate policies (such as the policies established in Appendix B of House Report 101–405), the State may use aircraft (including helicopters) in a wilderness area or addition to survey, capture, transplant, monitor, or provide water for a wildlife population, including bighorn sheep.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Congress does not intend for the designation of wilderness areas or wilderness additions by section 423 to lead to the creation of protective perimeters or buffer zones around each wilderness area or wilderness addition.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that a nonwilderness activities or uses can be seen or heard from within a wilderness area or wilderness addition designated by section 423 shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area or addition.

(f) MILITARY ACTIVITIES.—Nothing in this title precludes—

(1) low-level overflights of military aircraft over the wilderness areas or wilderness additions designated by section 423;

(2) the designation of new units of special airspace over the wilderness areas or wilderness additions designated by section 423; or

(3) the use or establishment of military flight training routes over wilderness areas or wilderness additions designated by section 423.

(g) HORSES.—Nothing in this subtitle precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as a wilderness area or wilderness addition by section 423—

(1) in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)); and

(2) subject to such terms and conditions as the Secretary determines to be necessary.

(h) LAW ENFORCEMENT.—Nothing in this subtitle precludes any law enforcement or drug interdiction effort within the wilderness areas or wilderness additions designated by section 423 in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(i) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas and additions designated by section 423 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral materials and geothermal leasing laws.

(j) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area or addition that is acquired by the United States shall—

(1) become part of the wilderness area or addition in which the land is located; and

(2) be managed in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable laws (including regulations).

(k) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in a wilderness area or addition if the Secretary determines that the facilities and access to the facilities is essential to a flood warning, flood control, or water reservoir operation activity.

(l) AUTHORIZED EVENTS.—The Secretary of Agriculture may authorize the Angeles Crest 100 competitive running event to continue in substantially the same manner and degree in which this event was operated and permitted in 2015 within additions to the Sheep Mountain Wilderness in section 423 of this title and the Pleasant View Ridge Wilderness Area designated by section 1802 of the Omnibus Public Land Management Act of 2009, provided that the event is authorized and conducted in a manner compatible with the preservation of the areas as wilderness.

SEC. 425. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) DESIGNATION.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) EAST FORK SAN GABRIEL RIVER, CALIFORNIA.—The following segments of the East Fork San Gabriel River, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 10-mile segment from the confluence of the Prairie Fork and Vincent Gulch to 100 yards upstream of the Heaton Flats trailhead and day use area, as a wild river.

''(B) The 2.7-mile segment from 100 yards upstream of the Heaton Flats trailhead and day use area to 100 yards upstream of the confluence with Williams Canyon, as a recreational river.

''(____) NORTH FORK SAN GABRIEL RIVER, CALIFORNIA.—The 4.3-mile segment of the North Fork San Gabriel River from the confluence with Cloudburst Canyon to 0.25 miles upstream of the confluence with the West Fork San Gabriel River, to be administered by the Secretary of Agriculture as a recreational river.

''(____) WEST FORK SAN GABRIEL RIVER, CALIFORNIA.—The following segments of the West Fork San Gabriel River, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 6.7-mile segment from 0.25 miles downstream of its source near Red Box Gap in sec. 14, T. 2 N., R. 12 W., to the confluence with the unnamed tributary 0.25 miles downstream of the power lines in sec. 22, T. 2 N., R. 11 W., as a recreational river.

''(B) The 1.6-mile segment of the West Fork from 0.25 miles downstream of the powerlines in sec. 22, T. 2 N., R. 11 W., to the confluence with Bobcat Canyon, as a wild river.

''(____) LITTLE ROCK CREEK, CALIFORNIA.—The following segments of Little Rock Creek and tributaries, to be administered by the Secretary of Agriculture in the following classes:

''(A) The 10.3-mile segment from its source on Mt. Williamson in sec. 6, T. 3 N., R. 9 W., to 100 yards upstream of the confluence with the South Fork Little Rock Creek, as a wild river.

''(B) The 6.6-mile segment from 100 yards upstream of the confluence with the South Fork Little Rock Creek to the confluence with Santiago Canyon, as a recreational river.

''(C) The 1-mile segment of Cooper Canyon Creek from 0.25 miles downstream of Highway 2 to 100 yards downstream of Cooper Canyon Campground, as a scenic river.

''(D) The 1.3-mile segment of Cooper Canyon Creek from 100 yards downstream of Cooper Canyon Campground to the confluence with Little Rock Creek, as a wild river.

''(E) The 1-mile segment of Buckhorn Creek from 100 yards downstream of the Buckhorn Campground to its confluence with Cooper Canyon Creek, as a wild river.''.

(b) WATER RESOURCE FACILITIES; AND WATER USE.—

(1) WATER RESOURCE FACILITIES.—

(A) DEFINITION.—In this section, the term ''water resource facility'' means irrigation and pumping facilities, dams and reservoirs, flood control facilities, water conservation works and facilities, including debris protection facilities, sediment placement sites, rain gauges and stream gauges, water quality facilities, recycled water facilities and water pumping, conveyance distribution systems, water storage tanks and reservoirs, and water treatment facilities, aqueducts, canals, ditches, pipelines, wells, hydropower

projects, and transmission and other ancillary facilities, groundwater recharge facilities, water conservation, water filtration plants, and other water diversion, conservation, groundwater recharge, storage, and carriage structures.

(B) NO EFFECT ON EXISTING WATER RESOURCE FACILITIES.—Nothing in this section shall alter, modify, or affect—

(i) the use, operation, maintenance, repair, construction, destruction, reconfiguration, expansion, relocation or replacement of a water resource facility downstream of a wild and scenic river segment designated by this section, provided that the physical structures of such facilities or reservoirs shall not be located within the river areas designated in this section; or

(ii) access to a water resource facility downstream of a wild and scenic river segment designated by this section.

(C) NO EFFECT ON NEW WATER RESOURCE FACILITIES.—Nothing in this section shall preclude the establishment of a new water resource facilities (including instream sites, routes, and areas) downstream of a wild and scenic river segment.

(2) LIMITATION.—Any new reservation of water or new use of water pursuant to existing water rights held by the United States to advance the purposes of the National Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) shall be for nonconsumptive instream use only within the segments designated by this section.

(3) EXISTING LAW.—Nothing in this section affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 426. WATER RIGHTS.

(a) STATUTORY CONSTRUCTION.—Nothing in this title, and no action to implement this title—

(1) shall constitute an express or implied reservation of any water or water right, or authorizing an expansion of water use pursuant to existing water rights held by the United States, with respect to the San Gabriel Mountains National Monument, the land designated as a wilderness area or wilderness addition by section 423 or land adjacent to the wild and scenic river segments designated by the amendment made by section 425;

(2) shall affect, alter, modify, or condition any water rights in the State in existence on the date of the enactment of this Act, including any water rights held by the United States;

(3) shall be construed as establishing a precedent with regard to any future wilderness or wild and scenic river designations;

(4) shall affect, alter, or modify the interpretation of, or any designation, decision, adjudication or action made pursuant to, any other Act; or

(5) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportions water among or between the State and any other State.

(b) STATE WATER LAW.—The Secretary shall comply with applicable procedural and substantive requirements of the law of the State in order to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the San Gabriel Mountains National Monument, wilderness areas and wilderness additions designated by section 423, and the wild and scenic rivers designated by amendment made by section 425.

TITLE LXXV—RIM OF THE VALLEY CORRIDOR PRESERVATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Rim of the Valley Corridor Preservation Act''.

SEC. 502. BOUNDARY ADJUSTMENT; LAND ACQUISITION; ADMINISTRATION.

(a) BOUNDARY ADJUSTMENT.—Section 507(c)(1) of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk(c)(1)) is amended in the first sentence by striking '', which shall'' and inserting '' and generally depicted as 'Rim of the Valley Unit Proposed Addition' on the map entitled 'Rim of the Valley Unit—Santa Monica Mountains National Recreation Area', numbered 638/147,723, and dated September 2018. Both maps shall''.

(b) RIM OF THE VALLEY UNIT.—Section 507 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk) is amended by adding at the end the following:

''(u) RIM OF THE VALLEY UNIT.—(1) Not later than 3 years after the date of the enactment of this subsection, the Secretary shall update the general management plan for the recreation area to reflect the boundaries designated on the map referred to in subsection (c)(1) as the 'Rim of the Valley Unit' (hereafter in the subsection referred to as the 'Rim of the Valley Unit'). Subject to valid existing rights, the Secretary shall administer the Rim of the Valley Unit, and any land or interest in land acquired by the United States and located within the boundaries of the Rim of the Valley Unit, as part of the recreation area in accordance with the provisions of this section and applicable laws and regulations.

''(2) The Secretary may acquire non-Federal land within the boundaries of the Rim of the Valley Unit only through exchange, donation, or purchase from a willing seller. Nothing in this subsection authorizes the use of eminent domain to acquire land or interests in land.

''(3) Nothing in this subsection or the application of the management plan for the Rim of the Valley Unit shall be construed to—

''(A) modify any provision of Federal, State, or local law with respect to public access to or use of non-Federal land;

''(B) create any liability, or affect any liability under any other law, of any private property owner or other owner of non-Federal land with respect to any person injured on private property or other non-Federal land;

''(C) affect the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land);

''(D) require any local government to participate in any program administered by the Secretary;

''(E) alter, modify, or diminish any right, responsibility, power, authority, jurisdiction, or entitlement of the State, any political subdivision of the State, or any State or local agency under existing Federal, State, and local law (including regulations);

''(F) require the creation of protective perimeters or buffer zones, and the fact that certain activities or land can be seen or heard from within the Rim of the Valley Unit shall not, of itself, preclude the activities or land uses up to the boundary of the Rim of the Valley Unit;

''(G) require or promote use of, or encourage trespass on, lands, facilities, and rights-of-way owned by non-Federal entities, including water resource facilities and public utilities, without the written consent of the owner;

''(H) affect the operation, maintenance, modification, construction, or expansion of any water resource facility or utility facility located within or adjacent to the Rim of the Valley Unit;

''(I) terminate the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to public agencies that are authorized pursuant to Federal or State statute;

''(J) interfere with, obstruct, hinder, or delay the exercise of any right to, or access to any water resource facility or other facility or property necessary or useful to access any water right to operate any public water or utility system;

''(K) require initiation or reinitiation of consultation with the United States Fish and Wildlife Service under, or the application of provisions of, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or division A of subtitle III of title 54, United States Code, concerning any action or activity affecting water, water rights or water management or water resource facilities within the Rim of the Valley Unit; or

''(L) limit the Secretary's ability to update applicable fire management plans, which may consider fuels management strategies including managed natural fire, prescribed fires, non-fire mechanical hazardous fuel reduction activities, or post-fire remediation of damage to natural and cultural resources.

''(4) The activities of a utility facility or water resource facility shall take into consideration ways to reasonably avoid or reduce the impact on the resources of the Rim of the Valley Unit.

''(5) For the purpose of paragraph (4)—

''(A) the term 'utility facility' means electric substations, communication facilities, towers, poles, and lines, ground wires, communications circuits, and other structures, and related infrastructure; and

''(B) the term 'water resource facility' means irrigation and pumping facilities; dams and reservoirs; flood control facilities; water conservation works, including debris protection facilities, sediment placement sites, rain gauges, and stream gauges; water quality, recycled water, and pumping facilities; conveyance distribution systems; water treatment facilities; aqueducts; canals; ditches; pipelines; wells; hydropower projects; transmission facilities; and other ancillary facilities, groundwater recharge facilities, water conservation, water filtration plants, and other water diversion, conservation, groundwater recharge, storage, and carriage structures.''.

TITLE LXXVI—WILD OLYMPICS WILDERNESS AND WILD AND SCENIC RIVERS

SEC. 601. SHORT TITLE.

This title may be cited as the ''Wild Olympics Wilderness and Wild and Scenic Rivers Act''.

SEC. 602. DESIGNATION OF OLYMPIC NATIONAL FOREST WILDERNESS AREAS.

(a) IN GENERAL.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the Olympic National Forest in the State of Washington comprising approximately 126,554 acres, as generally depicted on the map entitled ''Proposed Wild Olympics Wilderness and Wild and Scenic Rivers Act'' and dated April 8, 2019 (referred to in this section as the ''map''), is designated as wilderness and as components of the National Wilderness Preservation System:

(1) LOST CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 7,159 acres, as generally depicted on the map, which shall be known as the ''Lost Creek Wilderness''.

(2) RUGGED RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,956 acres, as generally depicted on the map, which shall be known as the ''Rugged Ridge Wilderness''.

(3) ALCKEE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service,

comprising approximately 1,787 acres, as generally depicted on the map, which shall be known as the ''Alckee Creek Wilderness''.

(4) GATES OF THE ELWHA WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 5,669 acres, as generally depicted on the map, which shall be known as the ''Gates of the Elwha Wilderness''.

(5) BUCKHORN WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 21,965 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Buckhorn Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(6) GREEN MOUNTAIN WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 4,790 acres, as generally depicted on the map, which shall be known as the ''Green Mountain Wilderness''.

(7) THE BROTHERS WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,625 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''The Brothers Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(8) MOUNT SKOKOMISH WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 8,933 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Mount Skokomish Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(9) WONDER MOUNTAIN WILDERNESS ADDITIONS.—Certain land managed by the Forest Service, comprising approximately 26,517 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Wonder Mountain Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(10) MOONLIGHT DOME WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 9,117 acres, as generally depicted on the map, which shall be known as the ''Moonlight Dome Wilderness''.

(11) SOUTH QUINAULT RIDGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 10,887 acres, as generally depicted on the map, which shall be known as the ''South Quinault Ridge Wilderness''.

(12) COLONEL BOB WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 353 acres, as generally depicted on the map, is incorporated in, and shall be managed as part of, the ''Colonel Bob Wilderness'', as designated by section 3 of the Washington State Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–339).

(13) SAM'S RIVER WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 13,418 acres, as generally depicted on the map, which shall be known as the ''Sam's River Wilderness''.

(14) CANOE CREEK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 1,378 acres, as generally depicted on the map, which shall be known as the ''Canoe Creek Wilderness''.

(b) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by subsection (a) shall be administered by the Secretary of Agriculture (referred to in this section as the ''Secretary''), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(2) MAP AND DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by subsection (a) with—

(i) the Committee on Natural Resources of the House of Representatives; and

(ii) the Committee on Energy and Natural Resources of the Senate.

(B) EFFECT.—Each map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map and legal description.

(C) PUBLIC AVAILABILITY.—Each map and legal description filed under subparagraph (A) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(c) POTENTIAL WILDERNESS.—

(1) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Forest Service, comprising approximately 5,346 acres as identified as ''Potential Wilderness'' on the map, is designated as potential wilderness.

(2) DESIGNATION AS WILDERNESS.—On the date on which the Secretary publishes in the Federal Register notice that any nonconforming uses in the potential wilderness designated by paragraph (1) have terminated, the potential wilderness shall be—

(A) designated as wilderness and as a component of the National Wilderness Preservation System; and

(B) incorporated into the adjacent wilderness area.

(d) ADJACENT MANAGEMENT.—

(1) NO PROTECTIVE PERIMETERS OR BUFFER ZONES.—The designations in this section shall not create a protective perimeter or buffer zone around any wilderness area.

(2) NONCONFORMING USES PERMITTED OUTSIDE OF BOUNDARIES OF WILDERNESS AREAS.—Any activity or use outside of the boundary of any wilderness area designated under this section shall be permitted even if the activity or use would be seen or heard within the boundary of the wilderness area.

(e) FIRE, INSECTS, AND DISEASES.—The Secretary may take such measures as are necessary to control fire, insects, and diseases, in the wilderness areas designated by this section, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and subject to such terms and conditions as the Secretary determines to be appropriate.

SEC. 603. WILD AND SCENIC RIVER DESIGNATIONS.

(a) IN GENERAL.—Section 3(a) of the National Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(231) ELWHA RIVER, WASHINGTON.—The approximately 29.0-mile segment of the Elwha River and tributaries from the source to Cat Creek, to be administered by the Secretary of the Interior as a wild river.

''(232) DUNGENESS RIVER, WASHINGTON.—The segment of the Dungeness River from the headwaters to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments of the mainstem and major tributary the Gray Wolf River, in the following classes:

''(A) The approximately 5.8-mile segment of the Dungeness River from the headwaters to the 2870 Bridge, as a wild river.

''(B) The approximately 2.1-mile segment of the Dungeness River from the 2870 Bridge to Silver Creek, as a scenic river.

''(C) The approximately 2.7-mile segment of the Dungeness River from Silver Creek to Sleepy Hollow Creek, as a wild river.

''(D) The approximately 6.3-mile segment of the Dungeness River from Sleepy Hollow Creek to the Olympic National Forest boundary, as a scenic river.

''(E) The approximately 1.9-mile segment of the Dungeness River from the National Forest boundary to the State of Washington Department of Natural Resources land in T. 29 N., R. 4 W., sec. 12, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(F) The approximately 16.1-mile segment of the Gray Wolf River from the headwaters to the 2870 Bridge, as a wild river.

''(G) The approximately 1.1-mile segment of the Gray Wolf River from the 2870 Bridge to the confluence with the Dungeness River, as a scenic river.

''(233) BIG QUILCENE RIVER, WASHINGTON.—The segment of the Big Quilcene River from the headwaters to the City of Port Townsend water intake facility, to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 4.4-mile segment from the headwaters to the Buckhorn Wilderness boundary, as a wild river.

''(B) The approximately 5.3-mile segment from the Buckhorn Wilderness boundary to the City of Port Townsend water intake facility, as a scenic river.

''(C) Section 7(a), with respect to the licensing of dams, water conduits, reservoirs, powerhouses, transmission lines, or other project works, shall apply to the approximately 5-mile segment from the City of Port Townsend water intake facility to the Olympic National Forest boundary.

''(234) DOSEWALLIPS RIVER, WASHINGTON.—The segment of the Dosewallips River from the headwaters to the private land in T. 26 N., R. 3 W., sec. 15, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 12.9-mile segment from the headwaters to Station Creek, as a wild river.

''(B) The approximately 6.8-mile segment from Station Creek to the private land in T. 26 N., R. 3 W., sec. 15, as a scenic river.

''(235) DUCKABUSH RIVER, WASHINGTON.—The segment of the Duckabush River from the headwaters to the private land in T. 25 N., R. 3 W., sec. 1, to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 19.0-mile segment from the headwaters to the Brothers Wilderness boundary, as a wild river.

''(B) The approximately 1.9-mile segment from the Brothers Wilderness boundary to the private land in T. 25 N., R. 3 W., sec. 1, as a scenic river.

''(236) HAMMA HAMMA RIVER, WASHINGTON.—The segment of the Hamma Hamma River from the headwaters to the eastern edge of the NW1/4 sec. 21, T. 24 N., R. 3 W., to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 3.1-mile segment from the headwaters to the Mt. Skokomish Wilderness boundary, as a wild river.

''(B) The approximately 5.8-mile segment from the Mt. Skokomish Wilderness boundary to Lena Creek, as a scenic river.

''(C) The approximately 6.8-mile segment from Lena Creek to the eastern edge of the NW1/4 sec. 21, T. 24 N., R. 3 W., to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(237) SOUTH FORK SKOKOMISH RIVER, WASHINGTON.—The segment of the South Fork Skokomish River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 6.7-mile segment from the headwaters to Church Creek, as a wild river.

''(B) The approximately 8.3-mile segment from Church Creek to LeBar Creek, as a scenic river.

''(C) The approximately 4.0-mile segment from LeBar Creek to upper end of gorge in the NW1/4 sec. 22, T. 22 N., R. 5 W., as a recreational river.

''(D) The approximately 6.0-mile segment from the upper end of the gorge to the Olympic National Forest boundary, as a scenic river.

''(238) MIDDLE FORK SATSOP RIVER, WASHINGTON.—The approximately 7.9-mile segment of the Middle Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(239) WEST FORK SATSOP RIVER, WASHINGTON.—The approximately 8.2-mile segment of the West Fork Satsop River from the headwaters to the Olympic National Forest boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(240) WYNOOCHEE RIVER, WASHINGTON.—The segment of the Wynoochee River from the headwaters to the head of Wynoochee Reservoir to be administered by the Secretary of Agriculture, except that portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 2.5-mile segment from the headwaters to the boundary of the Wonder Mountain Wilderness, as a wild river.

''(B) The approximately 7.4-mile segment from the boundary of the Wonder Mountain Wilderness to the head of Wynoochee Reservoir, as a recreational river.

''(241) EAST FORK HUMPTULIPS RIVER, WASHINGTON.—The segment of the East Fork Humptulips River from the headwaters to the Olympic National Forest boundary to be administered by the Secretary of Agriculture, in the following classes:

''(A) The approximately 7.4-mile segment from the headwaters to the Moonlight Dome Wilderness boundary, as a wild river.

''(B) The approximately 10.3-mile segment from the Moonlight Dome Wilderness boundary to the Olympic National Forest boundary, as a scenic river.

''(242) WEST FORK HUMPTULIPS RIVER, WASHINGTON.—The approximately 21.4-mile segment of the West Fork Humptulips River from the headwaters to the Olympic National Forest Boundary, to be administered by the Secretary of Agriculture, as a scenic river.

''(243) QUINAULT RIVER, WASHINGTON.—The segment of the Quinault River from the headwaters to private land in T. 24 N., R. 8 W., sec. 33, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 16.5-mile segment from the headwaters to Graves Creek, as a wild river.

''(B) The approximately 6.7-mile segment from Graves Creek to Cannings Creek, as a scenic river.

''(C) The approximately 1.0-mile segment from Cannings Creek to private land in T. 24 N., R. 8 W., sec. 33, as a recreational river.

''(244) QUEETS RIVER, WASHINGTON.—The segment of the Queets River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, except that portions of the river outside the boundaries of Olympic National Park shall be administered by the Secretary of Agriculture, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 28.6-mile segment of the Queets River from the headwaters to the confluence with Sams River, as a wild river.

''(B) The approximately 16.0-mile segment of the Queets River from the confluence with Sams River to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 15.7-mile segment of the Sams River from the headwaters to the confluence with the Queets River, as a scenic river.

''(D) The approximately 17.7-mile segment of Matheny Creek from the headwaters to the confluence with the Queets River, to be administered as a scenic river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(245) HOH RIVER, WASHINGTON.—The segment of the Hoh River and the major tributary South Fork Hoh from the headwaters to Olympic National Park boundary, to be administered by the Secretary of the Interior, in the following classes:

''(A) The approximately 20.7-mile segment of the Hoh River from the headwaters to Jackson Creek, as a wild river.

''(B) The approximately 6.0-mile segment of the Hoh River from Jackson Creek to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 13.8-mile segment of the South Fork Hoh River from the headwaters to the Olympic National Park boundary, as a wild river.

''(D) The approximately 4.6-mile segment of the South Fork Hoh River from the Olympic National Park boundary to the Washington State Department of Natural Resources boundary in T. 27 N., R. 10 W., sec. 29, to be administered as a recreational river through a cooperative management agreement between the State of Washington and the Secretary of Agriculture as provided in section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

''(246) BOGACHIEL RIVER, WASHINGTON.—The approximately 25.6-mile segment of the Bogachiel River from the source to the Olympic National Park boundary, to be administered by the Secretary of the Interior, as a wild river.

''(247) SOUTH FORK CALAWAH RIVER, WASHINGTON.—The segment of the South Fork Calawah River and the major tributary Sitkum River from the headwaters to Hyas Creek to be administered by the Secretary of Agriculture, except those portions of the river within the boundaries of Olympic National Park shall be administered by the Secretary of the Interior, including the following segments in the following classes:

''(A) The approximately 15.7-mile segment of the South Fork Calawah River from the headwaters to the Sitkum River, as a wild river.

''(B) The approximately 0.9-mile segment of the South Fork Calawah River from the Sitkum River to Hyas Creek, as a scenic river.

''(C) The approximately 1.6-mile segment of the Sitkum River from the headwaters to the Rugged Ridge Wilderness boundary, as a wild river.

''(D) The approximately 11.9-mile segment of the Sitkum River from the Rugged Ridge Wilderness boundary to the confluence with the South Fork Calawah, as a scenic river.

''(248) SOL DUC RIVER, WASHINGTON.—The segment of the Sol Duc River from the headwaters to the Olympic National Park boundary to be administered by the Secretary of the Interior, including the following segments of the mainstem and certain tributaries in the following classes:

''(A) The approximately 7.0-mile segment of the Sol Duc River from the headwaters to the end of Sol Duc Hot Springs Road, as a wild river.

''(B) The approximately 10.8-mile segment of the Sol Duc River from the end of Sol Duc Hot Springs Road to the Olympic National Park boundary, as a scenic river.

''(C) The approximately 14.2-mile segment of the North Fork Sol Duc River from the headwaters to the Olympic Hot Springs Road bridge, as a wild river.

''(D) The approximately 0.2-mile segment of the North Fork Sol Duc River from the Olympic Hot Springs Road bridge to the confluence with the Sol Duc River, as a scenic river.

''(E) The approximately 8.0-mile segment of the South Fork Sol Duc River from the headwaters to the confluence with the Sol Duc River, as a scenic river.

''(249) LYRE RIVER, WASHINGTON.—The approximately 0.2-mile segment of the Lyre River from Lake Crescent to the Olympic National Park boundary, to be administered by the Secretary of the Interior as a scenic river.''.

(b) RESTORATION ACTIVITIES.—Consistent with the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) (including any regulations issued under that Act), the Secretary of Agriculture or the Secretary of the Interior, as applicable, may authorize an activity or project for a component of the Wild and Scenic Rivers System designated under the amendments made by subsection (a), the primary purpose of which is—

(1) river restoration;

(2) the recovery of a species listed as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(3) restoring ecological and hydrological function.

(c) UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 3 years after the date of the enactment of this Act, the Secretary of Agriculture shall, with respect to the designations made under subsection (a) on lands under the jurisdiction of the Secretary, incorporate such designations into updated management plans for units of the National Forest System in accordance with applicable laws (including regulations).

(2) EXCEPTION.—The date specified in paragraph (1) shall be 5 years after the date of the enactment of this Act if the Secretary of Agriculture—

(A) is unable to meet the requirement under such paragraph by the date specified in such paragraph; and

(B) not later than 3 years after the date of the enactment of this Act, includes in the Department of Agriculture annual budget

submission to Congress a request for additional sums as may be necessary to meet the requirement of such paragraph.

(3) COMPREHENSIVE MANAGEMENT PLAN REQUIREMENTS.—Updated management plans under paragraph (1) or (2) satisfy the requirements under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

SEC. 604. EXISTING RIGHTS AND WITHDRAWAL.

(a) EFFECT ON EXISTING RIGHTS.—

(1) PRIVATE PARTIES.—In accordance with section 12(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1283(b)), nothing in this division or an amendment made by this division affects or abrogates any existing rights, privileges, or contracts held by a private party.

(2) STATE LAND.—Nothing in this division or an amendment made by this division modifies or directs the management, acquisition, or disposition of land managed by the Washington Department of Natural Resources.

(b) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by this title and the amendment made by section 603(a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 605. TREATY RIGHTS.

Nothing in this title alters, modifies, diminishes, or extinguishes the reserved treaty rights of any Indian tribe with hunting, fishing, gathering, and cultural or religious rights in the Olympic National Forest as protected by a treaty.

TITLE LXXVII—CERRO DE LA OLLA WILDERNESS ESTABLISHMENT

SEC. 701. DESIGNATION OF CERRO DE LA OLLA WILDERNESS.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 1202 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 1132 note; Public Law 116–9; 133 Stat. 651) is amended—

(A) in the section heading, by striking ''**CERRO DEL YUTA AND RÍO SAN ANTONIO**'' and inserting ''**RÍO GRANDE DEL NORTE NATIONAL MONUMENT**'';

(B) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) MAP.—The term 'map' means—

''(A) for purposes of subparagraphs (A) and (B) of subsection (b)(1), the map entitled 'Río Grande del Norte National Monument Proposed Wilderness Areas' and dated July 28, 2015; and

''(B) for purposes of subsection (b)(1)(C), the map entitled 'Proposed Cerro de la Olla Wilderness and Río Grande del Norte National Monument Boundary' and dated June 30th, 2022.''; and

(C) in subsection (b)—

(i) in paragraph (1), by adding at the end the following:

''(C) CERRO DE LA OLLA WILDERNESS.—Certain Federal land administered by the Bureau of Land Management in Taos County, New Mexico, comprising approximately 12,898 acres as generally depicted on the map, which shall be known as the 'Cerro de la Olla Wilderness'.'';

(ii) in paragraph (4), in the matter preceding subparagraph (A), by striking ''this Act'' and inserting ''this Act (including a reserve common grazing allotment)'';

(iii) in paragraph (7)—

(I) by striking ''map and'' each place it appears and inserting ''maps and''; and

(II) in subparagraph (B), by striking ''the legal description and map'' and inserting ''the maps or legal descriptions''; and

(iv) by adding at the end the following:

''(12) WILDLIFE WATER DEVELOPMENT PROJECTS IN CERRO DE LA OLLA WILDERNESS.—

''(A) IN GENERAL.—Subject to subparagraph (B) and in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), the Secretary may authorize the maintenance of any structure or facility in existence on the date of enactment of this paragraph for wildlife water development projects (including guzzlers) in the Cerro de la Olla Wilderness if, as determined by the Secretary—

''(i) the structure or facility would enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

''(ii) the visual impacts of the structure or facility on the Cerro de la Olla Wilderness can reasonably be minimized.

''(B) COOPERATIVE AGREEMENT.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall enter into a cooperative agreement with the State of New Mexico that specifies, subject to section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), the terms and conditions under which wildlife management activities in the Cerro de la Olla Wilderness may be carried out.''.

(2) CLERICAL AMENDMENT.—The table of contents for the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116–9; 133 Stat. 581) is amended by striking the item relating to section 1202 and inserting the following:

''Sec. 1202. Río Grande del Norte National Monument Wilderness Areas.''.

(b) RÍO GRANDE DEL NORTE NATIONAL MONUMENT BOUNDARY MODIFICATION.—The boundary of the Río Grande del Norte National Monument in the State of New Mexico is modified, as depicted on the map entitled ''Proposed Cerro de la Olla Wilderness and Río Grande del Norte National Monument Boundary'' and dated June 30th, 2022.

TITLE LXXVIII—STUDY ON FLOOD RISK MITIGATION

SEC. 801. STUDY ON FLOOD RISK MITIGATION.

The Comptroller General shall conduct a study to determine the contributions of wilderness designations under this division to protections to flood risk mitigation in residential areas.

TITLE LXXIX—MISCELLANEOUS

SEC. 901. PROMOTING HEALTH AND WELLNESS FOR VETERANS AND SERVICEMEMBERS.

The Secretary of Interior and the Secretary of Agriculture are encouraged to ensure servicemember and veteran access to public lands designed by this division for the purposes of outdoor recreation and to participate in outdoor-related volunteer and wellness programs.

SEC. 902. FIRE, INSECTS, AND DISEASES.

Nothing in this division may be construed to limit the authority of the Secretary of the Interior or the Secretary of Agriculture under section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), in accordance with existing laws (including regulations).

SEC. 903. MILITARY ACTIVITIES.

Nothing in this division precludes—

(1) low-level overflights of military aircraft over wilderness areas;

(2) the designation of new units of special airspace over wilderness areas; or

(3) the establishment of military flight training routes over wilderness areas.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentlewoman from Colorado (Ms. DEGETTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. DEGETTE. Mr. Speaker, today I rise in support of my amendment to add the first six titles of the Protecting America's Wilderness and Public Lands Act and, also, Congresswoman LEGER FERNANDEZ's bill to protect the Cerro de la Olla in her State to this year's NDAA bill.

Taken together, this amendment will preserve more than 1.6 million acres of public land across Colorado, California, Washington, and New Mexico and will add more than 1,000 miles of river to the national wild and scenic rivers system.

Preserving these pristine, untouched wilderness lands is about more than just protecting our environment. It is about protecting our economy, our way of life, and ensuring our Nation's top military pilots have the space they need to train.

Among the areas that would be protected under this measure are some of our Nation's most important military training grounds, including the high altitude aviation training sites in Colorado where some of our Nation's most elite helicopter pilots train to take on some of the harshest environments anywhere on this planet.

The areas to be protected under this amendment also play a key role in combating the climate crisis which the Pentagon itself has deemed a preeminent threat to our national security.

The designations in this bill were not drawn from a hat. They are the product of decades of work, and that is why this amendment has widespread support from every single area where that is included in this bill. That is why this Chamber has taken steps to pass it not once, not twice, but four times now in just the past 2 years alone including as a part of last the 2 years' NDAA bills.

Taking on the fight against the climate crisis and ensuring our Nation's military pilots have the space they need to train for some of the world's most difficult environments is something all of us should be behind.

Mr. Speaker, I urge my colleagues to vote ''yes'' on this important amendment, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Arkansas is recognized for 5 minutes.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the DeGette amendment No. 456. This amendment would add the text of the so-called Protecting America's Wilderness and Public Lands Act which would actually damage our environment and kill jobs in rural America. By the way, I don't understand really what this bill has to do with defense and why it gets made in order for the NDAA.

This amendment creates nearly 1.5 million acres of new wilderness and designates over 1,200 miles of wild, scenic, and recreational rivers. For perspective, the wilderness designated in

this bill is the same size as President Biden's home State of Delaware.

Just days ago we reached the ominous mark of over 5 million acres burned nationwide. This is double the 10-year average and nearly three times the amount of acres that were burned at this point last year.

One fire that has largely contributed to this total is the Hermits Peak Fire which is still burning in New Mexico as we debate here tonight. This fire, which is the largest in New Mexico's State history, has burned over 340,000 acres and racked up $278 million in fire suppression costs. This fire started in the Pecos Wilderness area which has not been properly managed and has significant fuel loads.

Instead of this being a wake-up call, congressional Democrats are trying to double down on the failed strategy of locking up lands and throwing away the key less than 100 miles from where the Hermits Peak fire is currently burning.

Creating new wilderness doesn't just mean catastrophic wildfires will be more likely. It means that these fires will also be more severe and put our brave wildland firefighters into harm's way. Many of these areas are too dangerous and burn too intensely to send firefighters in to fight.

In contrast, areas that have previously received treatments are often places identified by firefighters as areas they can enter to start attacking a fire safely. We have a problem in our national forests that is not going to be solved with handsaws and shovels. Now is not the time to rely on century-old management techniques stipulated by wilderness designations when over 80 million acres of Forest Service land is in desperate need of treatment.

If that weren't enough, this bill also designates land as wilderness in the wildland-urban interface.

This is a matter of life and death. Therefore, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 2¼ minutes to the gentlewoman from Colorado (Mrs. BOEBERT).

Mrs. BOEBERT. Mr. Speaker, I rise today in opposition to amendment No. 456, an amendment that would add the Protecting America's Wilderness and Public Lands Act into this year's NDAA.

This bill would add nearly 1.5 million acres of new wilderness and permanently withdraw 1.2 million acres from mineral production. Democrats already locked down our businesses, they locked down our churches, and they locked down our schools. But that wasn't disastrous enough. Now they want to lock down our public lands.

Approximately 550,000 of those 1.5 million acres that will be locked up by these new wilderness designations are in my district. Over 55 percent of Colorado's Third Congressional District is already Federal land. The last thing that communities in my district need is further restrictions imposed by government limiting what they can do on public lands.

People back home impacted by this lands package have raised significant concerns ranging from the loss of recreation, the elimination of multiple use of the land, and the overall threats to local rural economies.

However, one of the biggest concerns in the Western States is the increased threat of disastrous wildfires that will result from the new wilderness designation and other land grabs in this bill. Wilderness is the most restrictive land use designation possible. It prevents active management in our forests which is critical to preventing catastrophic wildfires.

Placing my district under lock and key will prevent all Americans from being able to access the lands and experience our majestic purple mountains firsthand.

I have also visited the HAT facility in Eagle County. I have talked to our military pilots who would actually lose some of their land that they currently train over. This is a national security threat. They need that land to be able to train as they protect our country and then, of course, the 1,200 miles of river that would be designated wild and scenic, well, that is not fair.

That is in my district. I am not going to the gentlewoman's district and designating the 16th Street Mall wild and scenic, but I do believe we can all agree that it is pretty wilderness down there.

Ms. DEGETTE. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, there is a place and a time to debate wilderness and wild and scenic rivers, but I don't think the NDAA is the place for that.

In conclusion, I strongly urge my colleagues to oppose this amendment which will harm our environment and do nothing to improve our national security.

Mr. Speaker, I encourage a ''no'' vote, and I yield back the balance of my time.

Ms. DEGETTE. Mr. Speaker, let me just clear up a few of the pieces of misinformation that have come out about this bill tonight. The first one is that the HAT, the high-altitude training I talked about which is used by the military, is not supported by pilots.

Actually, the Colorado National Guard has issued a statement of support of this legislation because we do protect those training areas, and it is very important—it has been important ever since Afghanistan—to do that.

The second thing I want to talk about is that all of the economic studies have shown that more wilderness actually creates more jobs. So for people who are in rural communities in remote areas, when there is wilderness around them, the growing and new economy in the West is for more jobs in recreation and other industries.

Last but not least, the portion of this bill that is in my State of Colorado, the Colorado Wilderness Act, which is my bill, is about 660,000 acres. Those acres are almost all currently wilderness study areas. All the wilderness study areas are currently managed by the BLM as if they are wilderness.

□ 0210

These claims that are being made that there are going to be new fires, that there are going to be new problems, that is simply not true. We are taking something that has been a reality in those areas for 40 years and simply making it permanent so that our children and our grandchildren can enjoy those wonderful areas, so that we can stimulate the recreation economy, and so that we can protect those lands for preservation and for helping to address the climate issue.

Mr. Speaker, I urge my colleagues to vote ''yes'' on this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WESTERMAN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 461 OFFERED BY MR. EVANS

The SPEAKER pro tempore. It is now in order to consider amendment No. 461 printed in part A of House Report 117–405.

Mr. EVANS. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title LVIII of division E, insert the following:

SEC. ___. DELAWARE RIVER BASIN CONSERVATION REAUTHORIZATION.

(a) COST SHARING.—Section 3504(c)(1) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1775) is amended—

(1) by striking ''The Federal share'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share''; and

(2) by adding at the end the following:

''(B) SMALL, RURAL, AND DISADVANTAGED COMMUNITIES.—

''(i) IN GENERAL.—Subject to clause (ii), the Federal share of the cost of a project funded under the grant program that serves a small, rural, or disadvantaged community shall be 90 percent of the total cost of the project, as determined by the Secretary.

''(ii) WAIVER.—The Secretary may increase the Federal share under clause (i) to 100 percent of the total cost of the project if the

Secretary determines that the grant recipient is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.''.

(b) REPEAL OF PROHIBITION ON USE OF FUNDS FOR FEDERAL ACQUISITION OF INTERESTS IN LAND.—Section 3506 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1775) is repealed.

(c) SUNSET.—Section 3507 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1775) is amended by striking ''2023'' and inserting ''2030''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Pennsylvania (Mr. EVANS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. EVANS. Mr. Speaker, I yield myself such time as I may consume.

I rise today to offer my amendment, No. 461, to reauthorize the Delaware River Basin Restoration Program. This program was established through the Delaware River Basin Conservation Act passed by Congress bipartisanly in 2016.

This program provides invaluable support, through technical and grant assistance, to projects in the Delaware River Basin.

One recipient among many of these grants is the Delaware River Basin Commission, the interstate agency that coordinated efforts to protect the Delaware River. This commission, which is made up of State Governors as well as the commander of the U.S. Army Corps of Engineers' North Atlantic Division, has been a major player in protecting the health and safety of over 7 million Americans spread over 13,000 square miles since 1961.

The commission utilizes grants administered through the program for a variety of projects, including protecting local fish habitats and maintaining fish species populations in the Delaware River. These projects serve both an environmental purpose to protect our local wildlife but also our local industries reliant on access to a healthy and safe waterway, and they indirectly support millions of dollars in local economies.

Reauthorizing the Delaware River Basin Conservation Act allows the U.S. Army Corps, as well as other interstate agencies, environmental nonprofits, and local governments, to fund the necessary environmental protection and conservation efforts needed to keep our citizens safe and healthy.

In my home city of Philadelphia, the Delaware Watershed Conservation Fund was providing funds to multiple agencies to install green stormwater controls, restore degraded trail corridors, and build a new park to connect underserved neighborhoods to recreational opportunities on the Delaware River.

This amendment not only protects our environment, but it protects our economies, our livelihoods, our health, and our safety.

In line with the bipartisan infrastructure bill that Congress passed last year, this amendment will also allow the Secretary of the Interior to waive cost-share requirements for the most disadvantaged communities. That is rural and urban. This will help low-income communities, and it is important to understand what that means to our local environment.

The Delaware River Basin Conservation Act was passed in 2016 with bipartisan support. I urge my colleagues to join in supporting the passage of this amendment and reauthorizing this necessary environmental program.

Mr. Speaker, I reserve the balance of my time.

Mr. PERRY. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. PERRY. Mr. Speaker, this amendment reauthorizes the Delaware River Basin Conservation Program for 10 years and increases the Federal cost-share for the projects.

Now, it is the same kind of theme here at the end of the evening. I guess it is late. Looks like it is about quarter after 2. Nobody is supposed to notice that we are talking about the National Defense Authorization Act, but this is about the Delaware River Basin Conservation Program.

I am sure it is important to my good friend and colleague. We served together in the statehouse. But he knows and I know the Transportation and Infrastructure Committee shares jurisdiction over this legislation with our colleagues on the Natural Resources Committee, not on the House Armed Services Committee. This doesn't belong here.

As a member of the Transportation and Infrastructure Committee, I can tell you that this bill has not been considered. This amendment hasn't been considered in the Transportation and Infrastructure Committee. Neither side has taken a look at it, so we don't know the pros and cons.

But we know this: This has nothing to do with protecting the residents of Pennsylvania or the Delaware Bay or the Delaware River from invasion from the Chinese or from the Russians or some kind of amphibious force.

My good friend even talked about the trails, the environment, and the conservation around the area, which is all a great discussion. But we are here to talk about the National Defense Authorization Act. This is not to pass nondefense-related amendments, and it is completely inappropriate, completely unrelated to national defense. It actually undermines our national security by providing resources to the Delaware River Basin Commission that should go to the Pentagon.

As long as we are talking about it, let's be clear here. Unelected bureaucrats at the DRBC have usurped the authority of the Pennsylvania legislature, which my colleague on the other side of the aisle and I served in, and have deprived Pennsylvanians of their property rights by instituting a ban on hydraulic fracturing.

Maybe there is a national security nexus because preventing the responsible development of Pennsylvania's wealth of natural gas has enriched the Putin regime. It has funded its aggression in Ukraine and continued European dependence on Russian gas. That is what it has done.

This bill absolutely has no place in the National Defense Authorization Act. While most of America might be sleeping at 2:15 in the morning, I am not. I am here in opposition to this because it doesn't belong here. It belongs in another committee, in another discussion where we can get into the details of what this would do, what this reauthorization would do.

We are not going to be duped by adding this to the National Defense Authorization Act and continuing the egregious overreach of the unelected activists at the DRBC.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. EVANS. Mr. Speaker, I will repeat what I said. This was passed bipartisanly in 2016, the very same year I came in, Mr. Speaker.

I shared with you that it is about the people, and at the end of the day, that is what we are here for.

Mr. Speaker, I yield back the balance of my time.

Mr. PERRY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I sure appreciate my good friend and colleague. It is always about people, to my good colleague.

But on this particular evening, and on this bill, it is about national defense. It is about national security. It is not about this. This does not belong here.

We could have a conversation, and we should have a conversation about this, but not here, not now, not tonight, and not on this bill.

Mr. Speaker, I urge a ''no'' vote, and I yield back the balance of my time.

□ 0220

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Pennsylvania (Mr. EVANS).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PERRY. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

The Chair understands that Amendment 465 will not be offered at this time.

AMENDMENT NO. 495 OFFERED BY MR. CONNOLLY

The SPEAKER pro tempore. It is now in order to consider amendment No. 495

printed in part A of House Report 117–405.

Mr. CONNOLLY. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title LVIII add the following:

SEC. ___. ART IN EMBASSIES.

Section 5112(c) of the Department of State Authorization Act of 2021 (Division E of Public Law 117–81) is amended by striking ''2 years'' and inserting ''1 year''.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to urge my colleagues to support amendment 495, an amendment that cuts red tape and removes burdensome requirements placed on art in embassies abroad; an amendment, by the way, that was offered by my Republican friends at last year's NDAA. That is why we are here tonight.

The Art in Embassies Program is a public-private partnership that exhibits American art in our diplomatic outposts throughout the world. The program engages over 20,000 participants globally, including artists, museums, galleries, universities, and private collectors and encompasses over 200 venues in 189 countries.

The program has promoted cultural diplomacy through art by way of artist exchanges and programs exhibiting a diverse group of American artists and international artists and artists from the host countries.

For example, in 2019, the African-American experience was the central focus of the AIE exhibit in Kigali, an exhibit that featured works by a number of African-American artists.

The Art in Embassies Program has a long track record of advancing U.S. public diplomacy through temporary and permanent art exhibits, publications, and cultural exchanges.

The Museum of Modern Art, MOMA, first envisioned this global visual arts program in 1953. President John F. Kennedy, who understood the value of art in diplomacy, formalized it as an important tool for our State Department back in 1963.

Unfortunately, the 2021 legislation placed unnecessary and repetitive reporting requirements on the program that threaten its viability. It limits the purchase to $25,000, and anything above that has to come to Congress for review.

These requirements require Congress to review all art that is purchased for the Art in Embassies Program beyond that limit. That places a tedious and gratuitous strain on our ability to run the program at all.

These attacks on cultural exchange programs are not new. Sadly, in the 1940s, in sort of a red scare moment in the United States, Members of Congress attempted to defund and delegitimize the works of modern American artists across the board.

The Art in Embassies Program not only showcases our fundamental respect for the basic right to free expression, pluralistic beliefs, and American creativity, it is also an important tool for the United States to advance our public diplomacy priorities and support influential cultural exchanges.

This simple amendment would sunset the requirement 1 year early from the 2-year sunset that is provided in the current law.

Maya Freelon Asante, an artist who has participated in the Arts in Embassies cultural exchanges, recently said it best: ''Art used as a form of cultural diplomacy is more important now than ever because art can transcend language and cultural barriers and helps us focus on positive and peaceful alliances.''

Mr. Speaker, I urge my colleagues to adopt this amendment, and I reserve the balance of my time.

Mr. BURCHETT. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 5 minutes.

Mr. BURCHETT. Mr. Speaker, I rise in opposition to this incredibly ridiculous amendment. There is a reason this is the last amendment. I feel like the opposing party is probably a little embarrassed that it is even being brought up, the fact that we are doing it so late.

It would repeal a provision that Democrats approved last year that simply requires the State Department to notify Congress before it spends thousands of dollars on art for United States embassies. Most of this art will never be seen except by the employees of the embassies.

Now, these same Democrats want to repeal this provision because they know there is absolutely no way they can justify spending millions of taxpayer dollars on art when inflation is at 9.1 percent, gas is nearly $5 a gallon, and our country is on the brink of a recession.

This isn't a new thing, though, Mr. Speaker. A few years ago, I found out the State Department spent 84,375 taxpayer dollars on a piece of artwork designed by Bob Dylan. That might have been a bargain if it was Hunter Biden's artwork, but it was Bob Dylan's.

During a government shutdown, while thousands of Federal employees were struggling to make ends meet, I thought that was sickening. I introduced a bill to prevent any tax dollars from being spent on art in United States embassies, but it still hasn't been passed.

Over the past year, the State Department notified us it wanted to spend over $400,000 on a sculpture of clouds in Montenegro, over $250,000 on a mural in Mexico City, $350,000 on a mosaic in Rio, and lots more. They should be spending zero, Mr. Speaker. Zero.

By the way, these purchasing decisions are made by an office that employs 15 people, and many of their salaries are over $100,000 a year, and that is a lot more than the average East Tennessean's salary, the people that I represent.

So the bill that my friend is presenting is sunsetting, is providing oversight in the spending of money, and you are denying Congress the oversight that we should have. We should have the purse strings, Mr. Speaker.

I am sick of hearing things like a million dollars here or there is not that much. Mr. Speaker, that is so elitist, and anyone who says that needs to check their privilege. A million dollars is a lot more than many of my hard-working constituents will see in a lifetime.

Our government cannot justify spending that much on art, and the Democrats know it. That is why we are trying to pass this amendment to get the State Department off the hook from reporting it.

Mr. Speaker, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, the intolerance we just heard, referring to this amendment as ridiculous, coupled with the admission by the gentleman from Tennessee that he wants congressional review so that it is zero.

Art is a powerful tool fighting war. Look at Picasso's Guernica; maybe the most evocative anti-war painting ever.

I was in Madrid for the NATO Summit where I spoke about war and peace to the heads of state at NATO just 2 weeks ago. I visited the Prado, and I looked at one of the most powerful pictures I've ever seen by Goya about Napoleonic occupation of his homeland, Spain. He witnessed that horror, and he depicted it, and it drove him almost into madness, what he witnessed.

Maybe my friend thinks that art ought to be zero, but I believe millions of Americans would disagree, and so do I.

Mr. Speaker, I urge my colleagues to adopt this amendment and not to go the route of zero art in America, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1224, the previous question is ordered on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURCHETT. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 7900 is postponed.

□ 0230

BORDER PATROL NEVER WHIPPED MIGRANTS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, regarding the Biden border crisis, the Department of Homeland Security came back with a report proving without a doubt that the Border Patrol agents on horseback did not whip Haitian illegal immigrants crossing the border in 2021.

There is no evidence whatsoever that agents involved in this incident struck intentionally or otherwise any illegal border crossers with the reins of their horses.

After photographers took pictures of members of the Border Patrol Horse Patrol chasing Haitian illegal immigrants and swirling the reins of their horses in an allegedly intimidating manner, some news organizations falsely reported the agents seemed to be whipping the migrants.

After all this whip controversy was found to be completely without merit, officials at Customs and Border Patrol announced that they are still going to punish the agents. Wow, that will be great for morale. These agents who dutifully serve to keep our border safe and enforce our laws are going to pay the price for something they did not do.

President Biden, Vice President HARRIS, Speaker PELOSI, and even Leader SCHUMER have all added fuel to this false fire. Liberal media keep pushing out false stories even though the photographer who took the images swiftly clarified they never witnessed an agent whipping any migrants.

Negative media attention, brought about by liberal media and far-left politicians, is vilifying these agents, needlessly hurting morale, hurting recruitment and are just flat false.

BORDER CRISIS STILL EXISTS

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Mr. Speaker, in the zeal to spend more money on our military, some of which is admirable, it is easy to forget that we still have a crisis at the southern border.

Again and again, month after month, 160,000, 180,000 people are coming here. It should be brought to our attention because recently a horrific sexual assault of a 10-year-old made national news, and I don't believe it was anywhere near publicized enough that the assault was done by an illegal immigrant.

This is what happens when we have an open border. People have to pay a horrible price for the laxness here. In addition, of course, to the sexual assault, we have the 110,000 deaths by illegal drugs in this country, and the current administration doesn't seem to care at all.

It is time in this plethora of spending bills to have dramatic increases in the number of people at the border as well as to go back to the stay in Mexico policy.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 10 a.m. today.

Thereupon (at 2 o'clock and 32 minutes a.m.), under its previous order, the House adjourned until today, Thursday, July 14, 2022, at 10 a.m.