to the bill S. 2226, supra; which was ordered to lie on the table.

SA 925. Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 926. Mr. CRUZ (for himself, Mr. MANCHIN, Ms. ERNST, and Mr. FETTERMAN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 927. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 928. Mrs. SHAHEEN (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 929. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 930. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 931. Mr. CORNYN (for himself, Mr. CASEY, Mr. SULLIVAN, Ms. STABENOW, Mr. CRAMER, Mr. FETTERMAN, and Mr. RICKETTS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 932. Mr. MENENDEZ (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 933. Mr. MENENDEZ (for himself, Mr. KAINE, Mr. SCHATZ, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 934. Mr. SCHUMER (for Mr. CORNYN) submitted an amendment intended to be proposed by Mr. Schumer to the bill S. 794, to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism.

TEXT OF AMENDMENTS

SA 807. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION F—INTERNATIONAL TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2023

SEC. 6001. SHORT TITLE.

This division may be cited as the ''International Trafficking Victims Protection Reauthorization Act of 2023''

TITLE LXI—COMBATING HUMAN TRAFFICKING ABROAD

SEC. 6101. UNITED STATES SUPPORT FOR INTEGRATION OF ANTI-TRAFFICKING IN PERSONS INTERVENTIONS IN MULTILATERAL DEVELOPMENT BANKS.

(a) REQUIREMENTS.—The Secretary of the Treasury, in consultation with the Secretary of State acting through the Ambassador-at-Large to Monitor and Combat Trafficking in Persons, shall instruct the United States Executive Director of each multilateral development bank (as defined in section 110(d) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d))) to encourage the inclusion of a counter-trafficking strategy, including risk assessment and mitigation efforts as needed, in proposed projects in countries listed—

(1) on the Tier 2 Watch List (required under section 110(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A)), as amended by section 104(a));

(2) under subparagraph (C) of section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly referred to as ''tier 3''); and

(3) as Special Cases in the most recent report on trafficking in persons required under such section (commonly referred to as the ''Trafficking in Persons Report'').

(b) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall brief the appropriate congressional committees regarding the implementation of this section.

(c) GAO REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that details the activities of the United States relating to combating human trafficking, including forced labor, within multilateral development projects.

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

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

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

SEC. 6102. EXPANDING PREVENTION EFFORTS AT THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—In order to strengthen prevention efforts by the United States abroad, the Administrator of the United States Agency for International Development (referred to in this section as the ''Administrator'') shall, to the extent practicable and appropriate—

(1) encourage the integration of activities to counter trafficking in persons (referred to in this section as ''C-TIP'') into broader assistance programming;

(2) determine a reasonable definition for the term ''C-TIP Integrated Development Programs,'' which shall include any programming to address health, food security, economic development, education, democracy and governance, and humanitarian assistance that includes a sufficient C-TIP element; and

(3) ensure that each mission of the United States Agency for International Development (referred to in this section as ''USAID'')—

(A) integrates a C-TIP component into development programs, project design, and methods for program monitoring and evaluation, as necessary and appropriate, when addressing issues, including—

(i) health;

(ii) food security;

(iii) economic development;

(iv) education;

(v) democracy and governance; and

(vi) humanitarian assistance;

(B) continuously adapts, strengthens, and implements training and tools related to the integration of a C-TIP perspective into the work of development actors; and

(C) encourages USAID Country Development Cooperation Strategies to include C-TIP components in project design, implementation, monitoring, and evaluation, as necessary and appropriate.

(b) REPORTS AND BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of an Act making appropriations for the Department of State, Foreign Operations, and Related Programs through fiscal year 2027, the Secretary of State, in consultation with the Administrator, shall submit to the appropriate congressional committees a report on obligations and expenditures of all funds managed by the Department of State and USAID in the prior fiscal year to combat human trafficking and forced labor, including integrated C-TIP activities.

(2) CONTENTS.—The report required by paragraph (1) shall include—

(A) a description of funding aggregated by program, project, and activity; and

(B) a description of the management structure at the Department of State and USAID used to manage such programs.

(3) BIENNIAL BRIEFING.—Not later than 6 months of after the date of the enactment of this Act, and every 2 years thereafter through fiscal year 2027, the Secretary of State, in consultation with the Administrator, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of subsection (a).

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

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

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

SEC. 6103. COUNTER-TRAFFICKING IN PERSONS EFFORTS IN DEVELOPMENT COOPERATION AND ASSISTANCE POLICY.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 102(b)(4)(22 U.S.C. 2151–1(b)(4))—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(H) effective counter-trafficking in persons policies and programs.''; and

(2) in section 492(d)(1)(22 U.S.C. 2292a(d)(1))—

(A) by striking ''that the funds'' and inserting the following: ''that—

''(A) the funds'';

(B) in subparagraph (A), as added by subparagraph (A) of this paragraph, by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(B) in carrying out the provisions of this chapter, the President shall, to the greatest extent possible—

''(i) ensure that assistance made available under this section does not create or contribute to conditions that can be reasonably expected to result in an increase in trafficking in persons who are in conditions of heightened vulnerability as a result of natural and manmade disasters; and

''(ii) integrate appropriate protections into the planning and execution of activities authorized under this chapter.''.

SEC. 6104. TECHNICAL AMENDMENTS TO TIER RANKINGS.

(a) MODIFICATIONS TO TIER 2 WATCH LIST.—Section 110(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)), is amended—

(1) in the paragraph heading, by striking ''SPECIAL'' and inserting ''TIER 2''; and

(2) in subparagraph (A)—

(A) by striking ''of the following countries'' and all that follows through ''annual report, where—''and inserting ''of countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report, in which—''; and

(B) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and moving such clauses (as so redesignated) 2 ems to the left.

(b) MODIFICATION TO SPECIAL RULE FOR DOWNGRADED AND REINSTATED COUNTRIES.—Section 110(b)(2)(F) of such Act (22 U.S.C. 7107(b)(2)(F)) is amended—

(1) in the matter preceding clause (i), by striking ''special watch list described in subparagraph (A)(iii) for more than 1 consecutive year after the country'' and inserting ''Tier 2 watch list described in subparagraph (A) for more than one year immediately after the country consecutively'';

(2) in clause (i), in the matter preceding subclause (I), by striking ''special watch list described in subparagraph (A)(iii)'' and inserting ''Tier 2 watch list described in subparagraph (A)''; and

(3) in clause (ii), by inserting ''in the year following such waiver under subparagraph (D)(ii)'' after ''paragraph (1)(C)''.

(c) CONFORMING AMENDMENTS.—

(1) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), as amended by subsections (a) and (b), is further amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''special watch list'' and inserting ''Tier 2 watch list'';

(ii) in subparagraph (C)—

(I) in the subparagraph heading, by striking ''SPECIAL WATCH LIST'' and inserting ''TIER 2 WATCH LIST''; and

(II) by striking ''special watch list'' and inserting ''Tier 2 watch list''; and

(iii) in subparagraph (D)—

(I) in the subparagraph heading, by striking ''SPECIAL WATCH LIST'' and inserting ''TIER 2 WATCH LIST''; and

(II) in clause (i), by striking ''special watch list'' and inserting ''Tier 2 watch list'';

(B) in paragraph (3)(B), in the matter preceding clause (i), by striking ''clauses (i), (ii), and (iii) of''; and

(C) in paragraph (4)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking ''each country described in paragraph (2)(A)(ii)'' and inserting ''each country described in paragraph (2)(A)''; and

(ii) in subparagraph (D)(ii), by striking ''the Special Watch List'' and inserting ''the Tier 2 watch list''.

(2) FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION REAUTHORIZATION ACT OF 2018.—Section 204(b)(1) of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Public Law 115–425) is amended by striking ''special watch list'' and inserting ''Tier 2 watch list''.

SEC. 6105. MODIFICATIONS TO THE PROGRAM TO END MODERN SLAVERY.

(a) IN GENERAL.—Section 1298 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 7114) is amended—

(1) in subsection (a)(1), by striking ''Not later than 90 days after the date of the enactment of this Act'' and inserting ''Not later than 90 days after the date of the enactment of the International Trafficking Victims Protection Reauthorization Act of 2023'';

(2) in subsection (g)—

(A) by striking ''APPROPRIATIONS'' in the heading and all that follows through ''There is authorized'' and inserting ''APPROPRIATIONS .—There is authorized''; and

(B) by striking paragraph (2); and

(3) in subsection (h)(1), by striking ''Not later than September 30, 2018, and September 30, 2020'' and inserting ''Not later than September 30, 2023, and September 30, 2027''.

(b) ELIGIBILITY.—To be eligible for funding under the Program to End Modern Slavery of the Office to Monitor and Combat Trafficking in Persons, a grant recipient shall—

(1) publish the names of all subgrantee organizations on a publicly available website; or

(2) if the subgrantee organization expresses a security concern, the grant recipient shall relay such concerns to the Secretary of State, who shall transmit annually the names of all subgrantee organizations in a classified annex to the chairs of the appropriate congressional committees (as defined in section 1298(i) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(i))).

(c) AWARD OF FUNDS.—All grants issued under the program referred to in subsection (b) shall be—

(1) awarded on a competitive basis; and

(2) subject to the regular congressional notification procedures applicable with respect to grants made available under section 1298(b) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(b)).

SEC. 6106. CLARIFICATION OF NONHUMANITARIAN, NONTRADE-RELATED FOREIGN ASSISTANCE.

(a) CLARIFICATION OF SCOPE OF WITHHELD ASSISTANCE.—Section 110(d)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(1)) is amended to read as follows:

''(1) WITHHOLDING OF ASSISTANCE.—The President has determined that—

''(A) the United States will not provide nonhumanitarian, nontrade-related foreign assistance to the central government of the country or funding to facilitate the participation by officials or employees of such central government in educational and cultural exchange programs, for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance; and

''(B) the President will instruct the United States Executive Director of each multilateral development bank and of the International Monetary Fund to vote against, and to use the Executive Director's best efforts to deny, any loan or other utilization of the funds of the respective institution to that country (other than for humanitarian assistance, for trade-related assistance, or for development assistance that directly addresses basic human needs, is not administered by the central government of the sanctioned country, and is not provided for the benefit of that government) for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance.''.

(b) DEFINITION OF NON-HUMANITARIAN, NONTRADE RELATED ASSISTANCE.—Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is amended to read as follows:

''(10) NONHUMANITARIAN, NONTRADE-RELATED FOREIGN ASSISTANCE.—

''(A) IN GENERAL.—The term 'nonhumanitarian, nontrade-related foreign assistance' means—

''(i) United States foreign assistance, other than—

''(I) with respect to the Foreign Assistance Act of 1961—

''(aa) assistance for international narcotics and law enforcement under chapter 8 of part I of such Act (22 U.S.C. 2291 et seq.);

''(bb) assistance for International Disaster Assistance under subsections (b) and (c) of section 491 of such Act (22 U.S.C. 2292);

''(cc) antiterrorism assistance under chapter 8 of part II of such Act (22 U.S.C. 2349aa et seq.); and

''(dd) health programs under chapters 1 and 10 of part I and chapter 4 of part II of such Act (22 U.S.C. 2151 et seq.);

''(II) assistance under the Food for Peace Act (7 U.S.C. 1691 et seq.);

''(III) assistance under sections 2(a), (b), and (c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(a), (b), (c)) to meet refugee and migration needs;

''(IV) any form of United States foreign assistance provided through nongovernmental organizations, international organizations, or private sector partners—

''(aa) to combat human and wildlife trafficking;

''(bb) to promote food security;

''(cc) to respond to emergencies;

''(dd) to provide humanitarian assistance;

''(ee) to address basic human needs, including for education;

''(ff) to advance global health security; or

''(gg) to promote trade; and

''(V) any other form of United States foreign assistance that the President determines, by not later than October 1 of each fiscal year, is necessary to advance the security, economic, humanitarian, or global health interests of the United States without compromising the steadfast U.S. commitment to combatting human trafficking globally; or

''(ii) sales, or financing on any terms, under the Arms Export Control Act (22 U.S.C. 2751 et seq.), other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

''(B) EXCLUSIONS.—The term 'nonhumanitarian, nontrade-related foreign assistance' shall not include payments to or the participation of government entities necessary or incidental to the implementation of a program that is otherwise consistent with section 110.''.

SEC. 6107. EXPANDING PROTECTIONS FOR DOMESTIC WORKERS OF OFFICIAL AND DIPLOMATIC VISA HOLDERS.

Section 203(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c(b)) is amended by inserting after paragraph (4) the following:

''(5) NATIONAL EXPANSION OF IN-PERSON REGISTRATION PROGRAM.—The Secretary shall administer the Domestic Worker In-Person Registration Program for employees with A–3 visas or G–5 visas employed by accredited foreign mission members or international organization employees and shall expand this program nationally, which shall include—

''(A) after the arrival of each such employee in the United States, and annually during the course of such employee's employment, a description of the rights of such employee under applicable Federal and State law; and

''(B) provision of a copy of the pamphlet developed pursuant to section 202 to the employee with an A–3 visa or a G–5 visa; and

''(C) information on how to contact the National Human Trafficking Hotline.

''(6) MONITORING AND TRAINING OF A–3 AND G–5 VISA EMPLOYERS ACCREDITED TO FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary shall—

''(A) inform embassies, international organizations, and foreign missions of the rights of A–3 and G–5 domestic workers under the applicable labor laws of the United States,

including the fair labor standards described in the pamphlet developed pursuant to section 202. Information provided to foreign missions, embassies, and international organizations should include material on labor standards and labor rights of domestic worker employees who hold A–3 and G–5 visas;

''(B) inform embassies, international organizations, and foreign missions of the potential consequences to individuals holding a nonimmigrant visa issued pursuant to subparagraph (A)(i), (A)(ii), (G)(i), (G)(ii), or (G)(iii) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) who violate the laws described in subclause (I)(aa), including (at the discretion of the Secretary)—

''(i) the suspension of A–3 visas and G–5 visas;

''(ii) request for waiver of immunity;

''(iii) criminal prosecution;

''(iv) civil damages; and

''(v) permanent revocation of or refusal to renew the visa of the accredited foreign mission or international organization employee; and

''(C) require all accredited foreign mission and international organization employers of individuals holding A–3 visas or G–5 visas to report the wages paid to such employees on an annual basis.''.

SEC. 6108. EFFECTIVE DATES.

Sections 6104(b) and 6106 and the amendments made by those sections take effect on the date that is the first day of the first full reporting period for the report required by section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) after the date of the enactment of this Act.

TITLE LXII—AUTHORIZATION OF APPROPRIATIONS

SEC. 6201. EXTENSION OF AUTHORIZATIONS UNDER THE VICTIMS OF TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000.

Section 113 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (a), by striking ''2018 through 2021, $13,822,000'' and inserting ''2024 through 2027, $17,000,000''; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by striking ''2018 through 2021, $65,000,000'' and inserting ''2024 through 2027, $102,500,000, of which $22,000,000 shall be made available each fiscal year to the United States Agency for International Development and the remainder of'';

(B) in subparagraph (C), by striking ''; and'' at the end and inserting a semicolon;

(C) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(E) to fund programs to end modern slavery, in an amount not to exceed $37,500,000 for each of the fiscal years 2024 through 2027.''.

SEC. 6202. EXTENSION OF AUTHORIZATIONS UNDER THE INTERNATIONAL MEGAN'S LAW.

Section 11 of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (34 U.S.C. 21509) is amended by striking ''2018 through 2021'' and inserting ''2024 through 2027''.

TITLE LXIII—BRIEFINGS

SEC. 6301. BRIEFING ON ANNUAL TRAFFICKING IN PERSON'S REPORT.

Not later than 30 days after the public designation of country tier rankings and subsequent publishing of the Trafficking in Persons Report, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(1) countries that were downgraded or upgraded in the most recent Trafficking in Persons Report; and

(2) the efforts made by the United States to improve counter-trafficking efforts in those countries, including foreign government efforts to better meet minimum standards to eliminate human trafficking.

SEC. 6302. BRIEFING ON USE AND JUSTIFICATION OF WAIVERS.

Not later than 30 days after the President has determined to issue a waiver under section 110(d)(5) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(5)), the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(a) each country that received a waiver;

(b) the justification for each such waiver; and

(c) a description of the efforts made by each country to meet the minimum standards to eliminate human trafficking.

SA 808. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ____—Iran Sanctions

SEC. _____1. SHORT TITLES.

This subtitle may be cited as the ''Making Iran Sanctions Stick In Lieu of Expiration of Sanctions Act'' or the ''MISSILES Act''.

SEC. _____2. FINDINGS.

Congress makes the following findings:

(1) Annex B to United Nations Security Council Resolution 2231 (2015) restricts certain missile-related activities and transfers to and from Iran, including all items, materials, equipment, goods, and technology set out in the Missile Technology Control Regime Annex, absent advance, case-by-case approval from the United Nations Security Council.

(2) Iran has transferred Shahed and Mohajer drones, covered under the Missile Technology Control Regime Annex, to the Russian Federation, the Government of Ethiopia, and other Iran-aligned entities, including the Houthis in Yemen and militia units in Iraq, without prior authorization from the United Nations Security Council, in violation of the restrictions set forth in Annex B to United Nations Security Council Resolution 2231.

(3) Absent action by the United Nations Security Council, certain missile-related restrictions in Annex B to United Nations Security Council Resolution 2231 will expire in October 2023, removing international legal restrictions on missile-related activities and transfers to and from Iran.

SEC. _____3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to combat and deter the transfer of conventional and non-conventional arms, equipment, material, and technology to or from Iran, or involving the Government of Iran;

(2) to ensure countries, individuals, and entities engaged in, or attempting to engage in, the acquisition, facilitation, or development of arms and related components and technology and subject to restrictions under Annex B to United Nations Security Council Resolution 2231 are held to account under United States and international law, including through the application and enforcement of sanctions and use of export controls, regardless of whether the restrictions under Annex B to United Nations Security Council Resolution 2231 remain in effect following their anticipated expiration in October 2023;

(3) to urgently seek the extension of missile-related restrictions set forth in Annex B to United Nations Security Council Resolution 2231 (2015); and

(4) to use all available authorities to constrain Iran's domestic ballistic missile production capabilities.

SEC. _____4. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

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

(D) the Committee on the Judiciary of the House of Representatives.

(2) COVERED TECHNOLOGY.—The term ''covered technology'' means—

(A) any goods, technology, software, or related material specified in the Missile Technology Control Regime Annex, as in effect on the day before the date of the enactment of this Act; and

(B) any additional goods, technology, software, or related material added to the Missile Technology Control Regime Annex after the day before the date of the enactment of this Act.

(3) FOREIGN PERSON.—The term ''foreign person''—

(A) means an individual or entity that is not a United States person; and

(B) includes a foreign state (as such term is defined in section 1603 of title 28, United States Code).

(4) GOOD.—The term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(5) GOVERNMENT OF IRAN.—The term ''Government of Iran'' has the meaning given such term in section 560.304 of title 31, Code of Federal Regulations, as such section was in effect on January 1, 2021.

(6) IRAN-ALIGNED ENTITY.—The term ''Iran-aligned entity'' means a foreign person that—

(A) is controlled or reports directly to the Government of Iran; and

(B) knowingly receives material or financial support from the Government of Iran, including Hezbollah, Ansar Allah, or another Iranian-backed proxy group.

(7) KNOWINGLY.—The term ''knowingly'' has the meaning given such term in section 14(13) of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note).

(8) MISSILE TECHNOLOGY CONTROL REGIME.—The term ''Missile Technology Control Regime'' means the policy statement between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan that was announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the Missile Technology Control Regime Annex, and any amendments thereto or expansions thereof, as in effect on the day before the date of the enactment of this Act.

(9) MISSILE TECHNOLOGY CONTROL REGIME ANNEX.—The term ''Missile Technology Control Regime Annex'' means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto or updates thereof, as

in effect on the day before the date of the enactment of this Act.

(10) UNITED STATES PERSON.—The terms ''United States person'' means—

(A) a United States citizen;

(B) a permanent resident alien of the United States;

(C) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(D) a person in the United States.

SEC. _____5. DEPARTMENT OF STATE REPORT ON DIPLOMATIC STRATEGY AND OTHER ASPECTS OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 2231 EXPIRATIONS.

Not later than 90 days after the date of the enactment of this Act, and annually thereafter for the following 4 years, the Secretary of State, in coordination with the heads of other relevant departments and agencies, shall submit to the appropriate congressional committees an unclassified report, with a classified annex, if necessary, that includes—

(1) a diplomatic strategy to secure the renewal of international restrictions on certain missile-related activities, including transfers to and from Iran set forth in Annex B to United Nations Security Council Resolution 2231 (2015) before October 2023;

(2) an analysis of how the expiration of missile-related restrictions set forth in Annex B to United Nations Security Council Resolution 2231 would impact the Government of Iran's arms proliferation and malign activities, including as the restrictions relate to cooperation with, and support for, Iran-aligned entities and allied countries;

(3) an assessment of the revenue, or non-cash benefits, to be accrued by the Government of Iran, or Iran-aligned entities, as a result of a lapse in missile-related restrictions set forth in Annex B to United Nations Security Council Resolution 2231;

(4) a detailed description of the United States strategy to deter, prevent, and disrupt the sale, purchase, or transfer of covered technology involving Iran absent restrictions set forth in Annex B to United Nations Security Council Resolution 2231;

(5) the identification of any foreign person engaging in, enabling, or otherwise facilitating any activity involving Iran restricted under Annex B to United Nations Security Council Resolution 2231, regardless of whether such restrictions remain in effect after October 2023;

(6) a description of actions by the United Nations and other multilateral organizations, including the European Union, to hold accountable foreign persons that have violated the restrictions set forth in Annex B to United Nations Security Council Resolution 2231, and efforts to prevent further violations of such restrictions;

(7) a description of actions by individual member states of the United Nations Security Council to hold accountable foreign persons that have violated restrictions set forth in Annex B to United Nations Security Council Resolution 2231 and efforts to prevent further violations of such restrictions;

(8) a description of actions taken by the People's Republic of China, the Russian Federation, or any other country to prevent, interfere with, or undermine efforts to hold accountable foreign persons that have violated the restrictions set forth in Annex B to United Nations Security Council Resolution 2231, including actions to restrict United Nations-led investigations into suspected violations of such restrictions, or limit funding to relevant United Nations offices or experts;

(9) an analysis of the foreign and domestic supply chains in Iran that directly or indirectly facilitate, support, or otherwise aid the Government of Iran's drone or missile program, including storage, transportation, or flight-testing of related goods, technology, or components;

(10) the identification of any foreign entity or entities that enables, supports, or otherwise facilitates the operations or maintenance of any Iranian airline subject to United States sanctions or export control restrictions;

(11) an assessment of how the continued operation of Iranian airlines subject to United States sanctions or export control restrictions impacts the Government of Iran's ability to transport or develop arms, including covered technology; and

(12) a description of actions taken by the People's Republic of China, the Russian Federation, or any other country that have violated the restrictions set forth in Annex B of United Nations Security Council Resolution 2231, including any purchase, transfer, or acquisition of covered technology or component parts.

SEC. _____6. COMBATING THE PROLIFERATION OF IRANIAN MISSILES.

(a) IN GENERAL.—The actions, including sanctions, described in subsection (b) shall apply to any foreign person the President determines, on or after the date of the enactment of this Act—

(1) knowingly engages in any effort to acquire, possess, develop, transport, transfer, or deploy covered technology to, from, or involving the Government of Iran or Iran-aligned entities, regardless of whether the restrictions set forth in Annex B to United Nations Security Council Resolution 2231 (2015) remain in effect after October 2023;

(2) knowingly provides entities owned or controlled by the Government of Iran or Iran-aligned entities with goods, technology, parts, or components, that may contribute to the development of covered technology;

(3) knowingly participates in joint missile or drone development, including development of covered technology, with the Government of Iran or Iran-aligned entities, including technical training, storage, and transport;

(4) knowingly imports, exports, or re-exports to, into, or from Iran, whether directly or indirectly, any significant arms or related materiel prohibited under paragraph (5) or (6) to Annex B of United Nations Security Council Resolution 2231 (2015) as of April 1, 2023; or

(5) knowingly provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with, a foreign person subject to sanctions for conduct described in paragraph (1), (2), (3), or (4).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The President shall exercise all authorities granted under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) 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.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of any alien described in subsection (a) is subject to revocation regardless of the issue date of the visa or other entry documentation.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i))—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the possession of the alien.

(c) PENALTIES.—Any person that violates, or attempts to violate, subsection (a) or any regulation, license, or order issued pursuant to that subsection, shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) WAIVER.—The President may waive the application of sanctions under this section with respect to a foreign person only if, not later than 15 days before the date on which the waiver is to take effect, the President submits to the appropriate congressional committees a written determination and justification that the waiver is in the vital national security interests of the United States.

(e) IMPLEMENTATION.—The President may exercise all the authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out the amendments made by this section.

(f) RULEMAKING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President, in consultation with the Secretary of State, shall promulgate any regulations that are necessary to implement this subtitle and the amendments made by this subtitle.

(2) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations pursuant to paragraph (1), the President shall submit to the appropriate congressional committees—

(A) a copy of the proposed regulations; and

(B) a description of the specific provisions of this subtitle and the amendments made by this subtitle that such regulations are implementing.

(g) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions authorized under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions authorized under this section shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) 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; or

(B) to carry out or assist authorized law enforcement activity in the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(h) TERMINATION OF SANCTIONS.—This section shall cease to be effective beginning on

the date that is 30 days after the date on which the President certifies to the appropriate congressional committees that—

(1) the Government of Iran no longer provides support for international terrorism, as determined by the Secretary of State pursuant to—

(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(D) any other provision of law; and

(2) Iran has ceased the pursuit, acquisition, and development of, and verifiably dismantled, its nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.

SA 809. Mr. SCHATZ (for himself, Mr. MORAN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. RED HILL HEALTH IMPACTS.

(a) REGISTRY FOR IMPACTED INDIVIDUALS OF THE RED HILL INCIDENT.—

(1) ESTABLISHMENT OF REGISTRY.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall establish within the Agency for Toxic Substances and Disease Registry or the Centers for Disease Control and Prevention or through an award of a grant or contract, as the Secretary determines appropriate, a Red Hill Incident exposure registry to collect data on health implications of petroleum contaminated water for impacted individuals on a voluntary basis. Such registry shall be complementary to, and not duplicative of, the Red Hill Incident Report of the Defense Occupational and Environmental Health Readiness System.

(2) OTHER RESPONSIBILITIES.—

(A) IN GENERAL.—The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and such State and local authorities or other partners as the Secretary of Health and Human Services considers appropriate, shall—

(i) review the Federal programs and services available to individuals exposed to petroleum;

(ii) review current research on petroleum exposure in order to identify additional research needs; and

(iii) undertake any other review or activities that the Secretary determines to be appropriate.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 6 additional years, the Secretary shall submit to the appropriate congressional committees a report on the review and activities undertaken under subparagraph (A) that includes—

(i) strategies for communicating and engaging with stakeholders on the Red Hill Incident;

(ii) the number of impacted and potentially impacted individuals enrolled in the registry established under paragraph (1);

(iii) measures and frequency of follow-up to collect data and specimens related to exposure, health, and developmental milestones as appropriate; and

(iv) a summary of data and analyses on exposure, health, and developmental milestones for impacted individuals.

(C) CONSULTATION.—In carrying out subparagraphs (A) and (B), the Secretary shall consult with non-Federal experts, including individuals with certification in epidemiology, toxicology, mental health, pediatrics, and environmental health, and members of the impacted community.

(3) FUNDING.—Without regard to section 2215 of title 10, United States Code, the Secretary of the Defense is authorized to provide, from amounts made available to such Secretary, such sums as may be necessary for each of fiscal years 2024 through 2030 for the Secretary of Health and Human Services to carry out this subsection.

(b) RED HILL EPIDEMIOLOGICAL HEALTH OUTCOMES STUDY.—

(1) CONTRACTS.—The Secretary of Health and Human Services may contract with independent research institutes or consultants, nonprofit or public entities, laboratories, or medical schools, as the Secretary considers appropriate, that are not part of the Federal Government to assist with the feasibility assessment required by paragraph (2).

(2) FEASIBILITY ASSESSMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the appropriate congressional committees the results of a feasibility assessment to inform the design of the epidemiological study or studies to assess health outcomes for impacted individuals, which may include—

(A) a strategy to recruit impacted individuals to participate in the study or studies, including incentives for participation;

(B) a description of protocols and methodologies to assess health outcomes from the Red Hill Incident, including data management protocols to secure the privacy and security of the personal information of impacted individuals; and

(C) the periodicity for data collection that takes into account the differences between health care practices among impacted individuals who are—

(i) members of the Armed Forces on active duty or spouses or dependents of such members;

(ii) members of the Armed Forces separating from active duty or spouses or dependents of such members;

(iii) veterans and other individuals with access to health care from the Department of Veterans Affairs; and

(iv) individuals without access to health care from the Department of Defense or the Department of Veterans Affairs;

(D) a description of methodologies to analyze data received from the study or studies to determine possible connections between exposure to water contaminated during the Red Hill Incident and adverse impacts to the health of impacted individuals;

(E) an identification of exposures resulting from the Red Hill Incident that may qualify individuals to be eligible for participation in the study or studies as a result of those exposures; and

(F) steps that will be taken to provide individuals impacted by the Red Hill Incident with information on available resources and services.

(3) NOTIFICATIONS; BRIEFINGS.—Not later than one year after the completion of the feasibility assessment under paragraph (2), the Secretary of Health and Human Services shall—

(A) notify impacted individuals on the interim findings of the study or studies; and

(B) brief the appropriate congressional committees on the interim findings of the study or studies.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Health, Education, Labor, and Pensions of the Senate;

(B) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(C) the Committee on Veterans' Affairs of the Senate;

(D) the Committee on Energy and Commerce of the House of Representatives;

(E) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives; and

(F) the Committee on Veterans' Affairs of the House of Representatives.

(2) IMPACTED INDIVIDUAL.—The term ''impacted individual'' means an individual who, at the time of the Red Hill Incident, lived or worked in a building or residence served by the community water system at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii.

(3) RED HILL INCIDENT.—The term ''Red Hill Incident'' means the release of fuel from the Red Hill Bulk Fuel Storage Facility, Oahu, Hawaii, into the sole-source basal aquifer located 100 feet below the facility, contaminating the community water system at Joint Base Pearl Harbor-Hickam on November 20, 2021.

SA 810. Mr. MANCHIN (for himself, Mr. BARRASSO, Ms. HIRONO, Mr. RISCH, Mr. HEINRICH, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12____. SENSE OF CONGRESS ON THE RENEWAL OF THE COMPACTS OF FREE ASSOCIATION WITH THE REPUBLIC OF PALAU, THE FEDERATED STATES OF MICRONESIA, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) FINDINGS.—Congress finds that—

(1) in 1947, the United Nations entrusted the United States with the defense and security of the region that now comprises—

(A) the Republic of Palau;

(B) the Federated States of Micronesia; and

(C) the Republic of the Marshall Islands;

(2) in 1983, the United States signed Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(3) in 1985, the United States signed a Compact of Free Association with the Republic of Palau;

(4) in 1986, Congress—

(A) enacted the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239), which approved the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands; and

(B) enacted Public Law 99–658 (48 U.S.C. 1931 note), which approved the Compact of Free Association with the Republic of Palau;

(5) in 2003, Congress enacted the Compact of Free Association Amendments Act of 2003

(48 U.S.C. 1921 note; Public Law 108–188), which approved and renewed the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(6) in 2010, the United States and the Republic of Palau agreed to terms for renewing the Compact of Free Association with the Republic of Palau in the Palau Compact Review Agreement, which was approved by Congress in section 1259C of the National Defense Authorization Act for Fiscal Year 2018 (48 U.S.C. 1931 note; Public Law 115–91);

(7) on January 11, 2023, the United States signed a Memorandum of Understanding with the Republic of the Marshall Islands on funding priorities for the Compact of Free Association with the Republic of the Marshall Islands;

(8) on May 22, 2023, the United States signed the U.S.-Palau 2023 Agreement, following the Compact of Free Association Section 432 Review;

(9) on May 23, 2023, the United States signed 3 agreements relating to the U.S.-FSM Compact of Free Association, which included—

(A) an Agreement to Amend the Compact, as amended;

(B) a new fiscal procedures agreement; and

(C) a new trust fund agreement; and

(10) the United States is undergoing negotiations relating to the Compact of Free Association with the Republic of the Marshall Islands.

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

(1) the close and strategic partnerships of the United States with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands are vital to international peace and security in the Indo-Pacific region;

(2) the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands form the political, economic, and security architecture that bolsters and sustains security and drives regional development and the prosperity of the larger Indo-Pacific community of nations;

(3) certain provisions of the current Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands expire on September 30, 2023;

(4) certain provisions of the Compact of Free Association with the Republic of Palau expire on September 30, 2024;

(5) it is in the national interest of the United States to successfully renegotiate and renew the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands; and

(6) enacting legislation to approve amended Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands is the most important way for Congress to support United States strategic partnerships with the 3 countries.

SA 811. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. ASSESSMENT OF CERTAIN UNITED STATES-ORIGIN TECHNOLOGY USED BY FOREIGN ADVERSARIES.

(a) IN GENERAL.—The Director of National Intelligence shall conduct an assessment to evaluate the top five technologies that originate in the United States and are not currently subject to export controls as prioritized by the Director of National Intelligence, in order to identify and assess the risk from those specified technologies that could be or are being used by foreign adversaries in foreign espionage programs targeting the United States.

(b) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director shall submit a report on the assessment required by subsection (a) to—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 812. Mr. KING (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 345. BRIEFING ON ARCTIC WATCHTOWER RESEARCH.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) confronting and adapting to rapidly evolving challenges in the Arctic region, including coastal resilience, would benefit from increased place-based, forward operating research capacity;

(2) establishing strategically located, scalable watchtower field research centers known as Arctic Watchtowers to conduct on-the-ground research in Arctic gateways could improve the reliability and breadth of monitoring data to inform decision making of the Department of Defense, such as when defense operations impact mammalian habitat;

(3) locally-based, forward operating research benefits from robust partnerships with regional and local universities, Tribal communities, and international collaboration;

(4) on the ground, forward operating research data can complement satellite and other data on littoral meteorological or ecosystem changes;

(5) the National Strategy for the Arctic Region highlights the need to invest in research in such region and collaboration with Arctic communities for co-production of knowledge to advance monitoring and predictive capacity, such as—

(A) maritime domain awareness;

(B) operational oceanography;

(C) tracking shifts in sea ice flows;

(D) monitoring emerging trade routes; and

(E) reduction of data gaps where they exist; and

(6) the Secretary of Defense should consider investments in watchtower research efforts in the Arctic and near-Arctic region as part of the execution of such strategy.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the potential benefits to be derived from, and the feasibility of, establishing watchtower field research centers in the Arctic and near-Arctic region.

SA 813. Mr. ROUNDS (for himself, Mr. TESTER, Mr. DAINES, Mr. KENNEDY, and Ms. LUMMIS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. REVIEW OF AGRICULTURE-RELATED TRANSACTIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''; and'' and inserting a semicolon;

(II) in clause (ii), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(iii) any transaction described in clause (vi) or (vii) of subparagraph (B) proposed or pending on or after the date of the enactment of this clause.'';

(ii) in subparagraph (B), by adding at the end the following:

''(vi) Any other investment, subject to regulations prescribed under subparagraphs (D) and (E), by a foreign person in any unaffiliated United States business that is engaged in agriculture or biotechnology related to agriculture.

''(vii) Subject to subparagraphs (C) and (E), the purchase or lease by, or a concession to, a foreign person of private real estate that is—

''(I) located in the United States;

''(II) used in agriculture; and

''(III) more than 320 acres or valued in excess of $5,000,000.'';

(iii) in subparagraph (C)(i), by striking ''subparagraph (B)(ii)'' and inserting ''clause (ii) or (vii) of subparagraph (B)'';

(iv) in subparagraph (D)—

(I) in clause (i), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)'';

(II) in clause (iii)(I), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)'';

(III) in clause (iv)(I), by striking ''subparagraph (B)(iii)'' each place it appears and inserting ''clauses (iii) and (vi) of subparagraph (B)''; and

(IV) in clause (v), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)''; and

(v) in subparagraph (E), by striking ''clauses (ii) and (iii)'' and inserting ''clauses (ii), (iii), (iv), and (vii)''; and

(B) by adding at the end the following:

''(14) AGRICULTURE.—The term 'agriculture' has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).'';

(2) in subsection (k)(2)—

(A) by redesignating subparagraphs (H), (I), and (J), as subparagraphs (I), (J), and (K), respectively; and

(B) inserting after subparagraph (G) the following new subparagraph:

''(H) The Secretary of Agriculture (nonvoting, ex officio).''; and

(3) by adding at the end the following:

''(r) PROHIBITION WITH RESPECT TO AGRICULTURAL COMPANIES AND REAL ESTATE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, if the Committee, in conducting a review and investigation under this section, determines that a transaction described in clause (i), (vi), or (vii) of subsection (a)(4)(B) would result in control by a covered foreign person of or investment by a covered foreign person in a United States business engaged in agriculture or private real estate used in agriculture, the President shall prohibit such transaction.

''(2) WAIVER.—The President may waive, on a case-by-case basis, the requirement to prohibit a transaction under paragraph (1), not less than 30 days after the President determines and reports to the relevant committees of jurisdiction that it is vital to the national security interests of the United States to waive such prohibition.

''(3) DEFINED TERMS.—In this subsection:

''(A) COVERED PERSON.—

''(i) IN GENERAL.—Except as provided by clause (ii), the term 'covered person'—

''(I) has the meaning given the term 'a person owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary' in section 7.2 of title 15, Code of Federal Regulations (as in effect on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024), except that each reference to 'foreign adversary' in that definition shall be deemed to be a reference to the government of a covered country; and

''(II) includes an entity that—

''(aa) is registered in or organized under the laws of a covered country;

''(bb) has a principal place of business in a covered country; or

''(cc) has a subsidiary with a principal place of business in a covered country.

''(ii) EXCLUSIONS.—The term 'covered person' does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.

''(B) COVERED COUNTRY.—The term 'covered country' means any of the following:

''(i) The People's Republic of China.

''(ii) The Russian Federation.

''(iii) The Islamic Republic of Iran.

''(iv) The Democratic People's Republic of Korea.''.

SA 814. Mr. CORNYN (for himself, Mr. PETERS, Mr. YOUNG, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON PROVISION OF AIRPORT IMPROVEMENT GRANT FUNDS TO CERTAIN ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTITIES.

(a) IN GENERAL.—During the period beginning on the date that is 30 days after the date of the enactment of this section, amounts provided as project grants under subchapter I of chapter 471 of title 49, United States Code, may not be used to enter into a contract described in subsection (b) with any entity on the list required by subsection (c).

(b) CONTRACT DESCRIBED.—A contract described in this subsection is a contract or other agreement for the procurement of infrastructure or equipment for a passenger boarding bridge at an airport.

(c) LIST REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and thereafter as required by paragraph (2), the United States Trade Representative, and the Administrator of the Federal Aviation Administration shall make available to the Administrator of the Federal Aviation Administration a publicly-available a list of entities manufacturing airport passenger boarding infrastructure or equipment that—

(A) are owned, directed by, or subsidized in whole, or in part by the People's Republic of China;

(B) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States;

(C) own or control, are owned or controlled by, are under common ownership or control with, or are successors to, an entity described in subparagraph (A);

(D) own or control, are under common ownership or control with, or are successors to, an entity described in subparagraph (A); or

(E) have entered into an agreement with or accepted funding from, whether in the form of minority investment interest or debt, have entered into a partnership with, or have entered into another contractual or other written arrangement with, an entity described in subparagraph (A).

(2) UPDATES TO LIST.—The United States Trade Representative shall update the list required by paragraph (1), based on information provided by the Administrator of the Federal Aviation Administration, in consultation with the Attorney General—

(A) not less frequently than every 90 days during the 180-day period following the initial publication of the list under paragraph (1); and

(B) not less frequently than annually thereafter.

(d) DEFINITIONS.—In this section, the definitions in section 47102 of title 49, United States Code, shall apply.

SA 815. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1025. OVERSEAS MAINTENANCE OF CERTAIN NAVAL VESSELS.

(a) IN GENERAL.—Section 8680(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''A naval vessel'' and inserting ''Except as provided in paragraphs (2) through (4), a naval vessel''; and

(2) by adding at the end the following:

''(4) Notwithstanding paragraph (1), any conventionally-powered surface naval vessel may be overhauled, repaired, or maintained in Japan if a delay of longer than 1 year is expected before a shipyard located in the United States or in Guam is available to perform such service on such vessel.''.

(b) SUNSET.—Paragraph (4) of section 8680(a) of title 10, United States Code, as added by subsection (a), shall remain in effect until the earlier of—

(1) the date on which necessary maintenance and repairs (including overhauls) on conventionally-powered surface naval vessels can be scheduled for service at a shipyard in the United States or Guam within 1 year after the date on which such service is requested; or

(2) the date that is 5 years after the date of the enactment of this Act.

SA 816. Mr. CORNYN (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EISENHOWER EXCHANGE FELLOWSHIP USE OF INCOME.

Section 6 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5205) is amended by adding at the end the following:

''(e) STRATEGY TO INCREASE LATIN AMERICAN AND CARIBBEAN PARTICIPATION.—In order to increase the impact of the Eisenhower Exchange Fellowships program in developing societal leaders in Latin America and the Caribbean, the Department of State shall, not later than 180 days after the date of enactment of this subsection, publish a strategy for increasing the number of applications received from Latin American and Caribbean countries and the number of fellowships awarded to applicants from Latin America and the Caribbean.''.

SA 817. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. NUCLEAR CONSULTATIVE GROUP.

(a) FINDINGS.—Congress finds the following:

(1) The United States extended deterrence commitment to the Republic of Korea is ironclad and enduring.

(2) Such extended deterrence relies on the full range of defense capabilities, including conventional and nuclear forces of the United States.

(3) The establishment of the Nuclear Consultative Group (referred to in this section as the ''Group'') between the United States and the Republic of Korea during President Yoon Suk Yeol's visit to the United States on April 26, 2023, reflected a recognition of the accelerating threat posed by the nuclear weapons and missile program of the Democratic People's Republic of Korea and a requirement to adjust the alliances approach to deterring the Democratic People's Republic of Korea.

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

(1) the Group will strengthen the alliance between the governments of the United States and the Republic of Korea by deepening the ability of such governments to plan, consult, and conduct exercises on issues related to nuclear deterrence; and

(2) integrated deterrence requires a whole-of-government approach to deter adversaries and assure United States allies.

(c) REPORT ON THE IMPLEMENTATION OF THE NUCLEAR CONSULTATIVE GROUP.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that includes a description of each of the following:

(A) The organization of the Group, including co-chairs and interagency participants of the Group who are representatives of the United States.

(B) The scope of the activities of the Group and how such activities connect to the Security Consultative Mechanism and the Military Consultative Mechanism between the Republic of Korea and the United States.

(C) The relationship of the Group to existing extended deterrence mechanisms of the Republic of Korea and the United States, including the Korean Integrated Defense Dialogue, the Deterrence Strategy Committee, and the Extended Deterrence Consultative Group.

(D) The frequency and circumstances under which the Group convenes.

(E) The scope of activities the Group addresses, including strategic planning, crisis consultation, and exercises.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) BRIEFING.—Not later than 180 days after date of the enactment of this Act, and every 180 days thereafter until December 31, 2026, the Secretary of State and the Secretary of Defense shall brief the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on the outcomes of meetings of the Group.

SA 818. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. DEVELOPING ECONOMIC TOOLS TO DETER AGGRESSION AGAINST TAIWAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States must be prepared to take immediate action to impose sanctions with respect to any military or nonmilitary entities owned, controlled, or acting at the direction of the Government of the People's Republic of China or the Chinese Communist Party and that are supporting actions by the Government of the People's Republic of China or the Chinese Communist Party—

(1) to overthrow or dismantle the governing institutions in Taiwan;

(2) to occupy any territory controlled or administered by Taiwan;

(3) to violate the territorial integrity of Taiwan; or

(4) to take significant action against Taiwan, including conducting a naval blockade, seizing Taiwan's outlying islands, or perpetrating a significant cyber attack on Taiwan.

(b) TASK FORCE.—Not later than 180 days after the date of the enactment of this Act, the head of the Office of the Sanctions Coordinator of the Department of State and the Director of the Office of Foreign Asset Control of the Department of the Treasury, in coordination with the Director of National Intelligence, shall establish an interagency task force to identify military and nonmilitary entities with respect to which sanctions could be imposed immediately following any action taken by the People's Republic of China that demonstrates an attempt to achieve or has the significant effect of achieving the physical or political control of Taiwan, including by—

(1) overthrowing or dismantling the governing institutions in Taiwan;

(2) occupying any territory controlled or administered by Taiwan as of the date of the enactment of this Act;

(3) violating the territorial integrity of Taiwan; or

(4) taking significant action against Taiwan, including—

(A) creation of a naval blockade of Taiwan;

(B) seizure of the outer lying islands of Taiwan; or

(C) initiation of a significant cyber attack that threatens civilian or military infrastructure of Taiwan.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the establishment of the task force required by subsection (b), the task force shall submit to the appropriate congressional committees a strategy for identifying targets for the imposition of sanctions as described in subsection (b).

(2) ELEMENTS.—The strategy required by paragraph (1) shall—

(A) include an assessment of how existing sanctions regimes could be used in the case of an action by the People's Republic of China described in subsection (b);

(B) develop or propose, as appropriate, new sanctions authorities that might be required to impose sanctions on targets described in paragraph (1);

(C) analyze the potential economic consequences to the United States, and to allies and partners of the United States, of various types of sanctions and assess measures that could be taken to mitigate such consequences, including through the use of licenses, exemptions, carve-outs, and other forms of relief;

(D) develop a strategy for the United States to work with allies and partners—

(i) to leverage sanctions and other economic tools to deter or respond to aggression against to Taiwan;

(ii) to identify and resolve potential impediments to coordinating sanctions-related efforts with respect to responding to or deterring aggression against Taiwan; and

(iii) to identify industries, sectors, or goods and services with respect to which the United States and countries that are allies and partners of the United States can take coordinated action through sanctions or other economic tools that will have a significant negative impact on the economy of the People's Republic of China;

(E) assess the resource gaps and needs at the Departments of State, the Department of the Treasury, and other Federal agencies, as appropriate, to most effectively use sanctions and other economic tools to respond to the threat posed by the People's Republic of China;

(F) recommend how best to target sanctions and other economic tools against individuals, entities, and economic sectors in the People's Republic of China, taking into account the role of such individuals, entities, and economic sectors in supporting policies and activities of the Government of the People's Republic of China or the Chinese Communist Party that pose a threat to the national security or foreign policy interests of the United States, the negative economic implications for the People's Republic of China, including its ability to achieve its objectives with respect to Taiwan, and the potential impact of such sanctions on the stability of the global financial system, including with regard to—

(i) entities—

(I) owned or controlled by the Government of the People's Republic of China; and

(II) organized under the laws of or otherwise subject to the jurisdiction of that Government that are not formally owned or controlled by that Government;

(ii) officials of that Government; and

(iii) financial institutions associated with that Government; and

(G) identify any foreign military or nonmilitary entities that would likely be used in actions described in subsection (b), including entities in the following sectors:

(i) Shipping.

(ii) Logistics.

(iii) Energy, including oil and gas.

(iv) Aviation.

(v) Ground transportation.

(vi) Technology.

(d) REPORT REQUIRED.—

(1) IN GENERAL.—Not later 60 days after the submission of the strategy required by subsection (c), and every 180 days thereafter, the task force established under subsection (b) shall submit to the appropriate congressional committees a report that includes information regarding—

(A) any entities identified pursuant to subparagraph (G) of subsection (c)(2);

(B) any new authorities needed to impose sanctions with respect to individuals, entities, and economic sectors identified under subparagraph (D) of that subsection;

(C) potential economic impacts on the People's Republic of China and on the United States and allies and partners of the United States relating to sanctions imposed with respect to such individuals, entities, and economic sectors;

(D) mitigation measures that could be employed to limit deleterious impacts on the United States and allies and partners of the United States;

(E) the status of coordination with allies and partners of the United States with respect to the use of sanctions and other economic tools identified under this section;

(F) resource gaps and recommendations to enable the Department of State and the Department of the Treasury to use sanctions to more effectively to respond to the malign activities of the People's Republic of China; and

(G) any additional resources that may be necessary to carry out the strategy.

(2) FORM.—Each report required by subsection (b) shall be submitted in classified form.

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

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science and Transportation of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Energy and Commerce of the House of Representatives.

SA 819. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1282. REPORT ON ACTIONS OF THE REPUBLIC OF SOUTH AFRICA THAT THREATEN UNITED STATES NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a report containing an assessment of the extent to which the foreign policy of the Republic of South Africa threatens United States national security interests, including as such foreign policy relates to—

(1) strategic military and economic engagement by the Republic of South Africa with the Russian Federation and People's Republic of China;

(2) actions taken by the Republic of South Africa, and actions of officials of the Republic of South Africa, to support, directly and indirectly, the Russian Federation in its war in Ukraine;

(3) actions taken by the Republic of South Africa to evade or enforce United States sanctions on Specially Designated Nationals conducting activities and transactions in the Republic of South Africa;

(4) actions taken by the Republic of South Africa to build alliances against the national interests of the United States with malign actors such as Iran, Cuba, and Venezuela;

(5) the scope and scale of financial and other forms of public corruption to support strategic alliances with malign actors; and

(6) the security and stability of the southern Africa region.

(b) FORM.—The report required by subsection (a) shall be submitted in classified form and shall include an unclassified summary.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

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

SA 820. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. SENSE OF CONGRESS REGARDING THE HOST COUNTRY FOR THE 2023 AFRICAN GROWTH AND OPPORTUNITY ACT FORUM.

It is the sense of Congress that—

(1) the African Growth and Opportunity Act Forum (referred to in this section as the ''AGOA Forum''), which is required to be held annually under section 5 of the African Growth and Opportunity Act (19 U.S.C. 3704), is an important opportunity to foster close economic ties between the United States and sub-Saharan Africa;

(2) the country selected to host the 2023 AGOA Forum should reflect optimal adherence to the eligibility requirements set forth in section 104 (a)(2) of such Act (19 U.S.C. 3703(a)(2)) that the country ''not engage in activities that undermine United States national security or foreign policy interests'';

(3) the recent actions of the Republic of South Africa in contravention of United States national security and foreign policy interests make that country an inappropriate venue for the 2023 AGOA Forum; and

(4) the President should identify an alternative venue for the 2023 AGOA Forum that is consistent with the spirit and member eligibility criteria of the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

SA 821. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. REPORT ON UNITED STATES PRESENCE IN THE HORN OF AFRICA AND RED SEA REGION.

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

(1) increased United States engagement in the Horn of Africa and Red Sea region has presented an opportunity to build and strengthen security cooperation with key partners in that region;

(2) the Red Sea region includes a strategic maritime choke point, the Bab-al-Mandeb Strait, which connects the Red Sea to the Gulf of Aden, and is essential to support United States national security interests, including countering the flows of Iranian lethal aid to Yemen and facilitating the free flow of commerce;

(3) security cooperation in the Red Sea and Gulf of Aden region is critical—

(A) to maintaining a de facto ceasefire in Yemen; and

(B) to furthering a political resolution to the Yemeni conflict.

(4) Somaliland, which has a port and an airfield in Berbera—

(A) occupies a pivotal geographic location in the Horn of Africa;

(B) is adjacent to strategic maritime routes in the Red Sea and Gulf of Aden; and

(C) could contribute to United States military objectives given the evolving security situation in the region; and

(5) utilizing the port of Berbera as an access point to the Horn of Africa would provide flexibility with regards to the delivery of humanitarian assistance in the Horn of Africa region and beyond.

(b) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services of the Senate;

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

(3) the Committee on Armed Services of the House of Representatives; and

(4) the Committee on Foreign Affairs of the House of Representatives.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the heads of other relevant Federal departments and agencies, shall submit a classified report, along with an unclassified summary, to the appropriate congressional committees containing an assessment of the extent to which a sustained United States Government presence in Somaliland would—

(1) support United States policy focused on the Red Sea corridor, the Indo-Pacific region, and the Horn of Africa, including the promotion of conflict avoidance and resolution;

(2) improve cooperation on counterterrorism and intelligence sharing, including by—

(A) degrading and ultimately defeating the terrorist threat posed by Al-Shabaab, the Islamic State in Somalia, and other terrorist groups operating in Somalia; and

(B) countering the malign influence of the Iranian regime and its terror proxies;

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

(4) support trade and development in the region;

(5) facilitate the distribution of humanitarian assistance in the Horn of Africa; and

(6) counter the presence of the People's Republic of China (PRC) in the region, including by detailing—

(A) the PRC's interest in access to port facilities in Djibouti, Mombasa, Massawa, and Assab;

(B) the PRC's role in fomenting unrest in the Sool region of Somaliland; and

(C) the role played by the Republic of China (Taiwan) in checking the PRC's engagement with Somaliland.

SA 822. Mr. BARRASSO (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.

(a) IN GENERAL.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) CERTIFICATION SCHEME.—The Secretary shall seek to ensure that the framework under subsection (a) includes a certification scheme, comprised of—

(1) minimum requirements for national legislation, institutions, and import and export controls related to the sourcing of critical minerals;

(2) measures to enforce transparency in the exchange of production, transportation, and end-use manufacturing data related to critical minerals, including through the use of blockchain technology, if feasible;

(3) prohibitions on the purchase or trade in critical minerals unless parties to the purchase or trade are certified under and in compliance with the framework; and

(4) measures to certify shipments as in compliance with the framework, including

requiring the provision of supporting documentation.

(c) IMPLEMENTATION REPORT.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(d) EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—Nothing in this section shall—

(1) affect the authority of the President to take any action to join and subsequently comply with the terms and obligations of the Extractive Industries Transparency Initiative (EITI); or

(2) affect section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 78m note), or subsection (q) of section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m), as added by section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 2220), or any rule prescribed under either such section.

(e) CRITICAL MINERAL DEFINED.—In this section, the term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

SA 823. Mr. ROMNEY (for himself, Mr. VAN HOLLEN, Mr. SULLIVAN, Mr. CORNYN, Mr. SCOTT of South Carolina, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. ENDING CHINA'S DEVELOPING NATION STATUS.

(a) SHORT TITLE.—This section may be cited as the ''Ending China's Developing Nation Status Act''.

(b) FINDING; STATEMENT OF POLICY.—

(1) FINDING.—Congress finds that the People's Republic of China is still classified as a developing nation under multiple treaties and international organization structures, even though China has grown to be the second largest economy in the world.

(2) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to oppose the labeling or treatment of the People's Republic of China as a developing nation in current and future treaty negotiations and in each international organization of which the United States and the People's Republic of China are both current members;

(B) to pursue the labeling or treatment of the People's Republic of China as a developed nation in each international organization of which the United States and the People's Republic of China are both current members; and

(C) to work with allies and partners of the United States to implement the policies described in paragraphs (1) and (2).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with respect to—

(i) reports produced by the Secretary of State; and

(ii) a waiver exercised pursuant to subsection (f)(2), except with respect to any international organization for which the United States Trade Representative is the chief representative of the United States; and

(B) the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to—

(i) reports produced by the United States Trade Representative; and

(ii) a waiver exercised pursuant to subsection (f)(2) with respect to any international organization for which the United States Trade Representative is the chief representative of the United States.

(2) SECRETARY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''Secretary'' means the Secretary of State.

(B) EXCEPTION.—The term ''Secretary'' shall mean the United States Trade Representative with respect to any international organization for which the United States Trade Representative is the chief representative of the United States.

(d) REPORT ON DEVELOPMENT STATUS IN CURRENT TREATY NEGOTIATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(1) identifies all current treaty negotiations in which—

(A) the proposed treaty would provide for different treatment or standards for enforcement of the treaty based on respective development status of the states that are party to the treaty; and

(B) the People's Republic of China is actively participating in the negotiations, or it is reasonably foreseeable that the People's Republic of China would seek to become a party to the treaty; and

(2) for each treaty negotiation identified pursuant to paragraph (1), describes how the treaty under negotiation would provide different treatment or standards for enforcement of the treaty based on development status of the states parties.

(e) REPORT ON DEVELOPMENT STATUS IN EXISTING ORGANIZATIONS AND TREATIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(1) identifies all international organizations or treaties, of which the United States is a member, that provide different treatment or standards for enforcement based on the respective development status of the member states or states parties;

(2) describes the mechanisms for changing the country designation for each relevant treaty or organization; and

(3) for each of the organizations or treaties identified pursuant to paragraph (1)—

(A) includes a list of countries that—

(i) are labeled as developing nations or receive the benefits of a developing nation under the terms of the organization or treaty; and

(ii) meet the World Bank classification for upper middle income or high-income countries; and

(B) describes how the organization or treaty provides different treatment or standards for enforcement based on development status of the member states or states parties.

(f) MECHANISMS FOR CHANGING DEVELOPMENT STATUS.—

(1) IN GENERAL.—In any international organization of which the United States and the People's Republic of China are both current members, the Secretary, in consultation with allies and partners of the United States, shall pursue—

(A) changing the status of the People's Republic of China from developing nation to developed nation if a mechanism exists in such organization to make such status change; or

(B) proposing the development of a mechanism described in paragraph (1) to change the status of the People's Republic of China in such organization from developing nation to developed nation.

(2) WAIVER.—The President may waive the application of subparagraph (A) or (B) of paragraph (1) with respect to any international organization if the President notifies the appropriate committees of Congress that such a waiver is in the national interests of the United States.

SA 824. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. CONFISCATION OF ASSETS OF RUSSIAN FEDERATION; USE TO OFFSET COSTS TO UNITED STATES OF AID TO UKRAINE.

(a) IN GENERAL.—The President shall—

(1) confiscate, through instructions or licenses or in such other manner as the President determines appropriate, funds of the Government of the Russian Federation that are subject to the jurisdiction of the United States; and

(2) deposit funds confiscated under paragraph (1) in the general fund of the Treasury to offset the costs of amounts appropriated by any Act making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2023.

(b) VESTING.—All right, title, and interest in funds confiscated under subsection (a) shall vest in the Government of the United States.

SA 825. Mr. FETTERMAN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7_____. SENSE OF CONGRESS ON ACCESS TO MENTAL HEALTH SERVICES THROUGH TRICARE.

It is the sense of Congress that the Secretary of Defense should take all necessary steps to ensure members of the National Guard and the members of their families who are enrolled in TRICARE have timely access to mental and behavioral health care services through the TRICARE program.

SA 826. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 16___. CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA AND ESTABLISHMENT OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.

(a) CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA.—The Chief Digital and Artificial Intelligence Officer of the Department of Defense shall maintain the authority, but not the requirement, to access and control, on behalf of the Secretary of Defense, of all data collected, acquired, accessed, or utilized by Department of Defense components consistent with section 1513 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note).

(b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—Paragraph (3) of section 238(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) is amended to read as follows:

''(3) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—

''(A) ESTABLISHMENT.—(i) The Secretary shall establish a council to provide policy oversight to ensure the responsible, coordinated, and ethical employment of data and artificial intelligence capabilities across Department of Defense missions and operations.

''(ii) The council established pursuant to clause (i) shall be known as the 'Chief Digital and Artificial Intelligence Officer Governing Council' (in this paragraph the 'Council').

''(B) MEMBERSHIP.—The Council shall be composed of the following:

''(i) Joint Staff J–6.

''(ii) The Under Secretary of Defense for Acquisition and Sustainment.

''(iii) The Under Secretary of Defense for Research and Evaluation.

''(iv) The Under Secretary of Defense for Intelligence and Security.

''(v) The Under Secretary of Defense for Policy.

''(vi) The Director of Cost Analysis and Program Evaluation.

''(vii) The Chief Information Officer of the Department.

''(viii) The Director of Administration and Management.

''(ix) The service acquisition executives of each of the military departments.

''(C) HEAD OF COUNCIL.—The Council shall be headed by the Chief Digital and Artificial Intelligence Officer of the Department.

''(D) MEETINGS.—The Council shall meet not less frequently than twice each fiscal year.

''(E) DUTIES OF COUNCIL.—The duties of the Council are as follows:

''(i) To streamline the organizational structure of the Department as it relates to artificial intelligence development, implementation, and oversight.

''(ii) To improve coordination on artificial intelligence governance with the defense industry sector.

''(iii) To establish and oversee artificial intelligence guidance on ethical requirements and protections for usage of artificial intelligence supported by Department funding and reduces or mitigates instances of unintended bias in artificial intelligence algorithms.

''(iv) To identify, monitor, and periodically update appropriate recommendations for operational usage of artificial intelligence.

''(v) To review, as the head of the Council considers necessary, artificial intelligence program funding to ensure that any Department investment in an artificial intelligence tool, system, or algorithm adheres to all Department established policy related to artificial intelligence.

''(vi) To provide periodic status updates on the efforts of the Department to develop and implement artificial intelligence into existing Department programs and processes.

''(vii) To provide guidance on access and distribution restrictions relating to data, models, tool sets, or testing or validation infrastructure.

''(viii) to implement and oversee a data and artificial intelligence educational program for the purpose of familiarizing the Department at all levels on the applications of artificial intelligence in their operations.

''(ix) To implement and oversee a data decree scorecard.

''(x) Such other duties as the Council determines appropriate.

''(F) PERIODIC REPORTS.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 and not less frequently than once every 18 months thereafter, the Council shall submit to the Secretary and the congressional defense committees a report on the activities of the Council during the period covered by the report.''.

SA 827. Mr. BROWN (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 16___. CONGRESSIONAL BRIEFING ON DEPARTMENT OF DEFENSE CYBERSECURITY WORKFORCE MONITORING.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on how the Cyber Workforce Qualification Program of the Department of Defense is using the 8140.03 manual in program implementation.

SA 828. Mr. BROWN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2___. RAPID RESPONSE TO EMERGENT TECHNOLOGY ADVANCEMENTS OR THREATS.

(a) AUTHORITIES.—Upon approval by the Secretary of Defense of a determination described in subsection (b), the Secretary of a military department may use the rapid acquisition and funding authorities established pursuant to section 3601 of title 10, United States Code, to initiate urgent or emerging operational development activities for a period of up to one year, in order to—

(1) leverage an emergent technological advancement of value to the national defense to address a specific need of a military department; or

(2) provide a rapid response to an emerging threat identified by a military department.

(b) DETERMINATION.—A determination described in this subsection is a determination by the Secretary of a military department submitted in writing to the Secretary of Defense that provides the following:

(1) Identification of a compelling urgent or emergency national security need to immediately initiate development activity in anticipation of a programming or budgeting action, in order to leverage an emergent technological advancement or provide a rapid response to an emerging threat.

(2) Justification for why the effort cannot be delayed until the next submission of the budget of the President (under section 1105(a) of title 31, United States Code) without harming the national defense.

(3) Funding is identified for the effort in the current fiscal year to initiative the activity.

(4) An appropriate acquisition pathway and programmed funding for transition to continued development, integration, or sustainment is identified to on-ramp this activity within two years.

(c) ADDITIONAL PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the procedures for the rapid acquisition and deployment of capabilities needed in response to urgent operational needs prescribed pursuant to such section 3601 to carry out this section.

(2) REQUIREMENTS TO BE INCLUDED.—The procedures amended under paragraph (1) shall include the following requirements:

(A) FUNDING.—(i) Subject to clause (ii), in any fiscal year in which a determination described in subsection (b) is made, the Secretary of the military department making the determination may initiate the activities authorized under subsection (a) using any funds available to the Secretary for such fiscal year for—

(I) procurement; or

(II) research, development, test, and evaluation.

(ii) The total cost of all developmental activities within the Department of Defense, funded under this section, may not exceed $100,000,000 for any fiscal year.

(B) WAIVER AUTHORITY.—(i) Subject to clause (ii), the Secretary of the military department making a determination under subsection (b) may issue a waiver under subsection (d) of such section 3601.

(ii) Chapter 221 of title 10, United States Code, may not be waived pursuant to clause (i).

(C) TRANSITION.—(i) Any acquisition initiated under subsection (a) shall transition to an appropriate acquisition pathway for transition and integration of the development activity, or be transitioned to a newly established program element or procurement line for completion of such activity.

(ii)(I) Transition shall be completed within one year of initiation, but may be extended one time only at the discretion of the Secretary of the military department for one additional year.

(II) In the event an extension determination is made under subclause (I), the affected Secretary of the military department shall

submit to the congressional defense committees, not later than 30 days before the extension takes effect, notification of the extension with a justification for the extension.

(3) SUBMITTAL TO CONGRESS.—Concurrent with promulgation to the Department of the amendments to the procedures under paragraph (1), the Secretary shall submit to the congressional defense committees the procedures update by such amendments.

(d) CONGRESSIONAL NOTIFICATION.—Within 15 days after the Secretary of Defense approves a determination described in subsection (b), the Secretary of the military department making the determination shall provide written notification of such determination to the congressional defense committees following the procedures for notification in subsections (c)(4)(D) and (c)(4)(F) of such section 3601. A notice under this subsection shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

SA 829. Mr. ROUNDS (for himself, Mr. SCHUMER, Mr. YOUNG, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—Additional Matters Relating to Artificial Intelligence

SEC. ____. REPORT ON ARTIFICIAL INTELLIGENCE REGULATION IN FINANCIAL SERVICES INDUSTRY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each of 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 Bureau of Consumer Financial Protection 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 on its gap in knowledge relating to artificial intelligence, including an analysis on—

(1) which tasks are most frequently being assisted or completed with artificial intelligence in the institutions the agency regulates;

(2) current governance standards in place for artificial intelligence use at the agency and current standards in place for artificial intelligence oversight by the agency;

(3) potentially additional regulatory authorities required by the agency to continue to successfully execute its mission;

(4) where artificial intelligence may lead to overlapping regulatory issues between agencies that require clarification;

(5) how the agency is currently using artificial intelligence, how the agency plans to use such artificial intelligence the next 3 years, and the expected impact, including fiscal and staffing, of those plans; and

(6) what resources, monetary or other resources, if any, the agency requires to both adapt to the changes that artificial intelligence will bring to the regulatory landscape and to adequately adopt and oversee the use of artificial intelligence across its operations described in paragraph (5).

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require an agency to include confidential supervisory information or pre-decisional or deliberative non-public information in a report under this section.

SEC. ____. ARTIFICIAL INTELLIGENCE BUG BOUNTY PROGRAMS.

(a) PROGRAM FOR FOUNDATIONAL ARTIFICIAL INTELLIGENCE PRODUCTS BEING INCORPORATED BY DEPARTMENT OF DEFENSE.—

(1) DEVELOPMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and subject to the availability of appropriations, the Chief Data and Artificial Intelligence Officer of the Department of Defense shall develop a bug bounty program for foundational artificial intelligence models being integrated into Department of Defense missions and operations.

(2) COLLABORATION.—In developing the program required by paragraph (1), the Chief may collaborate with the heads of other government agencies that have expertise in cybersecurity and artificial intelligence.

(3) IMPLEMENTATION AUTHORIZED.—The Chief may carry out the program developed pursuant to subsection (a).

(4) CONTRACTS.—The Secretary of Defense shall ensure, as may be appropriate, that whenever the Department of Defense enters into any contract, the contract allows for participation in the bug bounty program developed pursuant to paragraph (1).

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

(A) the use of any foundational artificial intelligence model; or

(B) the implementation of the program developed pursuant to paragraph (1) in order for the Department to incorporate a foundational artificial intelligence model.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Chief shall provide the congressional defense committees a briefing on—

(1) the development and implementation of bug bounty programs the Chief considers relevant to the matters covered by this section; and

(2) long-term plans of the Chief with respect to such bug bounty programs.

(c) DEFINITION OF FOUNDATIONAL ARTIFICIAL INTELLIGENCE MODEL.—In this section, the term ''foundational artificial intelligence model'' means an adaptive generative model that is trained on a broad set of unlabeled data sets that can be used for different tasks, with minimal fine-tuning.

SEC. ____. VULNERABILITY ANALYSIS STUDY FOR ARTIFICIAL INTELLIGENCE-ENABLED MILITARY APPLICATIONS.

(a) STUDY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer (CDAO) of the Department of Defense shall complete a study analyzing the vulnerabilities to the privacy, security, and accuracy of, and capacity to assess, artificial intelligence-enabled military applications, as well as research and development needs for such applications.

(b) ELEMENTS.—The study required by subsection (a) shall cover the following:

(1) Research and development needs and transition pathways to advance explainable and interpretable artificial intelligence-enabled military applications, including the capability to assess the underlying algorithms and data models of such applications.

(2) Assessing the potential risks to the privacy, security, and accuracy of underlying architectures and algorithms of artificial intelligence-enabled military applications, including the following:

(A) Individual foundational artificial intelligence models, including the adequacy of existing testing, training, and auditing for such models to ensure models can be properly assessed over time.

(B) The interactions of multiple artificial intelligence-enabled military applications, and the ability to detect and assess new, complex, and emergent behavior amongst individual agents, as well as the collective impact, including how such changes may affect risk to privacy, security, and accuracy over time.

(C) The impact of increased agency in artificial intelligence-enabled military applications and how such increased agency may affect the ability to detect and assess new, complex, and emergent behavior, as well risks to the privacy, security, and accuracy of such applications over time.

(3) Assessing the survivability and traceability of decision support systems that are integrated with artificial intelligence-enabled military applications and used in a contested environment, including—

(A) potential benefits and risks to Department of Defense missions and operations of implementing such applications; and

(B) other technical or operational constraints to ensure such decision support systems that are integrated with artificial intelligence-enabled military applications are able to adhere to the Department of Defense Ethical Principles for Artificial Intelligence.

(4) Identification of existing artificial intelligence metrics, developmental, testing and audit capabilities, personnel, and infrastructure within the Department of Defense, including test and evaluation facilities, needed to enable ongoing identification and assessment under paragraphs (1) through (3), and other factors such as—

(A) implications for deterrence systems based on systems warfare; and

(B) vulnerability to systems confrontation on the system and system-of-systems level.

(5) Identification of gaps or research needs to sufficiently respond to the elements outlined in this subsection that are not currently, or not sufficiently, funded within the Department of Defense.

(c) COORDINATION.—In carrying out the study required by subsection (a), the Chief Digital and Artificial Intelligence Officer shall coordinate with the following:

(1) The Director of the Defense Advanced Research Projects Agency (DARPA).

(2) The Under Secretary of Defense for Research and Evaluation.

(3) The Under Secretary of Defense for Policy.

(4) The Director for Operational Test and Evaluation (DOT&E) of the Department.

(5) As the Chief Digital and Artificial Intelligence Officer considers appropriate, the following:

(A) The Secretary of Energy.

(B) The Director of the National Institute of Standards and Technology.

(C) The Director of the National Science Foundation.

(D) The head of the National Artificial Intelligence Initiative Office of the Office of Science and Technology Policy.

(E) Members and representatives of industry.

(F) Members and representatives of academia.

(d) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer shall provide the congressional defense committees a briefing on the interim findings of the Chief Digital and Artificial Intelligence Officer with respect to the study being conducted pursuant to subsection (a).

(e) FINAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence

Officer shall submit to the congressional defense committees a final report on the findings of the Chief Digital and Artificial Intelligence Officer with respect to the study conducted pursuant to subsection (a).

(2) FORM.—The final report submitted pursuant to paragraph (1) shall be submitted in unclassified for, but may include a classified annex.

(f) DEFINITION OF FOUNDATIONAL ARTIFICIAL INTELLIGENCE MODEL.—In this section, the term ''foundational artificial intelligence model'' means an adaptive generative model that is trained on a broad set of unlabeled data sets that can be used for different tasks, with minimal fine-tuning.

SEC. _____. REPORT ON DATA SHARING AND COORDINATION.

(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 congressional defense committees a report on ways to improve data sharing, interoperability, and quality, as may be appropriate, across the Department of Defense.

(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) A description of policies, practices, and cultural barriers that impede data sharing and interoperability, and lead to data quality issues, among components of the Department.

(2) The impact a lack of appropriate levels of data sharing, interoperability, and quality has on Departmental collaboration, efficiency, interoperability, and joint-decision-making.

(3) A review of current efforts to promote appropriate data sharing, including to centralize data management, such as the AVANA program.

(4) A description of near-, mid-, and long-term efforts that the Office of the Secretary of Defense plans to implement to promote data sharing and interoperability, including efforts to improve data quality.

(5) A detailed plan to implement a data sharing and interoperability strategy that supports effective development and employment of artificial intelligence-enabled military applications.

(6) A detailed assessment of the implementation of the Department of Defense Data Strategy issued in 2020, as well as the use of data decrees to improve management rigor in the Department when it comes to data sharing and interoperability.

(7) Any recommendations for Congress with respect to assisting the Department in these efforts.

SA 830. Mr. WICKER (for himself, Mr. SCOTT of South Carolina, Ms. ERNST, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1035. ESTABLISHING A COORDINATOR FOR COUNTERING MEXICO'S CRIMINAL CARTELS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President, in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, the Attorney General, and the Secretary of the Treasury, shall designate an existing official within the executive branch to serve as senior-level coordinator to coordinate, in conjunction with other relevant agencies, all defense, diplomatic, intelligence, financial, and legal efforts to counter the drug- and human-trafficking activities of Mexico's criminal cartels.

(b) RETENTION OF AUTHORITY.—The designation of a coordinator under subsection (a) shall not deprive any agency of any authority to independently perform functions of that agency.

(c) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter through January 31, 2029, the coordinator designated under subsection (a) shall submit to the appropriate committees of Congress a detailed report on the following:

(A) Efforts taken during the previous quarter to bolster defense cooperation with the Government of Mexico against Mexico's criminal cartels, and any other activities of the Department of Defense with respect to countering the cartels, including in cooperation with the Government of Mexico or interagency partners.

(B) Diplomatic efforts, including numbers of demarches and meetings, taken during the previous quarter to highlight and counter the human rights abuses of Mexico's criminal cartels, including human trafficking, sex trafficking, other exploitation of migrants, endangerment of children, and other abuses.

(C) Diplomatic efforts taken during the previous quarter to improve cooperation with the Government of Mexico in countering Mexico's criminal cartels, and a detailed list and assessment of any actions that the Government of Mexico has taken during the previous quarter to counter the cartels.

(D) Diplomatic efforts taken during the previous quarter to improve cooperation with partners and allies in countering Mexico's criminal cartels.

(E) Efforts taken during the previous quarter to bolster the screening process at ports of entry to prevent members and associates of Mexico's criminal cartels, and individuals who are working for the cartels, from entering or trafficking drugs, humans, and contraband into the United States.

(F) Efforts taken during the previous quarter to encourage the Government of Mexico to improve its screening process along its own ports of entry in order to prevent illicit cash, weapons, and contraband that is destined for Mexico's criminal cartels from entering Mexico.

(G) Efforts taken during the previous quarter to investigate and prosecute members and associates of Mexico's criminal cartels, including members and associates operating from within the United States.

(H) Efforts taken during the previous quarter to encourage the Government of Mexico to increase its investigation and prosecution of leaders, members, and associates of Mexcio's criminal cartels within Mexico.

(I) Efforts taken during the previous quarter to initiate or improve the sharing of intelligence with allies and partners, including the Government of Mexico, for the purpose of countering Mexico's criminal cartels.

(J) Efforts taken during the previous quarter to impose sanctions with respect to—

(i) leaders, members, and associates of Mexico's criminal cartels; and

(ii) any companies, banks, or other institutions that facilitate the cartels' human-trafficking, drug-trafficking, and other criminal enterprises.

(K) The total number of personnel and resources in the Department of Defense, the Department of State, the Department of Homeland Security, the Department of Justice, and the Department of the Treasury focused on countering Mexico's criminal cartels.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Homeland Security, and the Committee on Financial Services of the House of Representatives.

(2) MEXICO'S CRIMINAL CARTELS.—The term ''Mexico's criminal cartels'' means the following:

(A) Criminal organizations the operations of which include human-trafficking, drug-trafficking, and other types of smuggling operations across the southwest border of the United States and take place largely within Mexico, including the following:

(i) The Sinaloa Cartel.
(ii) The Jalisco New Generation Cartel.
(iii) The Gulf Cartel.
(iv) The Los Zetas Cartel.
(v) The Northeast Cartel.
(vi) The Juarez Cartel.
(vii) The Tijuana Cartel.
(viii) The Beltran-Leyva Cartel.
(ix) The La Familia Michoacana, also known as the Knights Templar Cartel.
(x) Las Moicas.
(xi) La Empresa Nueva.
(xii) MS–13.
(xiii) The Medellin Cartel.

(B) Any successor organization to an organization described in subparagraph (A).

SA 831. Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. ESTABLISHMENT OF ADDITIONAL SKILL IDENTIFIERS (ASI) AND SKILL IDENTIFIERS (SI) FOR ARMY MOUNTAIN WARFARE SCHOOL COURSES.

(a) ADDITIONAL SKILL IDENTIFIERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the feasibility and advisability of assigning Additional Skill Identifiers (ASIs) for the following courses at the Army Mountain Warfare School (AMWS):

(1) Advanced Military Mountaineer Course (Summer).

(2) Advanced Military Mountaineer Course (Winter).

(3) Rough Terrain Evacuation Course.

(4) Mountain Planner Course.

(5) Mountain Rifleman Course.

(b) SKILL IDENTIFIERS.—The report required under subsection (a) shall also include the feasibility and advisability of assigning

Skill Identifiers (SIs) for officers and warrant officers who complete the following courses at the AMWS:

(1) Basic Military Mountaineer Course.

(2) Mountain Planner Course.

SA 832. Mr. WELCH (for himself, Mr. TILLIS, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 345. REPORT BY DEPARTMENT OF DEFENSE ON ALTERNATIVES TO BURN PITS.

Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to Congress a report on incinerators and waste-to-energy waste disposal alternatives to burn pits.

SA 833. Mr. REED (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

The text of section 706 is hereby deemed to read as follows:

"SEC. 706 EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

''(a) EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note) is amended—

''(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

''(2) by inserting after subsection (d) the following new subsection (e):

'' ''(e) COVERAGE OF DOULA CARE.—The Secretary may add coverage of labor doula care to the demonstration project, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

'' ''(1) by members of the Armed Forces on active duty;

'' ''(2) by beneficiaries outside the continental United States; and

'' ''(3) at military medical treatment facilities.'.

''(b) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.''.

SA 834. Mrs. GILLIBRAND (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 543. MODIFICATION OF RULE 513 OF THE MILITARY RULES OF EVIDENCE, RELATING TO THE PRIVILEGE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN PSYCHOTHERAPISTS AND PATIENTS.

Not later than 180 days after the date of the enactment of this Act, Rule 513 of the Military Rules of Evidence shall be modified—

(1) to amend subsection (a) of the rule to add ''A patient furthermore has a privilege to refuse to disclose, and to prevent any other person from disclosing, records made for the purpose of diagnosis and treatment of the patient's mental or emotional condition, including any diagnosis made, advice given, or treatment provided or prescribed by a psychotherapist or an assistant to a psychotherapist in a case arising under the Uniform Code of Military Justice.'';

(2) to add to subsection (b) of the rule a new paragraph (6) stating, ''This privilege applies to records, including diagnoses and treatments, regardless of prior disclosure of those records pursuant to Federal law, state law, or service regulation. This privilege applies to production for the purpose of courts-martial under the Uniform Code of Military Justice and admissibility therein, but shall not independently prohibit the disclosure of diagnoses, treatments, or communications the disclosure of which is required to ensure the safety and security of military personnel, military dependents, military property, classified information, or the accomplishment of a military mission.'';

(3) in subsection (d)(2), to strike '', or in a proceeding in which one spouse is charged with a crime against a child of either spouse'';

(4) to strike subsection (d)(3), renumber (d)(4) as (d)(3), and renumber (d)(5) as (d)(4);

(5) to strike subsection (d)(6) and renumber subparagraph (d)(7) as (d)(5); and

(6) to amend subsection (e)(2) to add the following language: ''Prior to ordering the production or admission of evidence of a patient's records as described in subsection (a) or communications, the judge must make a ruling that the party seeking production or admission of such records has demonstrated: (A) a specific factual basis demonstrating a reasonable likelihood that the records or communications will yield evidence admissible under an exception to the privilege; (B) by a preponderance of the evidence that the requested information meets one of the enumerated exceptions to the privilege or is constitutionally required; (C) that the information sought is not merely cumulative of other information available; and (D) that the party made reasonable efforts to obtain the same or substantially similar information through non-privileged sources.''.

SA 835. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle F—Time to Choose Act of 2023

SEC. 871. SHORT TITLE.

This subtitle may be cited as the ''Time to Choose Act of 2022''.

SEC. 872. FINDINGS.

Congress makes the following findings:

(1) The Department of Defense and other agencies in the United States Government regularly award contracts to firms such as Deloitte, McKinsey & Company, and others who are simultaneously providing consulting services to the Government of the People's Republic of China and proxies or affiliates thereof.

(2) The provision of such consulting services by firms like Deloitte, McKinsey & Company, and others to entities in the People's Republic of China directly supports efforts by that nation's government to generate economic and military power that it can then use to undermine the economic and national security of the American people, including through economic coercion and by threatening or using military force against us.

(3) It is a conflict of interest for firms like Deloitte, McKinsey & Company, and others to simultaneously aid in the efforts of the Government of the People's Republic of China to undermine the economic and national security of the United States while they are simultaneously contracting with the Department of Defense and other United States Government agencies responsible for defending the United States from foreign threats, above all from China.

(4) Firms like Deloitte, McKinsey & Company, and others should no longer be allowed to engage in such a conflict of interest and should instead be required to choose between aiding the efforts of the Government of the People's Republic of China to harm the United States or helping the United States Government to defend its citizens against such foreign coercion.

SEC. 873. PROHIBITION ON FEDERAL CONTRACTING WITH ENTITIES THAT ARE SIMULTANEOUSLY AIDING IN THE EFFORTS OF THE PEOPLE'S REPUBLIC OF CHINA TO HARM THE UNITED STATES.

In order to end conflict of interests in Federal contracting among consulting firms that simultaneously contract with the United States Government and covered foreign entities, the Federal Acquisition Regulatory Council shall, not later than 180 days after the date of the enactment of this Act, amend the Federal Acquisition Regulation—

(1) to require any entity that provides the services described in the North American Industry Classification System's Industry Group code 5416, prior to entering into a Federal contract, to certify that neither it nor any of its subsidiaries or affiliates hold a contract with one or more covered foreign entities; and

(2) to prohibit Federal contracts from being awarded to an entity that provides the services described under the North American Industry Classification System's Industry Group code 5416 if the entity or any of its subsidiaries or affiliates are determined, based on the self-certification required under paragraph (1) or other information, to be a contractor of, or otherwise providing services to, a covered foreign entity.

SEC. 874. PENALTIES FOR FALSE INFORMATION ON CONTRACTING WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) TERMINATION, SUSPENSION, AND DEBARMENT.—If the head of an executive agency determines that a consulting firm described in section 3 has knowingly submitted a false certification or information on or after the

date on which the Federal Acquisition Regulatory Council amends the Federal Acquisition Regulation pursuant to such section, the head of the executive agency shall terminate the contract with the consulting firm and consider suspending or debarring the firm from eligibility for future Federal contracts in accordance with subpart 9.4 of the Federal Acquisition Regulation.

(b) FALSE CLAIMS ACT.—A consulting firm described in section 873 that, for the purposes of the False Claims Act, intentionally hides or misrepresents one or more contracts with covered foreign entities shall be subject to the penalties and corrective actions described in the False Claims Act, including liability for three times the amount of damages which the United States Government sustains, including funds or other resources expended on or in support of the solicitation, selection, and performance of such contracts.

SEC. 875. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means—

(A) a person, business trust, business association, company, institution, government agency, university, partnership, limited liability company, corporation, or any other individual or organization that can legally enter into contracts, own properties, or pay taxes on behalf of, the Government of the People's Republic of China;

(B) the Chinese Communist Party;

(C) the People's Republic of China's United Front;

(D) an entity owned or controlled by, or that performs activities on behalf of, a person or entity described in subparagraph (A), (B), or (C); and

(E) an individual that is a member of the board of directors, an executive officer, or a senior official of an entity described in subparagraph (A), (B), (C), or (D).

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(3) FALSE CLAIMS ACT.—The term ''False Claims Act'' means sections 3729 through 3733 of title 31, United States Code

(4) NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM'S INDUSTRY GROUP CODE 5416.—The term ''North American Industry Classification System's Industry Group code 5416'' refers to the North American Industry Classification System category that covers Management, Scientific, and Technical Consulting Services as Industry Group code 5416, including industry codes 54151, 541611, 541612, 541613, 541614, 541618, 54162, 541620, 54169, 541690.

SA 836. Mr. SCHUMER (for himself, Mr. ROUNDS, Mr. RUBIO, Mrs. GILLIBRAND, Mr. YOUNG, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—UNIDENTIFIED ANOMALOUS PHENOMENA DISCLOSURE

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Unidentified Anomalous Phenomena Disclosure Act of 2023'' or the ''UAP Disclosure Act of 2023''.

SEC. ___02. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) All Federal Government records related to unidentified anomalous phenomena should be preserved and centralized for historical and Federal Government purposes.

(2) All Federal Government records concerning unidentified anomalous phenomena should carry a presumption of immediate disclosure and all records should be eventually disclosed to enable the public to become fully informed about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(3) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of such records.

(4) Legislation is necessary because credible evidence and testimony indicates that Federal Government unidentified anomalous phenomena records exist that have not been declassified or subject to mandatory declassification review as set forth in Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) due in part to exemptions under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as well as an over-broad interpretation of ''transclassified foreign nuclear information'', which is also exempt from mandatory declassification, thereby preventing public disclosure under existing provisions of law.

(5) Legislation is necessary because section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), as implemented by the Executive branch of the Federal Government, has proven inadequate in achieving the timely public disclosure of Government unidentified anomalous phenomena records that are subject to mandatory declassification review.

(6) Legislation is necessary to restore proper oversight over unidentified anomalous phenomena records by elected officials in both the executive and legislative branches of the Federal Government that has otherwise been lacking as of the enactment of this Act.

(7) Legislation is necessary to afford complete and timely access to all knowledge gained by the Federal Government concerning unidentified anomalous phenomena in furtherance of comprehensive open scientific and technological research and development essential to avoiding or mitigating potential technological surprise in furtherance of urgent national security concerns and the public interest.

(b) PURPOSES.—The purposes of this title are—

(1) to provide for the creation of the unidentified anomalous phenomena Records Collection at the National Archives and Records Administration; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of such records.

SEC. ___03. DEFINITIONS.

In this title:

(1) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(2) CLOSE OBSERVER.—The term ''close observer'' means anyone who has come into close proximity to unidentified anomalous phenomena or non-human intelligence.

(3) COLLECTION.—The term ''Collection'' means the Unidentified Anomalous Phenomena Records Collection established under section ___04.

(4) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—The term ''Controlled Disclosure Campaign Plan'' means the Controlled Disclosure Campaign Plan required by section ___09(c)(3).

(5) CONTROLLING AUTHORITY.—The term ''controlling authority'' means any Federal, State, or local government department, office, agency, committee, commission, commercial company, academic institution, or private sector entity in physical possession of technologies of unknown origin or biological evidence of non-human intelligence.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Government Ethics.

(7) EXECUTIVE AGENCY.—The term ''Executive agency'' means an Executive agency, as defined in subsection 552(f) of title 5, United States Code.

(8) GOVERNMENT OFFICE.—The term ''Government office'' means any department, office, agency, committee, or commission of the Federal Government and any independent office or agency without exception that has possession or control, including via contract or other agreement, of unidentified anomalous phenomena records.

(9) IDENTIFICATION AID.—The term ''identification aid'' means the written description prepared for each record, as required in section ___04.

(10) LEADERSHIP OF CONGRESS.—The term ''leadership of Congress'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(11) LEGACY PROGRAM.—The term ''legacy program'' means all Federal, State, and local government, commercial industry, academic, and private sector endeavors to collect, exploit, or reverse engineer technologies of unknown origin or examine biological evidence of living or deceased non-human intelligence that pre-dates the date of the enactment of this Act.

(12) NATIONAL ARCHIVES.—The term ''National Archives'' means the National Archives and Records Administration and all components thereof, including presidential archival depositories established under section 2112 of title 44, United States Code.

(13) NON-HUMAN INTELLIGENCE.—The term ''non-human intelligence'' means any sentient intelligent non-human lifeform regardless of nature or ultimate origin that may be presumed responsible for unidentified anomalous phenomena or of which the Federal Government has become aware.

(14) ORIGINATING BODY.—The term ''originating body'' means the Executive agency, Federal Government commission, committee of Congress, or other Governmental entity that created a record or particular information within a record.

(15) PROSAIC ATTRIBUTION.—The term ''prosaic attribution'' means having a human (either foreign or domestic) origin and operating according to current, proven, and generally understood scientific and engineering principles and established laws-of-nature and not attributable to non-human intelligence.

(16) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of unidentified anomalous phenomena records for historical and Governmental purposes and for the purpose of fully informing the people of the United States about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(17) RECORD.—The term ''record'' includes a book, paper, report, memorandum, directive, email, text, or other form of communication, or map, photograph, sound or video recording, machine-readable material, computerized, digitized, or electronic information, including intelligence, surveillance, reconnaissance, and target acquisition sensor

data, regardless of the medium on which it is stored, or other documentary material, regardless of its physical form or characteristics.

(18) REVIEW BOARD.—The term ''Review Board'' means the Unidentified Anomalous Phenomena Records Review Board established by section ____07.

(19) TECHNOLOGIES OF UNKNOWN ORIGIN.—The term ''technologies of unknown origin'' means any materials or meta-materials, ejecta, crash debris, mechanisms, machinery, equipment, assemblies or sub-assemblies, engineering models or processes, damaged or intact aerospace vehicles, and damaged or intact ocean-surface and undersea craft associated with unidentified anomalous phenomena or incorporating science and technology that lacks prosaic attribution or known means of human manufacture.

(20) TEMPORARILY NON-ATTRIBUTED OBJECTS.—

(A) IN GENERAL.—The term ''temporarily non-attributed objects'' means the class of objects that temporarily resist prosaic attribution by the initial observer as a result of environmental or system limitations associated with the observation process that nevertheless ultimately have an accepted human origin or known physical cause. Although some unidentified anomalous phenomena may at first be interpreted as temporarily non-attributed objects, they are not temporarily non-attributed objects, and the two categories are mutually exclusive.

(B) INCLUSION.—The term ''temporarily non-attributed objects'' includes—

(i) natural celestial, meteorological, and undersea weather phenomena;

(ii) mundane human-made airborne objects, clutter, and marine debris;

(iii) Federal, State, and local government, commercial industry, academic, and private sector aerospace platforms;

(iv) Federal, State, and local government, commercial industry, academic, and private sector ocean-surface and undersea vehicles; and

(v) known foreign systems.

(21) THIRD AGENCY.—The term ''third agency'' means a Government agency that originated a unidentified anomalous phenomena record that is in the possession of another Government agency.

(22) UNIDENTIFIED ANOMALOUS PHENOMENA.—

(A) IN GENERAL.—The term ''unidentified anomalous phenomena'' means any object operating or judged capable of operating in outer-space, the atmosphere, ocean surfaces, or undersea lacking prosaic attribution due to performance characteristics and properties not previously known to be achievable based upon commonly accepted physical principles. Unidentified anomalous phenomena are differentiated from both attributed and temporarily non-attributed objects by one or more of the following observables:

(i) Instantaneous acceleration absent apparent inertia.

(ii) Hypersonic velocity absent a thermal signature and sonic shockwave.

(iii) Transmedium (such as space-to-ground and air-to-undersea) travel.

(iv) Positive lift contrary to known aerodynamic principles.

(v) Multispectral signature control.

(vi) Physical or invasive biological effects to close observers and the environment.

(B) INCLUSIONS.—The term ''unidentified anomalous phenomena'' includes what were previously described as—

(i) flying discs;

(ii) flying saucers;

(iii) unidentified aerial phenomena;

(iv) unidentified flying objects (UFOs); and

(v) unidentified submerged objects (USOs).

(23) UNIDENTIFIED ANOMALOUS PHENOMENA RECORD.—The term ''unidentified anomalous phenomena record'' means a record that is related to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence (and all equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects) that was created or made available for use by, obtained by, or otherwise came into the possession of—

(A) the Executive Office of the President;

(B) the Department of Defense and its progenitors, the Department of War and the Department of the Navy;

(C) the Department of the Army;

(D) the Department of the Navy;

(E) the Department of the Air Force, specifically the Air Force Office of Special Investigations;

(F) the Department of Energy and its progenitors, the Manhattan Project, the Atomic Energy Commission, and the Energy Research and Development Administration;

(G) the Office of the Director of National Intelligence;

(H) the Central Intelligence Agency and its progenitor, the Office of Strategic Services;

(I) the National Reconnaissance Office;

(J) the Defense Intelligence Agency;

(K) the National Security Agency;

(L) the National Geospatial-Intelligence Agency;

(M) the National Aeronautics and Space Administration:

(N) the Federal Bureau of Investigation;

(O) the Federal Aviation Administration;

(P) the National Oceanic and Atmospheric Administration;

(Q) the Library of Congress;

(R) the National Archives and Records Administration;

(S) any Presidential library;

(T) any Executive agency;

(U) any independent office or agency;

(V) any other department, office, agency, committee, or commission of the Federal Government;

(W) any State or local government department, office, agency, committee, or commission that provided support or assistance or performed work, in connection with a Federal inquiry into unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence; and

(X) any private sector person or entity formerly or currently under contract or some other agreement with the Federal Government.

SEC. ____04. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS COLLECTION AT THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—(A) Not later than 60 days after the date of the enactment of this Act, the Archivist shall commence establishment of a collection of records in the National Archives to be known as the ''Unidentified Anomalous Phenomena Records Collection''.

(B) In carrying out subparagraph (A), the Archivist shall ensure the physical integrity and original provenance (or if indeterminate, the earliest historical owner) of all records in the Collection.

(C) The Collection shall consist of record copies of all Government, Government-provided, or Government-funded records relating to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence (or equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects), which shall be transmitted to the National Archives in accordance with section 2107 of title 44, United States Code.

(D) The Archivist shall prepare and publish a subject guidebook and index to the Collection.

(2) CONTENTS.—The Collection shall include the following:

(A) All unidentified anomalous phenomena records, regardless of age or date of creation—

(i) that have been transmitted to the National Archives or disclosed to the public in an unredacted form prior to the date of the enactment of this Act;

(ii) that are required to be transmitted to the National Archives; and

(iii) that the disclosure of which is postponed under this Act.

(B) A central directory comprised of identification aids created for each record transmitted to the Archivist under section ____05.

(C) All Review Board records as required by this Act.

(b) DISCLOSURE OF RECORDS.—All unidentified anomalous phenomena records transmitted to the National Archives for disclosure to the public shall—

(1) be included in the Collection; and

(2) be available to the public—

(A) for inspection and copying at the National Archives within 30 days after their transmission to the National Archives; and

(B) digitally via the National Archives online database within a reasonable amount of time not to exceed 180 days thereafter.

(c) FEES FOR COPYING.—

(1) IN GENERAL.—The Archivist shall—

(A) charge fees for copying unidentified anomalous phenomena records; and

(B) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the Archivist pursuant to paragraph (1)(A) for the copying of an unidentified anomalous phenomena record shall be such amount as the Archivist determines appropriate to cover the costs incurred by the National Archives in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the National Archives in making and providing such copy.

(d) ADDITIONAL REQUIREMENTS.—

(1) USE OF FUNDS.—The Collection shall be preserved, protected, archived, digitized, and made available to the public at the National Archives and via the official National Archives online database using appropriations authorized, specified, and restricted for use under the terms of this Act.

(2) SECURITY OF RECORDS.—The National Security Program Office at the National Archives, in consultation with the National Archives Information Security Oversight Office, shall establish a program to ensure the security of the postponed unidentified anomalous phenomena records in the protected, and yet-to-be disclosed or classified portion of the Collection.

(e) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the Collection.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the Collection.

SEC. ____05. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS BY GOVERNMENT OFFICES.

(a) IDENTIFICATION, ORGANIZATION, AND PREPARATION FOR TRANSMISSION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, each head of a Government office shall—

(A) identify and organize records in the possession of the Government office or under the control of the Government office relating to unidentified anomalous phenomena; and

(B) prepare such records for transmission to the Archivist for inclusion in the Collection.

(2) PROHIBITIONS.—(A) No unidentified anomalous phenomena record shall be destroyed, altered, or mutilated in any way.

(B) No unidentified anomalous phenomena record made available or disclosed to the public prior to the date of the enactment of this Act may be withheld, redacted, postponed for public disclosure, or reclassified.

(C) No unidentified anomalous phenomena record created by a person or entity outside the Federal Government (excluding names or identities consistent with the requirements of section ___06) shall be withheld, redacted, postponed for public disclosure, or reclassified.

(b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS PENDING REVIEW.—During the review by the heads of Government offices under subsection (c) and pending review activity by the Review Board, each head of a Government office shall retain custody of the unidentified anomalous phenomena records of the office for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of the records for purposes of conducting an independent and impartial review;

(2) transfer is necessary for an administrative hearing or other Review Board function; or

(3) it is a third agency record described in subsection (c)(2)(C).

(c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this Act, each head of a Government office shall review, identify, and organize each unidentified anomalous phenomena record in the custody or possession of the office for—

(A) disclosure to the public;

(B) review by the Review Board; and

(C) transmission to the Archivist.

(2) REQUIREMENTS.—In carrying out paragraph (1), the head of a Government office shall—

(A) determine which of the records of the office are unidentified anomalous phenomena records;

(B) determine which of the unidentified anomalous phenomena records of the office have been officially disclosed or made publicly available in a complete and unredacted form;

(C)(i) determine which of the unidentified anomalous phenomena records of the office, or particular information contained in such a record, was created by a third agency or by another Government office; and

(ii) transmit to a third agency or other Government office those records, or particular information contained in those records, or complete and accurate copies thereof;

(D)(i) determine whether the unidentified anomalous phenomena records of the office or particular information in unidentified anomalous phenomena records of the office are covered by the standards for postponement of public disclosure under this title; and

(ii) specify on the identification aid required by subsection (d) the applicable postponement provision contained in section ___06;

(E) organize and make available to the Review Board all unidentified anomalous phenomena records identified under subparagraph (D) the public disclosure of, which in-whole or in-part, may be postponed under this title;

(F) organize and make available to the Review Board any record concerning which the office has any uncertainty as to whether the record is an unidentified anomalous phenomena record governed by this title;

(G) give precedence of work to—

(i) the identification, review, and transmission of unidentified anomalous phenomena records not already publicly available or disclosed as of the date of the enactment of this Act;

(ii) the identification, review, and transmission of all records that most unambiguously and definitively pertain to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence;

(iii) the identification, review, and transmission of unidentified anomalous phenomena records that on the date of the enactment of this Act are the subject of litigation under section 552 of title 5, United States Code; and

(iv) the identification, review, and transmission of unidentified anomalous phenomena records with earliest provenance when not inconsistent with clauses (i) through (iii) and otherwise feasible; and

(H) make available to the Review Board any additional information and records that the Review Board has reason to believe the Review Board requires for conducting a review under this title.

(3) PRIORITY OF EXPEDITED REVIEW FOR DIRECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—The Director of each archival depository established under section 2112 of title 44, United States Code, shall have as a priority the expedited review for public disclosure of unidentified anomalous phenomena records in the possession and custody of the depository, and shall make such records available to the Review Board as required by this title.

(d) IDENTIFICATION AIDS.—

(1) IN GENERAL.—(A) Not later than 45 days after the date of the enactment of this Act, the Archivist, in consultation with the heads of such Government offices as the Archivist considers appropriate, shall prepare and make available to all Government offices a standard form of identification, or finding aid, for use with each unidentified anomalous phenomena record subject to review under this title whether in hardcopy (physical), softcopy (electronic), or digitized data format as may be appropriate.

(B) The Archivist shall ensure that the identification aid program is established in such a manner as to result in the creation of a uniform system for cataloging and finding every unidentified anomalous phenomena record subject to review under this title where ever and how ever stored in hardcopy (physical), softcopy (electronic), or digitized data format.

(2) REQUIREMENTS FOR GOVERNMENT OFFICES.—Upon completion of an identification aid using the standard form of identification prepared and made available under subparagraph (A) of paragraph (1) for the program established pursuant to subparagraph (B) of such paragraph, the head of a Government office shall—

(A) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record, the identification aid describes;

(B) transmit to the Review Board a printed copy for each physical unidentified anomalous phenomena record and an electronic copy for each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes; and

(C) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes, when transmitted to the Archivist.

(3) RECORDS OF THE NATIONAL ARCHIVES THAT ARE PUBLICLY AVAILABLE.—Unidentified anomalous phenomena records which are in the possession of the National Archives on the date of the enactment of this Act, and which have been publicly available in their entirety without redaction, shall be made available in the Collection without any additional review by the Review Board or another authorized office under this title, and shall not be required to have such an identification aid unless required by the Archivist.

(e) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each head of a Government office shall—

(1) transmit to the Archivist, and make immediately available to the public, all unidentified anomalous phenomena records of the Government office that can be publicly disclosed, including those that are publicly available on the date of the enactment of this Act, without any redaction, adjustment, or withholding under the standards of this title; and

(2) transmit to the Archivist upon approval for postponement by the Review Board or upon completion of other action authorized by this title, all unidentified anomalous phenomena records of the Government office the public disclosure of which has been postponed, in whole or in part, under the standards of this title, to become part of the protected, yet-to-be disclosed, or classified portion of the Collection.

(f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—An unidentified anomalous phenomena record the public disclosure of which has been postponed shall, pending transmission to the Archivist, be held for reasons of security and preservation by the originating body until such time as the information security program has been established at the National Archives as required in section ___04(d)(2).

(g) PERIODIC REVIEW OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—

(1) IN GENERAL.—All postponed or redacted records shall be reviewed periodically by the originating agency and the Archivist consistent with the recommendations of the Review Board in the Controlled Disclosure Campaign Plan under section ___09(c)(3)(B).

(2) REQUIREMENTS.—(A) A periodic review under paragraph (1) shall address the public disclosure of additional unidentified anomalous phenomena records in the Collection under the standards of this title.

(B) All postponed unidentified anomalous phenomena records determined to require continued postponement shall require an unclassified written description of the reason for such continued postponement relevant to these specific records. Such description shall be provided to the Archivist and published in the Federal Register upon determination.

(C) The time and release requirements specified in the Controlled Disclosure Campaign Plan shall be revised or amended only if the Review Board is still in session and concurs with the rationale for postponement, subject to the limitations in section ___09(d)(1).

(D) The periodic review of postponed unidentified anomalous phenomena records shall serve to downgrade and declassify security classified information.

(E) Each unidentified anomalous phenomena record shall be publicly disclosed in

full, and available in the Collection, not later than the date that is 25 years after the date of the first creation of the record by the originating body, unless the President certifies, as required by this title, that—

(i) continued postponement is made necessary by an identifiable harm to the military defense, intelligence operations, law enforcement, or conduct of foreign relations; and

(ii) the identifiable harm is of such gravity that it outweighs the public interest in disclosure.

(h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

(1) IN GENERAL.—Executive agencies shall—

(A) transmit digital records electronically in accordance with section 2107 of title 44, United States Code;

(B) charge fees for copying unidentified anomalous phenomena records; and

(C) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the head of an Executive agency pursuant to paragraph (1)(B) for the copying of an unidentified anomalous phenomena record shall be such amount as the head determines appropriate to cover the costs incurred by the Executive agency in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the Executive agency in making and providing such copy.

SEC. ___06. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.

Disclosure of unidentified anomalous phenomena records or particular information in unidentified anomalous phenomena records to the public may be postponed subject to the limitations of this title if there is clear and convincing evidence that—

(1) the threat to the military defense, intelligence operations, or conduct of foreign relations of the United States posed by the public disclosure of the unidentified anomalous phenomena record is of such gravity that it outweighs the public interest in disclosure, and such public disclosure would reveal—

(A) an intelligence agent whose identity currently requires protection;

(B) an intelligence source or method which is currently utilized, or reasonably expected to be utilized, by the Federal Government and which has not been officially disclosed, the disclosure of which would interfere with the conduct of intelligence activities; or

(C) any other matter currently relating to the military defense, intelligence operations, or conduct of foreign relations of the United States, the disclosure of which would demonstrably and substantially impair the national security of the United States;

(2) the public disclosure of the unidentified anomalous phenomena record would reveal the name or identity of a living person who provided confidential information to the Federal Government and would pose a substantial risk of harm to that person;

(3) the public disclosure of the unidentified anomalous phenomena record could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(4) the public disclosure of the unidentified anomalous phenomena record would compromise the existence of an understanding of confidentiality currently requiring protection between a Federal Government agent and a cooperating individual or a foreign government, and public disclosure would be so harmful that it outweighs the public interest.

SEC. ___07. ESTABLISHMENT AND POWERS OF THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent agency a board to be known as the ''Unidentified Anomalous Phenomena Records Review Board''.

(b) APPOINTMENT.—

(1) IN GENERAL.—The President, by and with the advice and consent of the Senate, shall appoint, without regard to political affiliation, 9 citizens of the United States to serve as members of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of government records relating to unidentified anomalous phenomena.

(2) PERIOD FOR NOMINATIONS.—(A) The President shall make nominations to the Review Board not later than 90 calendar days after the date of the enactment of this Act.

(B) If the Senate votes not to confirm a nomination to the Review Board, the President shall make an additional nomination not later than 30 days thereafter.

(3) CONSIDERATION OF RECOMMENDATIONS.—(A) The President shall make nominations to the Review Board after considering persons recommended by the following:

(i) The majority leader of the Senate.

(ii) The minority leader of the Senate.

(iii) The Speaker of the House of Representatives.

(iv) The minority leader of the House of Representatives.

(v) The Secretary of Defense.

(vi) The National Academy of Sciences.

(vii) Established nonprofit research organizations relating to unidentified anomalous phenomena.

(viii) The American Historical Association.

(ix) Such other persons and organizations as the President considers appropriate.

(B) If an individual or organization described in subparagraph (A) does not recommend at least 2 nominees meeting the qualifications stated in paragraph (5) by the date that is 45 days after the date of the enactment of this Act, the President shall consider for nomination the persons recommended by the other individuals and organizations described in such subparagraph.

(C) The President may request an individual or organization described in subparagraph (A) to submit additional nominations.

(4) QUALIFICATIONS.—Persons nominated to the Review Board—

(A) shall be impartial citizens, none of whom shall have had any previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence;

(B) shall be distinguished persons of high national professional reputation in their respective fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the review, transmission to the public, and public disclosure of records related to the government's understanding of, and activities associated with unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence and who possess an appreciation of the value of such material to the public, scholars, and government; and

(C) shall include at least—

(i) 1 current or former national security official;

(ii) 1 current or former foreign service official;

(iii) 1 scientist or engineer;

(iv) 1 economist;

(v) 1 professional historian; and

(vi) 1 sociologist.

(5) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual nominated and appointed to the position of member of the Review Board to ensure the member does not have any conflict of interest during the term of the service of the member.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the member being reviewed possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(c) SECURITY CLEARANCES.—

(1) IN GENERAL.—All Review Board nominees shall be granted the necessary security clearances and accesses, including any and all relevant Presidential, departmental, and agency special access programs, in an accelerated manner subject to the standard procedures for granting such clearances.

(2) QUALIFICATION FOR NOMINEES.—All nominees for appointment to the Review Board under subsection (b) shall qualify for the necessary security clearances and accesses prior to being considered for confirmation by the Committee on Homeland Security and Governmental Affairs of the Senate.

(d) CONSIDERATION BY THE SENATE.—Nominations for appointment under subsection (b) shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate for consideration.

(e) VACANCY.—A vacancy on the Review Board shall be filled in the same manner as specified for original appointment within 30 days of the occurrence of the vacancy.

(f) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—No member of the Review Board shall be removed from office, other than—

(A) by impeachment and conviction; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) NOTICE OF REMOVAL.—(A) If a member of the Review Board is removed from office, and that removal is by the President, not later than 10 days after the removal, the President shall submit to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report specifying the facts found and the grounds for the removal.

(B) The President shall publish in the Federal Register a report submitted under subparagraph (A), except that the President may, if necessary to protect the rights of a person named in the report or to prevent undue interference with any pending prosecution, postpone or refrain from publishing any or all of the report until the completion of such pending cases or pursuant to privacy protection requirements in law.

(3) JUDICIAL REVIEW.—(A) A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) The member may be reinstated or granted other appropriate relief by order of the court.

(g) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—A member of the Review Board, other than the Executive Director under section ____08(c)(1), shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(h) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render decisions on a determination by a Government office to seek to postpone the disclosure of unidentified anomalous phenomena records.

(2) CONSIDERATIONS AND RENDERING OF DECISIONS.—In carrying out paragraph (1), the Review Board shall consider and render decisions—

(A) whether a record constitutes a unidentified anomalous phenomena record; and

(B) whether a unidentified anomalous phenomena record or particular information in a record qualifies for postponement of disclosure under this title.

(i) POWERS.—

(1) IN GENERAL.—The Review Board shall have the authority to act in a manner prescribed under this title, including authority—

(A) to direct Government offices to complete identification aids and organize unidentified anomalous phenomena records;

(B) to direct Government offices to transmit to the Archivist unidentified anomalous phenomena records as required under this title, including segregable portions of unidentified anomalous phenomena records and substitutes and summaries of unidentified anomalous phenomena records that can be publicly disclosed to the fullest extent;

(C)(i) to obtain access to unidentified anomalous phenomena records that have been identified and organized by a Government office;

(ii) to direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals which the Review Board has reason to believe are required to fulfill its functions and responsibilities under this title; and

(iii) request the Attorney General to subpoena private persons to compel testimony, records, and other information relevant to its responsibilities under this title;

(D) require any Government office to account in writing for the destruction of any records relating to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence;

(E) receive information from the public regarding the identification and public disclosure of unidentified anomalous phenomena records;

(F) hold hearings, administer oaths, and subpoena witnesses and documents;

(G) use the Federal Acquisition Service in the same manner and under the same conditions as other Executive agencies; and

(H) use the United States mails in the same manner and under the same conditions as other Executive agencies.

(2) ENFORCEMENT OF SUBPOENA.—A subpoena issued under paragraph (1)(C)(iii) may be enforced by any appropriate Federal court acting pursuant to a lawful request of the Review Board.

(j) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code. Witnesses, close observers, and whistleblowers providing information directly to the Review Board shall also be afforded the protections provided to such persons specified under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)).

(k) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(2) HOUSE OF REPRESENTATIVES.—Unless otherwise determined appropriate by the House of Representatives, the Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(3) DUTY TO COOPERATE.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction described in this subsection.

(4) SECURITY CLEARANCES.—The Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and staff of such committees designated by such Chairmen and Ranking Members, shall be granted all security clearances and accesses held by the Review Board, including to relevant Presidential and department or agency special access and compartmented access programs.

(l) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(m) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(n) TERMINATION AND WINDING DOWN.—

(1) IN GENERAL.—The Review Board and the terms of its members shall terminate not later than September 30, 2030, unless extended by Congress.

(2) REPORTS.—Upon its termination, the Review Board shall submit to the President and Congress reports, including a complete and accurate accounting of expenditures during its existence and shall complete all other reporting requirements under this title.

(3) TRANSFER OF RECORDS.—Upon termination and winding down, the Review Board shall transfer all of its records to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. ____08. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) APPOINTMENT.—Not later than 45 days after the date of the enactment of this Act, the President shall appoint 1 citizen of the United States, without regard to political affiliation, to the position of Executive Director of the Review Board. This position counts as 1 of the 9 Review Board members under section ____07(b)(1).

(2) QUALIFICATIONS.—The person appointed as Executive Director shall be a private citizen of integrity and impartiality who—

(A) is a distinguished professional; and

(B) is not a present employee of the Federal Government; and

(C) has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(3) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual appointed to the position of Executive Director to ensure the Executive Director does not have any conflict of interest during the term of the service of the Executive Director.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the Executive Director possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(4) SECURITY CLEARANCES.—(A) A candidate for Executive Director shall be granted all the necessary security clearances and accesses, including to relevant Presidential and department or agency special access and compartmented access programs in an accelerated manner subject to the standard procedures for granting such clearances.

(B) A candidate shall qualify for the necessary security clearances and accesses prior to being appointed by the President.

(5) FUNCTIONS.—The Executive Director shall—

(A) serve as principal liaison to the Executive Office of the President and Congress;

(B) serve as Chairperson of the Review Board;

(C) be responsible for the administration and coordination of the Review Board's review of records;

(D) be responsible for the administration of all official activities conducted by the Review Board;

(E) exercise tie-breaking Review Board authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure; and

(F) retain right-of-appeal directly to the President for decisions pertaining to executive branch unidentified anomalous phenomena records for which the Executive Director and Review Board members may disagree.

(6) REMOVAL.—The Executive Director shall not be removed for reasons other for cause on the grounds of inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the responsibilities of the Executive Director or the staff of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board, without regard to the civil service laws, may appoint and terminate additional personnel as are necessary to enable the Review Board and its Executive Director to perform the duties of the Review Board.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a person appointed to the staff of the Review Board shall be a citizen of integrity and impartiality who has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(B) CONSULTATION WITH DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.—In their consideration of persons to be appointed as staff of the Review Board under paragraph (1), the Review Board shall consult with the Director—

(i) to determine criteria for possible conflicts of interest of staff of the Review Board, consistent with ethics laws, statutes, and regulations for employees of the executive branch of the Federal Government; and

(ii) ensure that no person selected for such position of staff of the Review Board possesses a conflict of interests in accordance with the criteria determined pursuant to clause (i).

(3) SECURITY CLEARANCES.—(A) A candidate for staff shall be granted the necessary security clearances (including all necessary special access program clearances) in an accelerated manner subject to the standard procedures for granting such clearances.

(B)(i) The Review Board may offer conditional employment to a candidate for a staff position pending the completion of security clearance background investigations. During the pendency of such investigations, the Review Board shall ensure that any such employee does not have access to, or responsibility involving, classified or otherwise restricted unidentified anomalous phenomena record materials.

(ii) If a person hired on a conditional basis under clause (i) is denied or otherwise does not qualify for all security clearances necessary to carry out the responsibilities of the position for which conditional employment has been offered, the Review Board shall immediately terminate the person's employment.

(4) SUPPORT FROM NATIONAL DECLASSIFICATION CENTER.—The Archivist shall assign one representative in full-time equivalent status from the National Declassification Center to advise and support the Review Board disclosure postponement review process in a nonvoting staff capacity.

(c) COMPENSATION.—Subject to such rules as may be adopted by the Review Board, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates—

(1) the Executive Director shall be compensated at a rate not to exceed the rate of basic pay for level II of the Executive Schedule and shall serve the entire tenure as one full-time equivalent; and

(2) the Executive Director shall appoint and fix compensation of such other personnel as may be necessary to carry out this title.

(d) ADVISORY COMMITTEES.—

(1) AUTHORITY.—The Review Board may create advisory committees to assist in fulfilling the responsibilities of the Review Board under this title.

(2) FACA.—Any advisory committee created by the Review Board shall be subject to chapter 10 of title 5, United States Code.

(e) SECURITY CLEARANCE REQUIRED.—An individual employed in any position by the Review Board (including an individual appointed as Executive Director) shall be required to qualify for any necessary security clearance prior to taking office in that position, but may be employed conditionally in accordance with subsection (b)(3)(B) before qualifying for that clearance.

SEC. ___09. REVIEW OF RECORDS BY THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) CUSTODY OF RECORDS REVIEWED BY REVIEW BOARD.—Pending the outcome of a review of activity by the Review Board, a Government office shall retain custody of its unidentified anomalous phenomena records for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of records for reasons of conducting an independent and impartial review; or

(2) such transfer is necessary for an administrative hearing or other official Review Board function.

(b) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date of its appointment, publish a schedule in the Federal Register for review of all unidentified anomalous phenomena records;

(2) not later than 180 days after the date of the enactment of this Act, begin its review of unidentified anomalous phenomena records under this title; and

(3) periodically thereafter as warranted, but not less frequently than semiannually, publish a revised schedule in the Federal Register addressing the review and inclusion of any unidentified anomalous phenomena records subsequently discovered.

(c) DETERMINATIONS OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all unidentified anomalous phenomena records be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) a Government record is not an unidentified anomalous phenomena record; or

(B) a Government record, or particular information within an unidentified anomalous phenomena record, qualifies for postponement of public disclosure under this title.

(2) REQUIREMENTS.—In approving postponement of public disclosure of a unidentified anomalous phenomena record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of such a record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this title, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a unidentified anomalous phenomena record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a unidentified anomalous phenomena record.

(3) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—With respect to unidentified anomalous phenomena records, particular information in unidentified anomalous phenomena records, recovered technologies of unknown origin, and biological evidence for nonhuman intelligence the public disclosure of which is postponed pursuant to section ___06, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the President, the Archivist, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives a Controlled Disclosure Campaign Plan, with classified appendix, containing—

(A) a description of actions by the Review Board, the originating body, the President, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board with regard to specific unidentified anomalous phenomena records; and

(B) a benchmark-driven plan, based upon a review of the proceedings and in conformity with the decisions reflected therein, recommending precise requirements for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which each postponed item may be appropriately disclosed to the public under this title.

(4) NOTICE FOLLOWING REVIEW AND DETERMINATION.—(A) Following its review and a determination that a unidentified anomalous phenomena record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination of the Review Board and publish a copy of the determination in the Federal Register within 14 days after the determination is made.

(B) Contemporaneous notice shall be made to the President for Review Board determinations regarding unidentified anomalous phenomena records of the executive branch of the Federal Government, and to the oversight committees designated in this title in the case of records of the legislative branch of the Federal Government. Such notice shall contain a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards contained in section ___06.

(d) PRESIDENTIAL AUTHORITY OVER REVIEW BOARD DETERMINATION.—

(1) PUBLIC DISCLOSURE OR POSTPONEMENT OF DISCLOSURE.—After the Review Board has made a formal determination concerning the public disclosure or postponement of disclosure of an unidentified anomalous phenomena record of the executive branch of the Federal Government or information within such a record, or of any information contained in a unidentified anomalous phenomena record, obtained or developed solely within the executive branch of the Federal Government, the President shall—

(A) have the sole and nondelegable authority to require the disclosure or postponement of such record or information under the standards set forth in section ___06; and

(B) provide the Review Board with both an unclassified and classified written certification specifying the President's decision within 30 days after the Review Board's determination and notice to the executive branch agency as required under this title, stating the justification for the President's decision, including the applicable grounds for postponement under section ___06, accompanied by a copy of the identification aid required under section ___04.

(2) PERIODIC REVIEW.—(A) Any unidentified anomalous phenomena record postponed by the President shall henceforth be subject to the requirements of periodic review, downgrading, declassification, and public disclosure in accordance with the recommended timeline and associated requirements specified in the Controlled Disclosure Campaign Plan unless these conflict with the standards set forth in section ___06.

(B) This paragraph supersedes all prior declassification review standards that may previously have been deemed applicable to unidentified anomalous phenomena records.

(3) RECORD OF PRESIDENTIAL POSTPONEMENT.—The Review Board shall, upon its receipt—

(A) publish in the Federal Register a copy of any unclassified written certification, statement, and other materials transmitted by or on behalf of the President with regard to postponement of unidentified anomalous phenomena records; and

(B) revise or amend recommendations in the Controlled Disclosure Campaign Plan accordingly.

(e) NOTICE TO PUBLIC.—Every 30 calendar days, beginning on the date that is 60 calendar days after the date on which the Review Board first approves the postponement of disclosure of a unidentified anomalous phenomena record, the Review Board shall publish in the Federal Register a notice that summarizes the postponements approved by the Review Board or initiated by the President, the Senate, or the House of Representatives, including a description of the subject, originating agency, length or other physical description, and each ground for postponement that is relied upon to the maximum extent classification restrictions permitting.

(f) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall report its activities to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, the President, the Archivist, and the head of any Government office whose records have been the subject of Review Board activity.

(2) FIRST REPORT.—The first report shall be issued on the date that is 1 year after the date of enactment of this Act, and subsequent reports every 1 year thereafter until termination of the Review Board.

(3) CONTENTS.—A report under paragraph (1) shall include the following information:

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

(B) The progress made on review, transmission to the Archivist, and public disclosure of unidentified anomalous phenomena records.

(C) The estimated time and volume of unidentified anomalous phenomena records involved in the completion of the Review Board's performance under this title.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to operate as required by this title.

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

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

(4) COPIES AND BRIEFS.—Coincident with the reporting requirements in paragraph (2), or more frequently as warranted by new information, the Review Board shall provide copies to, and fully brief, at a minimum the President, the Archivist, leadership of Congress, the Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and the Chairs and Chairmen, as the case may be, and Ranking Members and Vice Chairmen, as the case may be, of such other committees as leadership of Congress determines appropriate on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures, specifically addressing—

(A) recommendations for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which specific unidentified anomalous phenomena records and material may be appropriately disclosed;

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

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

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

(5) NOTICE.—At least 90 calendar days before completing its work, the Review Board shall provide written notice to the President and Congress of its intention to terminate its operations at a specified date.

(6) BRIEFING THE ALL-DOMAIN ANOMALY RESOLUTION OFFICE.—Coincident with the provision in paragraph (5), if not accomplished earlier under paragraph (4), the Review Board shall brief the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor, as subsequently designated by Act of Congress, on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures.

SEC. ___10. DISCLOSURE OF RECOVERED TECHNOLOGIES OF UNKNOWN ORIGIN AND BIOLOGICAL EVIDENCE OF NON-HUMAN INTELLIGENCE.

(a) EXERCISE OF EMINENT DOMAIN.—The Federal Government shall exercise eminent domain over any and all recovered technologies of unknown origin and biological evidence of non-human intelligence that may be controlled by private persons or entities in the interests of the public good.

(b) AVAILABILITY TO REVIEW BOARD.—Any and all such material, should it exist, shall be made available to the Review Board for personal examination and subsequent disclosure determination at a location suitable to the controlling authority of said material and in a timely manner conducive to the objectives of the Review Board in accordance with the requirements of this title.

(c) ACTIONS OF REVIEW BOARD.—In carrying out subsection (b), the Review Board shall consider and render decisions—

(1) whether the material examined constitutes technologies of unknown origin or biological evidence of non-human intelligence beyond a reasonable doubt;

(2) whether recovered technologies of unknown origin, biological evidence of non-human intelligence, or a particular subset of material qualifies for postponement of disclosure under this title; and

(3) what changes, if any, to the current disposition of said material should the Federal Government make to facilitate full disclosure.

(d) REVIEW BOARD ACCESS TO TESTIMONY AND WITNESSES.—The Review Board shall have access to all testimony from unidentified anomalous phenomena witnesses, close observers and legacy program personnel and whistleblowers within the Federal Government's possession as of and after the date of the enactment of this Act in furtherance of Review Board disclosure determination responsibilities in section ___07(h) and subsection (c) of this section.

(e) SOLICITATION OF ADDITIONAL WITNESSES.—The Review Board shall solicit additional unidentified anomalous phenomena witness and whistleblower testimony and afford protections under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed beneficial in fulfilling Review Board responsibilities under this title.

SEC. ___11. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) INFORMATION HELD UNDER SEAL OF A COURT.—The Review Board may request the Attorney General to petition any court in the United States or abroad to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under seal of the court.

(2) INFORMATION HELD UNDER INJUNCTION OF SECRETARY OF GRAND JURY.—(A) The Review Board may request the Attorney General to petition any court in the United States to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under the injunction of secrecy of a grand jury.

(B) A request for disclosure of unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence materials under this title shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

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

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

(2) the Secretary of State should contact any foreign government that may hold material relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence and seek disclosure of such material; and

(3) all heads of Executive agencies should cooperate in full with the Review Board to seek the disclosure of all material relevant to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence consistent with the public interest.

SEC. ___12. RULES OF CONSTRUCTION.

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

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

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

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

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

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the

rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. ___13. TERMINATION OF EFFECT OF TITLE.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this title that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated pursuant to section ___07(n).

(b) OTHER PROVISIONS.—(1) The remaining provisions of this title shall continue in effect until such time as the Archivist certifies to the President and Congress that all unidentified anomalous phenomena records have been made available to the public in accordance with this title.

(2) In facilitation of the provision in paragraph (1), the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor as subsequently designated by Act of Congress, shall develop standardized unidentified anomalous phenomena declassification guidance applicable to any and all unidentified anomalous phenomena records generated by originating bodies subsequent to termination of the Review Board consistent with the requirements and intent of the Controlled Disclosure Campaign Plan with respect to unidentified anomalous phenomena records originated prior to Review Board termination.

SEC. ___14. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out the provisions of this title $20,000,000 for fiscal year 2024.

(b) INTERIM FUNDING.—Until such time as funds are appropriated pursuant to subsection (a), the President may use such sums as are available for discretionary use to carry out this title.

SEC. ___15. SEVERABILITY.

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

SA 837. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. WITHDRAWAL OF NORMAL TRADE RELATIONS TREATMENT FROM THE PEOPLE'S REPUBLIC OF CHINA.

Notwithstanding title I of Public Law 106–286 (114 Stat. 880) or any other provision of law, effective on the date that is 2 years after the date of the enactment of this Act—

(1) normal trade relations treatment shall not apply pursuant to section 101 of that Act to the products of the People's Republic of China;

(2) normal trade relations treatment may not thereafter be extended to the products of the People's Republic of China under the provisions of chapter 1 of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.);

(3) the rates of duty set forth in column 2 of the Harmonized Tariff Schedule of the United States shall apply to all products of the People's Republic of China; and

(4) the President may proclaim increases in the rates of duty applicable to products of the People's Republic of China to rates that are higher than the rates described in paragraph (3).

SA 838. Mr. HAWLEY (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. CLARIFICATION OF THE TERM "AGGREGATE VALUE" FOR PURPOSES OF PRESIDENTIAL DRAWDOWN AUTHORITY.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 506(a)(1) (22 U.S.C. 2318(a)(1)), in the undesignated matter following subparagraph (B), by inserting after ''fiscal year.'' the following: ''For purposes of this paragraph, the term 'aggregate value' means—

''(A) in the case of defense articles, the greater of—

''(i) the original acquisition cost to the United States Government, plus the cost of improvements or other modifications made by or on behalf of the Government; or

''(ii) the replacement cost; and

''(B) in the case of defense services, the full cost to the Government of providing the services.''; and

(2) in section 644(m)(2) (22 U.S.C. 2403(m)(2)), by inserting ''except as provided in section 506(a)(1),'' before ''with respect to''.

SA 839. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle _____—Justice for Jana Elementary Act of 2023

SEC. _____. SHORT TITLE.

This subtitle may be cited as the ''Justice for Jana Elementary Act of 2023''.

SEC. _____. DEFINITIONS.

In this subtitle:

(1) COVERED SCHOOL.—The term ''covered school'' means a school that is part of the Hazelwood School District in the State of Missouri.

(2) FUND.—The term ''Fund'' means the Radioactive School Assistance Fund established under this subtitle.

(3) IMPACTED SCHOOL.—The term ''impacted school'' means a public elementary school or secondary school—

(A) that closed on or after January 1, 2020; and

(B) where the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers detected radiation above background levels—

(i) on school property; or

(ii) otherwise, within 1000 feet of a building containing classrooms or other educational facilities of the school.

(4) JANA ELEMENTARY SCHOOL.—The term ''Jana Elementary School'' means the school located at 405 Jana Drive in Florissant, Missouri.

(5) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' means the National Contingency Plan—

(A) prepared and published under section 311(d) of the Federal Water Pollution Control Act (33 U.S.C. 1321(d)); or

(B) revised under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

(7) PROGRAM.—The term ''Program'' means the Radioactive School Assistance Program established in accordance with this subtitle.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(9) VICINITY PROPERTY.—The term ''vicinity property'' has the meaning given the term in the Engineer Regulation ER 200–1–4 of the Corps of Engineers entitled ''Formerly Utilized Sites Remedial Action Program'' and dated August 29, 2014 (or a successor document).

SEC. _____. REMEDIATION OF JANA ELEMENTARY SCHOOL.

Consistent with the requirements and obligations under the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers, the Secretary of the Army shall—

(1) not later than 120 days after the date of the enactment of this Act, establish new remediation goals for Jana Elementary School that will result in the removal of all radioactive contamination at Jana Elementary School such that no portion of the site is subjected to radiation above background levels; and

(2) after establishing remediation goals under paragraph (1), carry out activities necessary to achieve those goals.

SEC. _____. FINANCIAL ASSISTANCE FOR SCHOOLS WITH RADIOACTIVE CONTAMINATION.

(a) RADIOACTIVE SCHOOL ASSISTANCE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the Radioactive School Assistance Fund to carry out the reimbursement program described in subsection (b).

(2) FUNDING.—The Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under this subtitle.

(b) RADIOACTIVE SCHOOL ASSISTANCE PROGRAM.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall establish and implement a program to be known as the ''Radioactive School Assistance Program'' to provide financial assistance in accordance with subsection (c) to local educational agencies that have been financially impacted by the presence of radioactive contaminants stemming from the atomic energy activities of the United States Government.

(c) APPLICATIONS FOR FINANCIAL ASSISTANCE.—

(1) REIMBURSEMENT FOR TESTING.—

(A) IN GENERAL.—The Secretary shall provide financial assistance to each local educational agency that submits to the Secretary an application that includes—

(i) a certification that the local educational agency incurred expenses while testing for radioactive contaminants at an impacted school;

(ii) proof of such expenses; and

(iii) proof that such testing—

(I) led to further testing under the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers; or

(II) was undertaken following testing by a private entity that found radioactive contamination.

(B) LIMITATIONS.—Financial assistance provided to a local educational agency under this paragraph shall not exceed the amount expended by such local educational agency to test for radioactive contamination.

(2) FUNDING FOR CONSTRUCTION.—

(A) IN GENERAL.—The Secretary shall provide financial assistance for the construction of a new school building to each local educational agency that submits to the Secretary an application that includes the following:

(i) A plan for the construction of a new school building.

(ii) Documentation that a school under the jurisdiction of the local educational agency is an impacted school.

(iii) A budget for the construction of a new school building.

(iv) A certification that the local educational agency shall only use financial assistance provided under this paragraph for 1 or more of the following purposes:

(I) To purchase land for the construction of a new school building.

(II) To construct a new school building to replace an impacted school.

(B) LIMITATIONS.—

(i) AMOUNT OF FUNDING.—Financial assistance provided to a local educational agency under this paragraph shall not exceed $20,000,000 for each impacted school.

(ii) USE OF FUNDS.—A local educational agency that receives financial assistance under this paragraph may only use such financial assistance for 1 or more of the following purposes:

(I) To purchase land for the construction of a new school building.

(II) To construct a new school building to replace an impacted school.

(3) CONSIDERATIONS.—The Secretary may not reject an application submitted by a local educational agency for financial assistance under this subsection due to prior remediation by the Corps of Engineers or any other relevant Federal agency of an impacted school under the jurisdiction of such local educational agency.

(d) REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the Program, which shall include—

(1) a description of the number of applications submitted under this section; and

(2) a description of the amount of financial assistance provided to local educational agencies under this section.

SEC. _____. INVESTIGATION OF SCHOOLS IN HAZELWOOD SCHOOL DISTRICT FOR CONTAMINATES.

(a) DESIGNATION.—Notwithstanding any other provision of law, each covered school shall be designated as a vicinity property of the St. Louis Airport Site of the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers.

(b) INVESTIGATION.—

(1) IN GENERAL.—The Secretary of the Army shall investigate and characterize each covered school in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the National Contingency Plan, including, at a minimum, carrying out a preliminary assessment and site inspection of each covered school.

(2) INCLUSION.—An investigation of a covered school under paragraph (1) shall include on-site investigatory efforts and sampling in accordance with section 300.420(c)(2) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) REPORTS.—The Secretary of the Army shall develop and make available to the public, for each covered school, a report that includes the results of the investigation under subsection (b), including—

(1) the results of the on-site investigatory efforts;

(2) a summary of the results of sampling under paragraph (2) of that subsection for contaminants of concern, including the average and highest detected levels of each contaminant of concern; and

(3) an evaluation of the danger posed to students and employees of the covered school by the levels of contamination.

(d) COMMUNITY RELATIONS.—In carrying out this section, the Secretary of the Army shall comply with all applicable requirements relating to community relations and public notification under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321), and sections 300.415, 300.430, and 300.435 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. _____. REVIEW AND REPORT OF RADIOACTIVE TESTING AT JANA ELEMENTARY SCHOOL.

(a) REVIEW.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall review the methodology and results of all tests for radioactive contaminants conducted at Jana Elementary School, including—

(1) tests conducted by the Corps of Engineers;

(2) tests conducted by Boston Chemical Data Corporation; and

(3) tests commissioned by the Hazelwood School District in the State of Missouri.

(b) REPORT.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the review required by subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include—

(A) for each test described in subsection (a), an evaluation of—

(i) the reliability of the methodology used—

(I) to conduct such test; and

(II) to evaluate the results of such test; and

(ii) the reliability of the opinions contained in any report summarizing the test; and

(B) an evaluation of the danger posed to children by any radioactive contaminants found at Jana Elementary School.

SEC. _____. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for fiscal year 2023 $25,000,000 to carry out this subtitle.

SA 840. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1240A. SPECIAL INSPECTOR GENERAL FOR UKRAINE ASSISTANCE.

(a) PURPOSES.—The purposes of this section are as follows:

(1) To provide for the independent and objective conduct and supervision of audits and investigations, including within the territory of Ukraine, relating to the programs and operations funded with amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine.

(2) To provide for the independent and objective leadership and coordination of, and recommendations on, policies designed to prevent and detect waste, fraud, and abuse in such programs and operations described in paragraph (1).

(3) To provide for an independent and objective means of keeping the Secretary of State, the Secretary of Defense, and Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress on corrective action.

(b) OFFICE OF INSPECTOR GENERAL.—There is hereby established the Office of the Special Inspector General for Ukraine Assistance to carry out the purposes set forth in subsection (a).

(c) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) APPOINTMENT.—The head of the Office of the Special Inspector General for Ukraine Assistance is the Special Inspector General for Ukraine Assistance (in this section referred to as the ''Inspector General''), who shall be appointed by the President with the advice and consent of the Senate.

(2) QUALIFICATIONS.—The appointment of the Inspector General shall be made solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) DEADLINE FOR APPOINTMENT.—The appointment of an individual as Inspector General shall be made not later than 30 days after the date of the enactment of this Act.

(4) COMPENSATION.—The annual rate of basic pay of the Inspector General shall be the annual rate of basic pay provided for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(5) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) REMOVAL.—The Inspector General shall be removable from office in accordance with the provisions of section 403(b) of title 5, United States Code.

(d) ASSISTANT INSPECTORS GENERAL.—The Inspector General shall, in accordance with applicable laws and regulations governing the civil service—

(1) appoint an Assistant Inspector General for Auditing who shall have the responsibility for supervising the performance of auditing activities relating to programs and operations supported by amounts appropriated or otherwise made available for the

military and nonmilitary support of Ukraine; and

(2) appoint an Assistant Inspector General for Investigations who shall have the responsibility for supervising the performance of investigative activities relating to such programs and operations.

(e) SUPERVISION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Inspector General shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense.

(2) INDEPENDENCE TO CONDUCT INVESTIGATIONS AND AUDITS.—No officer of the Department of Defense, the Department of State, or the United States Agency for International Development shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation related to amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine or from issuing any subpoena during the course of any such audit or investigation.

(f) DUTIES.—

(1) OVERSIGHT OF MILITARY AND NONMILITARY SUPPORT OF UKRAINE.—It shall be the duty of the Inspector General to conduct, supervise, and coordinate audits and investigations of the treatment, handling, and expenditure of amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine, and of the programs, operations, and contracts carried out utilizing such funds, including—

(A) the oversight and accounting of the obligation and expenditure of such funds;

(B) the monitoring and review of contracts funded by such funds;

(C) the monitoring and review of the transfer of such funds and associated information between and among departments, agencies, and entities of the United States and private and nongovernmental entities;

(D) the maintenance of records on the use of such funds to facilitate future audits and investigations of the use of such funds;

(E) the investigation of overpayments such as duplicate payments or duplicate billing and any potential unethical or illegal actions of Federal employees, contractors, or affiliated entities and the referral of such reports, as necessary, to the Department of Justice to ensure further investigations, prosecutions, recovery of further funds, or other remedies;

(F) the monitoring and review of all military and nonmilitary activities funded by such funds; and

(G) the tracking and monitoring of all lethal and nonlethal security assistance provided by the United States, including a review of compliance with all applicable end-use certification requirements.

(2) OTHER DUTIES RELATED TO OVERSIGHT.—The Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Inspector General considers appropriate to discharge the duties under paragraph (1).

(3) DUTIES AND RESPONSIBILITIES UNDER CHAPTER 4 OF TITLE 5, UNITED STATES CODE.—In addition to the duties specified in paragraphs (1) and (2), the Inspector General shall also have the duties and responsibilities of inspectors general under chapter 4 of title 5, United States Code.

(4) COORDINATION OF EFFORTS.—In carrying out the duties, responsibilities, and authorities of the Inspector General under this section, the Inspector General shall coordinate with, and receive the cooperation of each of the following:

(A) The Inspector General of the Department of Defense.

(B) The Inspector General of the Department of State.

(C) The Inspector General of the United States Agency for International Development.

(g) POWERS AND AUTHORITIES.—

(1) AUTHORITIES UNDER CHAPTER 4 OF TITLE 5, UNITED STATES CODE.—In carrying out the duties specified in subsection (f), the Inspector General shall have the authorities provided in section 406 of title 5, United States Code, including the authorities under subsection (e) of such section.

(2) AUDIT STANDARDS.—The Inspector General shall carry out the duties specified in subsection (f)(1) in accordance with section 404(b)(1) of title 5, United States Code.

(h) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) PERSONNEL.—

(A) IN GENERAL.—The Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) ADDITIONAL AUTHORITIES.—

(i) IN GENERAL.—Subject to clause (ii), the Inspector General may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section).

(ii) PERIODS OF APPOINTMENTS.—In exercising the employment authorities under subsection (b) of section 3161 of title 5, United States Code, as provided under clause (i) of this subparagraph—

(I) paragraph (2) of that subsection (relating to periods of appointments) shall not apply; and

(II) no period of appointment may exceed the date on which the Office of the Special Inspector General for Ukraine Assistance terminates under subsection (o).

(2) EMPLOYMENT OF EXPERTS AND CONSULTANTS.—The Inspector General may obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule by section 5332 of such title.

(3) CONTRACTING AUTHORITY.—To the extent and in such amounts as may be provided in advance by appropriations Acts, the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Inspector General.

(4) RESOURCES.—The Secretary of State or the Secretary of Defense, as appropriate, shall provide the Inspector General with—

(A) appropriate and adequate office space at appropriate locations of the Department of State or the Department of Defense, as the case may be, in Ukraine or at an appropriate United States military installation in the European theater, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein; and

(B) appropriate and adequate support for audits, investigations, and related activities by the Inspector General or assigned personnel within the territory of Ukraine.

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—Upon request of the Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Inspector General, or an authorized designee.

(B) REPORTING OF REFUSED ASSISTANCE.—Whenever information or assistance requested by the Inspector General is, in the judgment of the Inspector General, unreasonably refused or not provided, the Inspector General shall report the circumstances to the Secretary of State or the Secretary of Defense, as appropriate, and to the appropriate congressional committees without delay.

(i) REPORTS.—

(1) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal-year quarter, the Inspector General shall submit to the appropriate congressional committees a report summarizing, for the period of that quarter and, to the extent possible, the period from the end of such quarter to the time of the submission of the report, the activities during such period of the Inspector General and the activities under programs and operations funded with amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine. Each report shall include, for the period covered by such report, a detailed statement of all obligations, expenditures, and revenues associated with military and nonmilitary support of Ukraine, including the following:

(A) Obligations and expenditures of appropriated funds.

(B) Operating expenses of agencies or entities receiving amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine.

(C) In the case of any contract, grant, agreement, or other funding mechanism described in paragraph (2)—

(i) the amount of the contract, grant, agreement, or other funding mechanism;

(ii) a brief discussion of the scope of the contract, grant, agreement, or other funding mechanism;

(iii) a discussion of how the department or agency of the United States Government involved in the contract, grant, agreement, or other funding mechanism identified, and solicited offers from, potential individuals or entities to perform the contract, grant, agreement, or other funding mechanism, together with a list of the potential individuals or entities that were issued solicitations for the offers; and

(iv) the justification and approval documents on which was based the determination to use procedures other than procedures that provide for full and open competition.

(D) An accounting comparison of—

(i) the military and nonmilitary support provided to Ukraine by the United States; and

(ii) the military and nonmilitary support provided to Ukraine by other North Atlantic Treaty Organization member countries, including allied contributions to Ukraine that are subsequently backfilled or subsidized using United States funds.

(E) An evaluation of the compliance of the Government of Ukraine with all requirements for receiving United States funds, including a description of any area of concern with respect to the ability of the Government of Ukraine to achieve such compliance.

(2) COVERED CONTRACTS, GRANTS, AGREEMENTS, AND FUNDING MECHANISMS.—A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that is entered into by any department or agency of the United States Government that involves the use of amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine with any public

or private sector entity for any of the following purposes:

(A) To build or rebuild physical infrastructure of Ukraine.

(B) To establish or reestablish a political or societal institution of Ukraine.

(C) To provide products or services to the people of Ukraine.

(D) To provide lethal or nonlethal weaponry to Ukraine.

(E) To otherwise provide military or nonmilitary support to Ukraine.

(3) PUBLIC AVAILABILITY.—The Inspector General shall publish on a publicly available internet website each report under paragraph (1) of this subsection in English and other languages that the Inspector General determines are widely used and understood in Ukraine.

(4) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex if the Inspector General considers it necessary.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

(j) REPORT COORDINATION.—

(1) SUBMISSION TO SECRETARIES OF STATE AND DEFENSE.—The Inspector General shall also submit each report required under subsection (i) to the Secretary of State and the Secretary of Defense.

(2) SUBMISSION TO CONGRESS.—

(A) IN GENERAL.—Not later than 30 days after receipt of a report under paragraph (1), the Secretary of State and the Secretary of Defense shall submit to the appropriate congressional committees any comments on the matters covered by the report. Such comments shall be submitted in unclassified form, but may include a classified annex if the Secretary of State or the Secretary of Defense, as the case may be, considers it necessary.

(B) ACCESS.—On request, any Member of Congress may view comments submitted under subparagraph (A), including the classified annex.

(k) TRANSPARENCY.—

(1) REPORT.—Not later than 60 days after submission to the appropriate congressional committees of a report under subsection (i), the Secretary of State and the Secretary of Defense shall jointly make copies of the report available to the public upon request, and at a reasonable cost.

(2) COMMENTS ON MATTERS COVERED BY REPORT.—Not later than 60 days after submission to the appropriate congressional committees under subsection (j)(2)(A) of comments on a report under subsection (i), the Secretary of State and the Secretary of Defense shall jointly make copies of the comments available to the public upon request, and at a reasonable cost.

(l) WAIVER.—

(1) AUTHORITY.—The President may waive the requirement under paragraph (1) or (2) of subsection (k) with respect to availability to the public of any element in a report under subsection (i), or any comment under subsection (j)(2)(A), if the President determines that the waiver is justified for national security reasons.

(2) NOTICE OF WAIVER.—The President shall publish a notice of each waiver made under this subsection in the Federal Register no later than the date on which a report required under subsection (i), or any comment under subsection (j)(2)(A), is submitted to the appropriate congressional committees. The report and comments shall specify whether waivers under this subsection were made and with respect to which elements in the report or which comments, as appropriate.

(3) SUBMISSION OF COMMENTS.—The President may not waive under this subsection subparagraphs (A) or (B) of subsection (j).

(m) DEFINITIONS.—In this section:

(1) AMOUNTS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THE MILITARY AND NONMILITARY SUPPORT OF UKRAINE.—The term ''amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine'' means—

(A) amounts appropriated or otherwise made available on or after January 1, 2022, for—

(i) the Ukraine Security Assistance Initiative under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 11492; 129 Stat. 1608);

(ii) any foreign military financing accessed by the Government of Ukraine;

(iii) the Presidential drawdown authority under section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a));

(iv) the defense institution building program under section 332 of title 10, United States Code;

(v) the building partner capacity program under section 333 of title 10, United States Code;

(vi) the International Military Education and Training program of the Department of State; and

(vii) the United States European Command; and

(B) amounts appropriated or otherwise made available on or after January 1, 2022, for the military, economic, reconstruction, or humanitarian support of Ukraine under any account or for any purpose not described in subparagraph (A).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committees on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committees on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Oversight and Accountability of the House of Representatives.

(n) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $70,000,000 for fiscal year 2023 to carry out this section.

(2) OFFSET.—The amount authorized to be appropriated for fiscal year 2023 for the Ukraine Security Assistance Initiative is hereby reduced by $70,000,000.

(o) TERMINATION.—

(1) IN GENERAL.—The Office of the Special Inspector General for Ukraine Assistance shall terminate 180 days after the date on which amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine that are unexpended are less than $250,000,000.

(2) FINAL REPORT.—The Inspector General shall, prior to the termination of the Office of the Special Inspector General for Ukraine Assistance under paragraph (1), prepare and submit to the appropriate congressional committees a final forensic audit report on programs and operations funded with amounts appropriated or otherwise made available for the military and nonmilitary support of Ukraine.

SA 841. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—No TikTok on United States Devices Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''No TikTok on United States Devices Act''.

SEC. 1092. IMPOSITION OF SANCTIONS WITH RESPECT TO TIKTOK.

(a) BLOCKING OF PROPERTY.—On and after the date that is 30 days after the date of the enactment of this Act, the President shall exercise all the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et. seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a covered company if such property and interests in property—

(1) are in the United States or come within the United States; or

(2) to the extent necessary to prevent commercial operation of the covered company in the United States, are or come within the possession or control of a United States person.

(b) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) EXCEPTIONS.—The exceptions under subsection (b) of section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) shall not apply to the use by the President in carrying out this section of the authorities under such section 203.

(d) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) NATIONAL SECURITY AND RESEARCH EXCEPTIONS.—Sanctions under this section shall not apply with respect to law enforcement activities, national security interests and activities, and security research activities, as provided under the standards and guidelines developed by the Director of the Office of Management and Budget under section 102(b)(1) of the No TikTok on Government Devices Act (division R of Public Law 117–328).

(f) COVERED COMPANY DEFINED.—In this section, the term ''covered company'' means—

(1) ByteDance Limited, or any successor entity to ByteDance Limited, if ByteDance Limited or the successor entity—

(A) is involved in matters relating to the social networking service TikTok, or any successor service; or

(B) is involved in matters relating to any information, videos, or data associated with such service; or

(2) any entity owned by ByteDance Limited or the successor entity that—

(A) is involved in matters relating to the social networking service TikTok, or any successor service; or

(B) is involved in matters relating to any information, videos, or data associated with such service.

SEC. 1093. REPORT ON THREATS TO NATIONAL SECURITY POSED BY TIKTOK.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Director of the Cybersecurity and Infrastructure Security Agency, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, shall submit to Congress a report on the threats to national security posed by TikTok, including the following:

(1) The ability of the Government of the People's Republic of China to access, directly or indirectly, data of users in the United States via TikTok.

(2) The ability of the Government of the People's Republic of China to use data of users in the United States, including that of members of the Armed Forces, accessed via TikTok for intelligence or military purposes, including surveillance, microtargeting, deepfakes, or blackmail.

(3) Any ongoing efforts by the Government of the People's Republic of China to monitor or manipulate United States persons using data accessed via TikTok, including a detailed account of any data employed for those purposes.

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

SEC. 1094. BRIEFING.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to Congress a classified briefing on the implementation of this subtitle, which shall include a briefing on the report required by section 1093(a).

SA 842. Mr. YOUNG (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. SENSE OF THE SENATE ON DIGITAL TRADE AND THE DIGITAL ECONOMY.

(a) FINDINGS.—Congress makes the following findings:

(1) Over half of the world's population, totaling more than 5,000,000,000 people, use the internet.

(2) The digital economy encompasses the economic and social activity from billions of online connections among people, businesses, devices, and data as a result of the internet, mobile technology, and the internet of things.

(3) The Bureau of Economic Analysis found that the digital economy contributed nearly 10.3 percent of United States gross domestic product and supported 8,000,000 United States jobs in 2020.

(4) The digital sector added 1,400,000 new jobs between 2019 and 2022.

(5) United States jobs supported by the digital economy have sustained annual wage growth at a rate of 5.9 percent since 2010, as compared to a 4.2 percent for all jobs.

(6) In 2021, United States exports of digital services surpassed $594,000,000,000, accounting for more than half of all United States services exports and generating a digital services trade surplus for the United States of $262,300,000,000.

(7) Digital trade bolsters the digital economy by enabling the sale of goods on the internet and the supply of online services across borders and depends on the free flow of data across borders to promote commerce, manufacturing, and innovation.

(8) Digital trade has become increasingly vital to United States workers and businesses of all sizes, including the countless small and medium-sized enterprises that use digital technology, data flows, and e-commerce to export goods and services across the world.

(9) Digital trade has advanced entrepreneurship opportunities for women, people of color, and individuals from otherwise underrepresented backgrounds and enabled the formation of innovative start-ups.

(10) International supply chains are becoming increasingly digitized and data driven and businesses in a variety of industries, such as construction, healthcare, transportation, and aerospace, invested heavily in digital supply chain technologies in 2020.

(11) United States Trade Representative Katherine Tai said, ''[T]here is no bright line separating digital trade from the digital economy—or the 'traditional' economy for that matter. Nearly every aspect of our economy has been digitized to some degree.''.

(12) Industries outside of the technology sector, such as manufacturing and agriculture, are integrating digital technology into their businesses in order to increase efficiency, improve safety, reach new customers, and remain globally competitive.

(13) The increasing reliance on digital technologies has modernized legacy processes, accelerated workflows, increased access to information and services, and strengthened security in a variety of industries, leading to better health, environmental, and safety outcomes.

(14) The COVID–19 pandemic has led to increased uptake and reliance on digital technologies, data flows, and e-commerce.

(15) Ninety percent of adults in the United States say that the internet has been essential or important for them personally during the COVID–19 pandemic.

(16) United States families, workers, and business owners have seen how vital access to the internet has been to daily life, as work, education, medicine, and communication with family and friends have shifted increasingly online.

(17) Many individuals and families, especially in rural and Tribal communities, struggle to participate in the digital economy because of a lack of access to a reliable internet connection.

(18) New developments in technology must be deployed with consideration to the unique access challenges of rural, urban underserved, and vulnerable communities.

(19) Digital trade has the power to help level the playing field and uplift those in traditionally unrepresented or underrepresented communities.

(20) Countries have negotiated international rules governing digital trade in various bilateral and plurilateral agreements, but those rules remain fragmented, and no multilateral agreement on digital trade exists within the World Trade Organization.

(21) The United States, through free trade agreements or other digital agreements, has been a leader in developing a set of rules and standards on digital governance and e-commerce that has helped allies and partners of the United States unlock the full economic and social potential of digital trade.

(22) Congress recognizes the need for agreements on digital trade, as indicated by its support for a robust digital trade chapter in the United States-Mexico-Canada Agreement.

(23) Other countries are operating under their own digital rules, some of which are contrary to democratic values shared by the United States and many allies and partners of the United States.

(24) Those countries are attempting to advance their own digital rules on a global scale.

(25) Examples of the plethora of nontariff barriers to digital trade that have emerged around the globe include—

(A) overly restrictive data localization requirements and limitations on cross border data flows that do not achieve legitimate public policy objectives;

(B) intellectual property rights infringement;

(C) policies that make market access contingent on forced technology transfers or voluntary transfers subject to coercive terms;

(D) web filtering;

(E) economic espionage;

(F) cybercrime exposure; and

(G) government-directed theft of trade secrets.

(26) Certain countries are pursuing or have implemented digital policies that unfairly discriminate against innovative United States technology companies and United States workers that create and deliver digital products and services.

(27) The Government of the People's Republic of China is currently advancing a model for digital governance and the digital economy domestically and abroad through its Digital Silk Road Initiative that permits censorship, surveillance, human and worker rights abuses, forced technology transfers, and data flow restrictions at the expense of human and worker rights, privacy, the free flow of data, and an open internet.

(28) The 2022 Country Reports on Human Rights Practices of the Department of State highlighted significant human rights issues committed by the People's Republic of China in the digital realm, including ''arbitrary interference with privacy including pervasive and intrusive technical surveillance and monitoring including the use of COVID–19 tracking apps for nonpublic-health purposes; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others; serious restrictions on internet freedom, including site blocking''.

(29) The United States discourages digital authoritarianism, including practices that undermine human and worker rights and result in other social and economic coercion.

(30) Allies and trading partners of the United States in the Indo-Pacific region have urged the United States to deepen economic engagement in the region by negotiating rules on digital trade and technology standards.

(31) The digital economy has provided new opportunities for economic development, entrepreneurship, and growth in developing countries around the world.

(32) Negotiating strong digital trade principles and commitments with allies and partners across the globe enables the United States to unite like-minded economies around common standards and ensure that principles of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of digital governance.

(33) United States leadership and substantive engagement is necessary to ensure that global digital rules reflect United States values so that workers are treated fairly, small businesses can compete and win in the global economy, and consumers are guaranteed the right to privacy and security.

(34) The United States supports rules that reduce digital trade barriers, promote free expression and the free flow of information, enhance privacy protections, protect sensitive information, defend human and worker rights, prohibit forced technology transfer, and promote digitally enabled commerce.

(35) The United States supports efforts to cooperate with allies and trading partners to mitigate the risks of cyberattacks, address potentially illegal or deceptive business activities online, promote financial inclusion and digital workforce skills, and develop rules to govern the use of artificial intelligence and other emerging and future technologies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should negotiate strong, inclusive, forward-looking, and enforceable rules on digital trade and the digital economy with like-minded countries as part of a broader trade and economic strategy to address digital barriers and ensure that the United States values of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of the digital world and advanced technology;

(2) in conducting such negotiations, the United States must—

(A) pursue digital trade rules that—

(i) serve the best interests of workers, consumers, and small and medium-sized enterprises;

(ii) empower United States workers;

(iii) fuel wage growth; and

(iv) lead to materially positive economic outcomes for all people in the United States;

(B) ensure that any future agreement prevents the adoption of non-democratic, coercive, or overly restrictive policies that would be obstacles to a free and open internet and harm the ability of the e-commerce marketplace to continue to grow and thrive;

(C) coordinate sufficient trade-related assistance to ensure that developing countries can improve their capacity and benefit from increased digital trade; and

(D) consult closely with all relevant stakeholders, including workers, consumers, small and medium-sized enterprises, civil society groups, and human rights advocates; and

(3) with respect to any negotiations for an agreement facilitating digital trade, the United States Trade Representative and the heads of other relevant Federal agencies must consult closely and on a timely basis with Congress.

SA 843. Mr. WYDEN (for himself, Mr. LEE, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—PRESS Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Protect Reporters from Exploitative State Spying Act'' or the ''PRESS Act''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) COVERED JOURNALIST.—The term ''covered journalist'' means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, investigates, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(2) COVERED SERVICE PROVIDER.—

(A) IN GENERAL.—The term ''covered service provider'' means any person that, by an electronic means, stores, processes, or transmits information in order to provide a service to customers of the person.

(B) INCLUSIONS.—The term ''covered service provider'' includes—

(i) a telecommunications carrier and a provider of an information service (as such terms are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153));

(ii) a provider of an interactive computer service and an information content provider (as such terms are defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230));

(iii) a provider of remote computing service (as defined in section 2711 of title 18, United States Code); and

(iv) a provider of electronic communication service (as defined in section 2510 of title 18, United States Code) to the public.

(3) DOCUMENT.—The term ''document'' means writings, recordings, and photographs, as those terms are defined by Federal Rule of Evidence 1001 (28 U.S.C. App.).

(4) FEDERAL ENTITY.—The term ''Federal entity'' means an entity or employee of the judicial or executive branch or an administrative agency of the Federal Government with the power to issue a subpoena or issue other compulsory process.

(5) JOURNALISM.—The term ''journalism'' means gathering, preparing, collecting, photographing, recording, writing, editing, reporting, investigating, or publishing news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(6) PERSONAL ACCOUNT OF A COVERED JOURNALIST.—The term ''personal account of a covered journalist'' means an account with a covered service provider used by a covered journalist that is not provided, administered, or operated by the employer of the covered journalist.

(7) PERSONAL TECHNOLOGY DEVICE OF A COVERED JOURNALIST.—The term ''personal technology device of a covered journalist'' means a handheld communications device, laptop computer, desktop computer, or other internet-connected device used by a covered journalist that is not provided or administered by the employer of the covered journalist.

(8) PROTECTED INFORMATION.—The term ''protected information'' means any information identifying a source who provided information as part of engaging in journalism, and any records, contents of a communication, documents, or information that a covered journalist obtained or created as part of engaging in journalism.

(9) SPECIFIED OFFENSE AGAINST A MINOR.—The term ''specified offense against a minor'' has the meaning given that term in section 111(7) of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20911(7)).

SEC. 1093. LIMITS ON COMPELLED DISCLOSURE FROM COVERED JOURNALISTS.

In any matter arising under Federal law, a Federal entity may not compel a covered journalist to disclose protected information, unless a court in the judicial district in which the subpoena or other compulsory process is, or will be, issued determines by a preponderance of the evidence, after providing notice and an opportunity to be heard to the covered journalist, that—

(1) disclosure of the protected information is necessary to prevent, or to identify any perpetrator of, an act of terrorism against the United States; or

(2) disclosure of the protected information is necessary to prevent a threat of imminent violence, significant bodily harm, or death, including specified offenses against a minor.

SEC. 1094. LIMITS ON COMPELLED DISCLOSURE FROM COVERED SERVICE PROVIDERS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—In any matter arising under Federal law, a Federal entity may not compel a covered service provider to provide testimony or any document consisting of any record, information, or other communications stored by a covered provider on behalf of a covered journalist, including testimony or any document relating to a personal account of a covered journalist or a personal technology device of a covered journalist, unless a court in the judicial district in which the subpoena or other compulsory process is, or will be, issued determines by a preponderance of the evidence that there is a reasonable threat of imminent violence unless the testimony or document is provided, and issues an order authorizing the Federal entity to compel the disclosure of the testimony or document.

(b) NOTICE TO COURT.—A Federal entity seeking to compel the provision of testimony or any document described in subsection (a) shall inform the court that the testimony or document relates to a covered journalist.

(c) NOTICE TO COVERED JOURNALIST AND OPPORTUNITY TO BE HEARD.—

(1) IN GENERAL.—A court may authorize a Federal entity to compel the provision of testimony or a document under this section only after the Federal entity seeking the testimony or document provides the covered journalist on behalf of whom the testimony or document is stored pursuant to subsection (a)—

(A) notice of the subpoena or other compulsory request for such testimony or document from the covered service provider not later than the time at which such subpoena or request is issued to the covered service provider; and

(B) an opportunity to be heard before the court before the time at which the provision of the testimony or document is compelled.

(2) EXCEPTION TO NOTICE REQUIREMENT.—

(A) IN GENERAL.—Notice and an opportunity to be heard under paragraph (1) may be delayed for not more than 45 days if the court involved determines there is clear and convincing evidence that such notice would pose a clear and substantial threat to the integrity of a criminal investigation, or would present an imminent risk of death or serious bodily harm, including specified offenses against a minor.

(B) EXTENSIONS.—The 45-day period described in subparagraph (A) may be extended by the court for additional periods of not more than 45 days if the court involved makes a new and independent determination that there is clear and convincing evidence that providing notice to the covered journalist would pose a clear and substantial threat to the integrity of a criminal investigation, or would present an imminent risk of death or serious bodily harm, including specified offenses against a minor, under current circumstances.

SEC. 1095. LIMITATION ON CONTENT OF INFORMATION.

The content of any testimony, document, or protected information that is compelled under section 1093 or 1094 shall—

(1) not be overbroad, unreasonable, or oppressive, and, as appropriate, be limited to

the purpose of verifying published information or describing any surrounding circumstances relevant to the accuracy of such published information; and

(2) be narrowly tailored in subject matter and period of time covered so as to avoid compelling the production of peripheral, nonessential, or speculative information.

SEC. 1096. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to—

(1) apply to civil defamation, slander, or libel claims or defenses under State law, regardless of whether or not such claims or defenses, respectively, are raised in a State or Federal court; or

(2) prevent the Federal Government from pursuing an investigation of a covered journalist or organization that is—

(A) suspected of committing a crime;

(B) a witness to a crime unrelated to engaging in journalism;

(C) suspected of being an agent of a foreign power, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(D) an individual or organization designated under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism);

(E) a specially designated terrorist, as that term is defined in section 595.311 of title 31, Code of Federal Regulations (or any successor thereto); or

(F) a terrorist organization, as that term is defined in section 212(a)(3)(B)(vi)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(II)).

SA 844. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. STATEMENT OF POLICY AND ANNUAL REPORT RELATED TO UNITED STATES-PACIFIC ISLAND PARTNERSHIP.

(a) SHORT TITLE.—This section may be cited as the ''United States-Pacific Island Partnership Empowerment Act''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(2) EXCESS DEFENSE ARTICLES.—The term ''excess defense articles'' has the meaning given that term in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

(3) UNITED STATES-PACIFIC ISLAND PARTNERSHIP.—The term ''United States-Pacific Island Partnership'' means the partnership between the United States and the Cook Islands, the Federated States of Micronesia, Fiji, French Polynesia, Nauru, New Caledonia, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, the Solomon Islands, Tonga, Tuvalu, Vanuatu, and such other states in the Pacific Islands as the President may identify.

(c) STATEMENT OF POLICY.—The United States supports expanding and deepening cooperation within the United States-Pacific Island Partnership to maintain free, open, and peaceful waterways in the Pacific in which the rights to the freedom of navigation and overflight are recognized and respected, trade flows are unimpeded, and geopolitical competition does not undermine the sovereignty and security of the Pacific Islands.

(d) ANNUAL REPORT ON TRANSFER OF EXCESS DEFENSE ARTICLES TO MEMBERS OF THE UNITED STATES-PACIFIC ISLAND PARTNERSHIP.—

(1) ANNUAL REPORT REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for a period of 5 years, the President shall submit to the appropriate congressional committees a report on the transfer of excess defense articles to members of the United States-Pacific Island Partnership.

(2) CONTENTS OF REPORT.—Each report required by paragraph (1) shall include the following:

(A) An overview of the transfer of excess defense articles to members of the United States-Pacific Island Partnership during the period covered by the report, including the quantity and types of articles transferred.

(B) A description of the prioritization process used by the Department of Defense to determine the allocation of nonlethal excess defense articles transferred to foreign countries.

(C) A description of—

(i) any challenges or constraints encountered in the process for transferring excess defense articles to members of the United States-Pacific Island Partnership; and

(ii) efforts undertaken to address those challenges or constraints.

(D) An assessment of the impact of excess defense articles transferred to members of the United States-Pacific Island Partnership on the capacity-building efforts, security cooperation, and interoperability of those members.

(E) A review of the effectiveness of the transfer of excess defense articles to members of the United States-Pacific Island Partnership in promoting regional stability, maritime security, and the sovereignty and security of the Pacific Islands.

(3) FORMATS; PUBLIC AVAILABILITY.—Each report required by paragraph (1) shall be submitted in both electronic and hard copy formats and made available to the public, consistent with applicable law.

SA 845. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PRIORITY FOR THE TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)) is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) CERTAIN NATO COUNTRIES, TAIWAN, AND THE PHILIPPINES.—Notwithstanding''; and

(2) by adding at the end the following:

''(B) UNITED STATES-PACIFIC ISLAND PARTNERSHIP.—

''(i) IN GENERAL.—The delivery of excess defense articles, including office supplies, furniture, and other items except those described in paragraph (1) of section 644(d), under this section to members of the United States-Pacific Island Partnership shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

''(ii) DEFINITION.—In this subparagraph, the term 'United States-Pacific Island Partnership' means the partnership between the United States and the Cook Islands, the Federated States of Micronesia, Fiji, French Polynesia, Nauru, New Caledonia, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, the Solomon Islands, Tonga, Tuvalu, Vanuatu, and such other states in the Pacific Islands as the President may identify.''.

SA 846. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In subtitle D of title XXXI, add at the end the following:

SEC. 31___. ADMINISTRATIVE EXPENSES FOR ALASKA NATURAL GAS PIPELINE ACT.

From amounts available for administrative expenses to make loan guarantees, the Secretary of Energy may use unobligated funds, regardless of the fiscal year for which such amounts are made available, for the purpose of administrative expenses associated with carrying out the loan guarantee program established in section 116 of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720n).

SA 847. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 612. INCREASE IN BASIC HOUSING ALLOWANCE.

(a) INCREASED FUNDING.—The amount authorized to be appropriated by section 421 for military personnel, as specified in the funding table in section 4401, is hereby increased by $244,000,000, with the amount of such increase to be available for an increase in the basic allowance for housing (BAH) reabsorption.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2024 by section 301 for operation and maintenance is hereby reduced by $244,000,000, with the amount of the reduction to be derived from Operation and Maintenance, Defense-wide, Administration and Service-wide Activities, for the Office of the Secretary of Defense (line 490), as specified in the funding table in section 4301.

SA 848. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. REPORT ON DEPARTMENT OF DEFENSE SECURITY CLEARANCE PROCESS UPDATES.

(a) STUDY REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status of the updates the Secretary is carrying out to the security clearance process and the methods the Secretary is pursuing to ensure the security clearance process of the Department of Defense continues to protect national security.

(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) A review of the last 10 years of cases of those who held security clearances granted by the Department that were ultimately charged with terrorism, espionage, sabotage, sedition, or other related crimes.

(2) A review of any existing internal processes applicable to the suspension of security clearances for those individuals.

(3) Any policy that may address revocation of clearances of individuals who are found to pose a threat to other members of the Armed Forces or to national security after their clearance process has been adjudicated.

(4) Recommendations on enhancing existing security review processes and recommendations for future new processes to address any gaps identified and lessons learned from the review.

SA 849. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Fighting Post-traumatic Stress Disorder; Controlled Substance Act Amendments; Disclosure of Foreign Influence in Lobbying

SEC. 1091. FIGHTING POST-TRAUMATIC STRESS DISORDER.

(a) FINDINGS.—Congress finds the following:

(1) Public safety officers serve their communities with bravery and distinction in order to keep their communities safe.

(2) Public safety officers, including police officers, firefighters, emergency medical technicians, and 911 dispatchers, are on the front lines of dealing with situations that are stressful, graphic, harrowing, and life-threatening.

(3) The work of public safety officers puts them at risk for developing post-traumatic stress disorder and acute stress disorder.

(4) It is estimated that 30 percent of public safety officers develop behavioral health conditions at some point in their lifetimes, including depression and post-traumatic stress disorder, in comparison to 20 percent of the general population that develops such conditions.

(5) Victims of post-traumatic stress disorder and acute stress disorder are at a higher risk of dying by suicide.

(6) Firefighters have been reported to have higher suicide attempt and ideation rates than the general population.

(7) It is estimated that between 125 and 300 police officers die by suicide every year.

(8) In 2019, pursuant to section 2(b) of the Law Enforcement Mental Health and Wellness Act of 2017 (Public Law 115–113; 131 Stat. 2276), the Director of the Office of Community Oriented Policing Services of the Department of Justice developed a report (referred to in this section as the ''LEMHWA report'') that expressed that many law enforcement agencies do not have the capacity or local access to the mental health professionals necessary for treating their law enforcement officers.

(9) The LEMHWA report recommended methods for establishing remote access or regional mental health check programs at the State or Federal level.

(10) Individual police and fire departments generally do not have the resources to employ full-time mental health experts who are able to treat public safety officers with state-of-the-art techniques for the purpose of treating job-related post-traumatic stress disorder and acute stress disorder.

(b) PROGRAMMING FOR POST-TRAUMATIC STRESS DISORDER.—

(1) DEFINITIONS.—In this subsection:

(A) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(i) has the meaning given the term in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284); and

(ii) includes Tribal public safety officers.

(B) PUBLIC SAFETY TELECOMMUNICATOR.—The term ''public safety telecommunicator'' means an individual who—

(i) operates telephone, radio, or other communication systems to receive and communicate requests for emergency assistance at 911 public safety answering points and emergency operations centers;

(ii) takes information from the public and other sources relating to crimes, threats, disturbances, acts of terrorism, fires, medical emergencies, and other public safety matters; and

(iii) coordinates and provides information to law enforcement and emergency response personnel.

(2) REPORT.—Not later than 150 days after the date of enactment of this Act, the Attorney General, acting through the Director of the Office of Community Oriented Policing Services of the Department of Justice, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

(A) not fewer than 1 proposed program, if the Attorney General determines it appropriate and feasible to do so, to be administered by the Department of Justice for making state-of-the-art treatments or preventative care available to public safety officers and public safety telecommunicators with regard to job-related post-traumatic stress disorder or acute stress disorder by providing public safety officers and public safety telecommunicators access to evidence-based trauma-informed care, peer support, counselor services, and family supports for the purpose of treating or preventing post-traumatic stress disorder or acute stress disorder;

(B) a draft of any necessary grant conditions required to ensure that confidentiality is afforded to public safety officers on account of seeking the care or services described in subparagraph (A) under the proposed program;

(C) how each proposed program described in subparagraph (A) could be most efficiently administered throughout the United States at the State, Tribal, territorial, and local levels, taking into account in-person and telehealth capabilities;

(D) a draft of legislative language necessary to authorize each proposed program described in subparagraph (A); and

(E) an estimate of the amount of annual appropriations necessary for administering each proposed program described in subparagraph (A).

(3) DEVELOPMENT.—In developing the report required under paragraph (2), the Attorney General shall consult relevant stakeholders, including—

(A) Federal, State, Tribal, territorial, and local agencies employing public safety officers and public safety telecommunicators; and

(B) non-governmental organizations, international organizations, academies, or other entities, including organizations that support the interests of public safety officers and public safety telecommunicators and the interests of family members of public safety officers and public safety telecommunicators.

SEC. 1092. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) by redesignating paragraph (58) as paragraph (59);

(2) by redesignating the second paragraph designated as paragraph (57) (relating to the definition of ''serious drug felony'') as paragraph (58); and

(3) by moving paragraphs (57), (58) (as so redesignated), and (59) (as so redesignated) 2 ems to the left.

SEC. 1093. DISCLOSURE OF FOREIGN INFLUENCE IN LOBBYING.

Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended—

(1) in paragraph (6), by striking ''and'' at the end; and

(2) in paragraph (7), by striking ''the offense.'' and inserting the following: ''the offense; and

''(8) notwithstanding paragraph (4), the name and address of each government of a foreign country (including any agency or subdivision of a government of a foreign country, such as a regional or municipal unit of government) and foreign political party, other than the client, that participates in the direction, planning, supervision, or control of any lobbying activities of the registrant.''.

SA 850. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. SLOAN CANYON NATIONAL CONSERVATION AREA BOUNDARY ADJUSTMENT.

(a) DEFINITIONS.—In this section:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Sloan Canyon National Conservation Area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior (acting through the Director of the Bureau of Land Management).

(b) BOUNDARY ADJUSTMENT.—

(1) MAP.—Section 603(4) of the Sloan Canyon National Conservation Area Act (16

U.S.C. 460qqq–1(4)) is amended by striking ''map entitled 'Southern Nevada Public Land Management Act' and dated October 1, 2002'' and inserting ''map entitled 'Proposed Sloan Canyon Expansion' and dated June 7, 2023''.

(2) ACREAGE.—Section 604(b) of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–2(b)) is amended by striking ''48,438'' and inserting ''57,728''.

(c) RIGHT-OF-WAY.—Section 605 of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–3) is amended by adding at the end the following:

''(h) HORIZON LATERAL PIPELINE RIGHT-OF-WAY.—

''(1) IN GENERAL.—Notwithstanding sections 202 and 503 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1712, 1763) and subject to valid existing rights and paragraph (3), the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this subsection as the 'Secretary'), shall, not later than 1 year after the date of enactment of this subsection, grant to the Southern Nevada Water Authority (referred to in this subsection as the 'Authority'), not subject to the payment of rents or other charges, the temporary and permanent water pipeline infrastructure, and outside the boundaries of the Conservation Area, powerline, facility, and access road rights-of-way depicted on the map for the purposes of—

''(A) performing geotechnical investigations within the rights-of-way; and

''(B) constructing and operating water transmission and related facilities.

''(2) EXCAVATION AND DISPOSAL.—

''(A) IN GENERAL.—The Authority may, without consideration, excavate and use or dispose of sand, gravel, minerals, or other materials from the tunneling of the water pipeline necessary to fulfill the purpose of the rights-of-way granted under paragraph (1).

''(B) MEMORANDUM OF UNDERSTANDING.—Not later than 30 days after the date on which the rights-of-way are granted under paragraph (1), the Secretary and the Authority shall enter into a memorandum of understanding identifying Federal land on which the Authority may dispose of materials under subparagraph (A) to further the interests of the Bureau of Land Management.

''(3) REQUIREMENTS.—A right-of-way issued under this subsection shall be subject to the following requirements:

''(A) The Secretary may include reasonable terms and conditions, consistent with section 505 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1765), as are necessary to protect Conservation Area resources.

''(B) Construction of the water pipeline shall not permanently adversely affect conservation area surface resources.

''(C) The right-of-way shall not be located through or under any area designated as wilderness.''.

(d) PRESERVATION OF TRANSMISSION AND UTILITY CORRIDORS AND RIGHTS-OF-WAY.—The expansion of the Conservation Area boundary under the amendment made by subsection (b)—

(1) shall be subject to valid existing rights, including land within a designated utility transmission corridor or a transmission line right-of-way grant approved by the Secretary in a record of decision issued before the date of enactment of this Act;

(2) shall not preclude—

(A) any activity authorized in accordance with a designated corridor or right-of-way referred to in paragraph (1), including the operation, maintenance, repair, or replacement of any authorized utility facility within the corridor or right-of-way; or

(B) the Secretary from authorizing the establishment of a new utility facility right-of-way within an existing designated transportation and utility corridor referred to in paragraph (1) in accordance with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws; and

(ii) subject to such terms and conditions as the Secretary determines to be appropriate; and

(3) except as provided in the amendment made by subsection (c), modifies the management of the Conservation Area pursuant to section 605 of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–3).

SEC. 10___. APEX PROJECT, NEVADA LAND TRANSFER AND AUTHORIZATION ACT OF 1989.

(a) DEFINITIONS.—Section 2(b) of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 169)—

(1) in the matter preceding paragraph (1), by striking ''As used in this Act, the following terms shall have the following meanings—'' and inserting ''In this Act:'';

(2) in each of paragraphs (1), (2), (4), and (5), by inserting a paragraph heading, the text of which comprises the term defined in that paragraph;

(3) in paragraph (3), by inserting ''COUNTY; CLARK COUNTY.—'' before ''The term'';

(4) in paragraph (6)—

(A) by inserting ''FLPMA TERMS.—'' before ''All''; and

(B) by inserting ''(43 U.S.C. 1701 et seq.)'' before the period at the end;

(5) by redesignating paragraphs (1), (2), (3), (4), (5), and (6) as paragraphs (7), (6), (4), (5), (2), and (8), respectively;

(6) by inserting before paragraph (2) (as so redesignated) the following:

''(1) APEX INDUSTRIAL PARK OWNERS ASSOCIATION.—The term 'Apex Industrial Park Owners Association' has the meaning given the term in the charter document for the entity entitled 'Apex Industrial Park Owners Association', which was formed on April 9, 2001, and any successor documents to the charter document, as on file with the Nevada Secretary of State.''; and

(7) by inserting after paragraph (2) (as so redesignated) the following:

''(3) CITY.—The term 'City' means the city of North Las Vegas, Nevada.''.

(b) KERR-MCGEE SITE TRANSFER.—Section 3(b) of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 170) is amended—

(1) in the first sentence—

(A) by striking ''Clark County for the connection'' and inserting ''Clark County, the City, and the Apex Industrial Park Owners Association, individually or jointly, as appropriate, for the connection'';

(B) by striking ''Kerr-McGee Site'' and inserting ''Kerr-McGee Site and other land conveyed in accordance with this Act''; and

(C) by inserting ''(or any successor map prepared by the Secretary)'' after ''May 1989''; and

(2) in the third sentence, by inserting '', the City, or the Apex Industrial Park Owners Association, individually or jointly, as appropriate,'' after ''Clark County''.

(c) AUTHORIZATION FOR ADDITIONAL TRANSFERS.—Section 4 of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 171)—

(1) in subsection (c), by striking ''Pursuant'' and all that follows through ''Clark County'' and inserting ''During any period in which the requirements of section 6 are met, pursuant to applicable law, the Secretary shall grant to Clark County, the City, and the Apex Industrial Park Owners Association''; and

(2) in subsection (e)—

(A) in paragraph (1), by striking the last sentence and inserting ''The withdrawal made by this subsection shall continue in perpetuity for all land transferred in accordance with this Act.''; and

(B) by adding at the end the following:

''(3) MINERAL MATERIALS SALE.—In the case of the sale of mineral materials resulting from grading, land balancing, or other activities on the surface of a parcel within the Apex Site for which the United States retains an interest in the minerals—

''(A) it shall be considered impracticable to obtain competition for purposes of section 3602.31(a)(2) of title 43, Code of Federal Regulations (as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2024); and

''(B) the sale shall be exempt from the quantity and term limitations imposed on noncompetitive sales under subpart 3602 of that title (as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2024).''.

(d) ENVIRONMENTAL CONSIDERATIONS.—Section 6 of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 173) is amended by adding at the end the following:

''(d) COMPLIANCE WITH ENVIRONMENTAL ASSESSMENTS.—Each transfer by the United States of land or interest in lands within the Apex Site or rights-of-way issued pursuant to this Act shall be conditioned on the compliance with applicable Federal land laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).''.

SA 851. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299L. EXTENSION OF ANNUAL REPORT ON STRIKES UNDERTAKEN BY THE UNITED STATES AGAINST TERRORIST TARGETS OUTSIDE AREAS OF ACTIVE HOSTILITIES.

Section 1723 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1811) is amended—

(1) in subsection (a), by striking ''until 2022'' and inserting ''until 2033'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The report'' and inserting ''Each report''; and

(B) in paragraph (1), by striking the semicolon and inserting ''; and''; and

(3) in subsection (d), by striking ''The report'' and inserting ''Each report''.

SA 852. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 144. REPORT ON PROCUREMENT COSTS OF NONTACTICAL VEHICLES.

The Secretary of Defense, when conducting any action with the Government Services Administration relating to the procurement or requisition of a nontactical vehicle, shall submit to Congress a report that, at a minimum, identifies—

(1) types of vehicles by—

(A) size; and

(B) fuel source; and

(2) the total estimated cost savings and avoided emissions that result or would have resulted from the purchase or lease of a zero-emission vehicle instead of an internal combustion engine vehicle.

SA 853. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 695, strike lines 1 through 5 and insert the following:

SEC. 1296. MODIFICATION OF AUTHORITY AND QUARTERLY REPORT REQUIREMENTS FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

(a) AUTHORITY.—Subsection (a) of section 1213 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking ''$3,000,000 for each calendar year'' and inserting ''$10,000,000 for each calendar year, except in extraordinary circumstances at the discretion of the Secretary of Defense,''.

(b) QUARTERLY REPORT.—Subsection (h) of such section is amended—

SA 854. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT ON MUNITIONS PROVIDED BY THE UNITED STATES TO UKRAINE.

Not later than 30 days after the date of the enactment of this Act, the President shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that includes the following:

(1) A full list of the munitions provided to Ukraine by the United States between January 1, 2022 and the date of the enactment of this Act.

(2) An identification of the length of time of manufacturing rates, as of the date of the enactment of this Act, to replace United States stocks of the munitions described in paragraph (1).

SA 855. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 584. DIGITAL AMBASSADOR PROGRAM OF THE NAVY: CESSATION; REPORT; RESTART.

(a) CESSATION.—The Secretary of the Navy shall cease all activities of the digital ambassador program of the Office of Information of the Department of the Navy. The Secretary shall notify each individual designated as a digital ambassador of such cessation and that the individual is not authorized to act as a digital ambassador of the Navy.

(b) RESTART.—The Secretary may not restart such program until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a report containing the following:

(1) All policies and documents of the program.

(2) The number of digital ambassadors designated.

(3) The process and criteria for such designation.

(4) The duties of a digital ambassador.

(5) The online platforms (including social media) on which an individual is authorized under such program to perform duties of a digital ambassador.

(6) The determination of the Secretary that such program complies with applicable laws, regulations, and guidance.

SA 856. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. CERTAIN DISCLOSURE REQUIREMENTS FOR UNIVERSITY RESEARCH FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) DISCLOSURES REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall require the principal investigator of any covered research program at an institution of higher education to accurately and completely disclose to the Department of Defense the following:

(1) At the time of application for funding from the Department of Defense for a covered research program, disclose, with respect to each researcher who is expected to participate in the program—

(A) date and place of birth, country of citizenship, and immigration status in the case of a foreign national;

(B) educational background from undergraduate education onwards;

(C) professional and employment background, as applicable, including any history of working for a foreign government or on foreign government sponsored projects;

(D) all previous and concurrent research, academic and corporate positions, ties, or relationships;

(E) past and current affiliation with foreign governments, including foreign political parties or organizations, and military ties, as applicable, in case of foreign national;

(F) past or current involvement in any foreign talent programs;

(G) memberships in foreign and United States academic and professional associations and organizations; and

(H) a list of all publications published anywhere in any language, peer reviewed or non-peer reviewed, including all mentions of foreign funding, research collaborations, and in kind support that supported the research and publication.

(2) Disclose the information specified in paragraph (1) with respect to any researcher who joins a covered research program after funding is awarded by the Department of Defense not later than 90 days after the researcher joins the program.

(3) Beginning not later than one year after funding is awarded by the Department of Defense for a covered research program, and annually thereafter through the end of the award period, disclose—

(A) any direct, indirect, formal, or informal collaboration that the principal investigator, either independently or as the lead of the covered research program, enters into with any third-party persons or entities, including the identity and nationality of the third party collaborator, the nature of the collaboration (whether direct, indirect, formal or informal) and the terms and conditions of such collaboration; and

(B) any change of status with regard to a researcher who was the subject of a disclosure under paragraphs (1) or (2), including any departure of such researcher from the program, the terms of such departure, change of immigration status, and change in foreign ties and collaboration.

(b) FORM; PUBLIC AVAILABILITY OF INFORMATION.—Each disclosure under subsection (a) shall be submitted in unclassified form and shall be made available on a publicly accessible website of the Federal Government.

(c) DEFINITIONS.—In this section—

(1) the term ''covered research program'' means any research program, research project, or other research activity (including classified and unclassified research) that is—

(A) conducted by an institution of higher education; and

(B) funded, in whole or in part, by the Department of Defense;

(2) the term ''institution of higher education'' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) and includes any department, program, project, faculty, researcher, or other individual, entity, or activity of such institution; and

(3) the term ''researcher'' means any person who has access to research information under a covered research program, including the principal investigator and any graduate students, post-doctoral fellows, or visiting scholars participating in such program.

SA 857. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2816. AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION OF UNPAVED ASSAULT RUNWAY FOR YOUNGSTOWN AIR RESERVE STATION, OHIO.

There are authorized to be appropriated to the Secretary of Defense $15,000,000 for fiscal

year 2024 to construct an unpaved assault runway for Youngstown Air Reserve Station, Ohio.

SA 858. Mr. TILLIS (for himself and Mr. BUDD) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10_____. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking ''That the Indians'' and inserting the following:

''SEC. 3. DESIGNATION OF LUMBEE INDIANS.

''The Indians'';

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

''SECTION 1. FINDINGS.

''Congress finds that—'';

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking ''Whereas'' each place it appears;

(D) by striking ''and'' after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking '': Now, therefore,'' and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

''SEC. 2. DEFINITIONS.

''In this Act:

''(1) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(2) TRIBE.—The term 'Tribe' means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina.''; and

(7) by adding at the end the following:

''SEC. 4. FEDERAL RECOGNITION.

''(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

''(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

''(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

''SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.

''(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

''(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

''(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

''(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

''(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

''(d) TRIBAL ROLL.—

''(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

''(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

''(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

''(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

''SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

''(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).

''SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.

''(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

''(1) all criminal offenses that are committed; and

''(2) all civil actions that arise.

''(b) TRANSFER OF JURISDICTION.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

''(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

''(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

''SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this Act.''.

SA 859. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. FUNDING FOR INFRASTRUCTURE AND FACILITIES PROJECTS FOR B–21 BOMBER AIRCRAFT AT DYESS AIR FORCE BASE.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2024 by section 301 for operation and maintenance for the Air Force is hereby increased by $45,000,000, with the amount of the increase to be available for facilities sustainment to carry out infrastructure and facilities projects to make Dyess Air Force Base capable to receive nuclear-capable B–21 bomber aircraft, including—

(1) project 100012 (ADAL Traffic Lanes Tye Gate Entry);

(2) project 100009 (ADAL Traffic Lanes Main Gate Entry);

(3) project 203002 (Hazardous Cargo Pad); and

(4) project 033005 (Enlisted Dorm).

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2024 by section 201 for research, development, test, and evaluation for the Air Force is hereby decreased by $45,000,000, with the amount of the decrease to be taken from amounts available for research, development, test, and evaluation for the B–21 bomber program (PE 0604015F).

SA 860. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2___. STRATEGY ON SOLID ROCKET DEVELOPMENT.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a strategy to ensure the United States remains at the forefront in solid rocket development.

(b) ELEMENTS.—The strategy submitted pursuant to subsection (a) shall include strategies for the following:

(1) Bringing new entrants into the solid rocket motor industrial base of the United States.

(2) Accelerating manufacturing technologies that can help meet the replenishment needs in critical munitions.

(3) Ensuring that competitive procurements are used and nontraditional providers are encouraged to compete and become qualified new entrants.

SA 861. Mr. KENNEDY (for himself, Mr. CASSIDY, and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title II, insert the following:

SEC. _____. ESTABLISHMENT OF TECHNOLOGY TRANSITION PROGRAM FOR STRATEGIC NUCLEAR DETERRENCE.

(a) IN GENERAL.—The Commander of Air Force Global Strike Command may, through the use of a partnership intermediary, establish a program—

(1) to carry out technology transition, digital engineering projects, and other innovation activities supporting the Air Force nuclear enterprise; and

(2) to discover capabilities that have the potential to generate life-cycle cost savings and provide data-driven approaches to resource allocation.

(b) TERMINATION.—The program established under subsection (a) shall terminate on September 30, 2029.

(c) PARTNERSHIP INTERMEDIARY DEFINED.—The term ''partnership intermediary'' has the meaning given the term in section 23(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715(c)).

SA 862. Mr. MARSHALL (for himself, Mr. DURBIN, and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CREDIT CARD COMPETITION.

(a) SHORT TITLE.—This section may be cited as the ''Credit Card Competition Act of 2023''.

(b) COMPETITION IN CREDIT CARD TRANSACTIONS.—

(1) IN GENERAL.—Section 921 of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2) is amended—

(A) in subsection (b)—

(i) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(ii) by inserting after paragraph (1) the following:

''(2) COMPETITION IN CREDIT CARD TRANSACTIONS.—

''(A) NO EXCLUSIVE NETWORK.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Credit Card Competition Act of 2023, the Board shall prescribe regulations providing that a covered card issuer or payment card network shall not directly or through any agent, processor, or licensed member of a payment card network, by contract, requirement, condition, penalty, technological specification, or otherwise, restrict the number of payment card networks on which an electronic credit transaction may be processed to—

''(I) 1 such network;

''(II) 2 or more such networks, if—

''(aa) each such network is owned, controlled, or otherwise operated by—

''(AA) affiliated persons; or

''(BB) networks affiliated with such issuer; or

''(bb) any such network is identified on the list established and updated under subparagraph (D); or

''(III) subject to clause (ii), the 2 such networks that hold the 2 largest market shares with respect to the number of credit cards issued in the United States by licensed members of such networks (and enabled to be processed through such networks), as determined by the Board on the date on which the Board prescribes the regulations.

''(ii) DETERMINATIONS BY BOARD.—

''(I) IN GENERAL.—The Board, not later than 3 years after the date on which the regulations prescribed under clause (i) take effect, and not less frequently than once every 3 years thereafter, shall determine whether the 2 networks identified under clause (i)(III) have changed, as compared with the most recent such determination by the Board.

''(II) EFFECT OF DETERMINATION.—If the Board, under subclause (I), determines that the 2 networks described in clause (i)(III) have changed (as compared with the most recent such determination by the Board), clause (i)(III) shall no longer have any force or effect.

''(B) NO ROUTING RESTRICTIONS.—Not later than 1 year after the date of enactment of the Credit Card Competition Act of 2023, the Board shall prescribe regulations providing that a covered card issuer or payment card network shall not—

''(i) directly or through any agent, processor, or licensed member of the network, by contract, requirement, condition, penalty, or otherwise—

''(I) inhibit the ability of any person who accepts credit cards for payments to direct the routing of electronic credit transactions for processing over any payment card network that—

''(aa) may process such transactions; and

''(bb) is not on the list established and updated by the Board under subparagraph (D);

''(II) require any person who accepts credit cards for payments to exclusively use, for transactions associated with a particular credit card, an authentication, tokenization, or other security technology that cannot be used by all of the payment card networks that may process electronic credit transactions for that particular credit card; or

''(III) inhibit the ability of another payment card network to handle or process electronic credit transactions using an authentication, tokenization, or other security technology for the processing of those electronic credit transactions; or

''(ii) impose any penalty or disadvantage, financial or otherwise, on any person for—

''(I) choosing to direct the routing of an electronic credit transaction over any payment card network on which the electronic credit transaction may be processed; or

''(II) failing to ensure that a certain number, or aggregate dollar amount, of electronic credit transactions are handled by a particular payment card network.

''(C) APPLICABILITY.—The regulations prescribed under subparagraphs (A) and (B) shall not apply to a credit card issued in a 3-party payment system model.

''(D) DESIGNATION OF NATIONAL SECURITY RISKS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Credit Card Competition Act of 2023, the Board, in consultation with the Secretary of the Treasury, shall prescribe regulations to establish a public list of any payment card network—

''(I) the processing of electronic credit transactions by which is determined by the Board to pose a risk to the national security of the United States; or

''(II) that is owned, operated, or sponsored by a foreign state entity.

''(ii) UPDATING OF LIST.—Not less frequently than once every 2 years after the date on which the Board establishes the public list required under clause (i), the Board, in consultation with the Secretary of the Treasury, shall update that list.

''(E) DEFINITIONS.—In this paragraph—

''(i) the terms 'card issuer' and 'creditor' have the meanings given the terms in section 103 of the Truth in Lending Act (15 U.S.C. 1602);

''(ii) the term 'covered card issuer' means a card issuer that, together with the affiliates of the card issuer, has assets of more than $100,000,000,000;

''(iii) the term 'credit card issued in a 3-party payment system model' means a credit card issued by a card issuer that is—

''(I) the payment card network with respect to the credit card; or

''(II) under common ownership with the payment card network with respect to the credit card;

''(iv) the term 'electronic credit transaction'—

''(I) means a transaction in which a person uses a credit card; and

''(II) includes a transaction in which a person does not physically present a credit card for payment, including a transaction involving the entry of credit card information onto, or use of credit card information in conjunction with, a website interface or a mobile telephone application; and

''(v) the term 'licensed member' includes, with respect to a payment card network—

''(I) a creditor or card issuer that is authorized to issue credit cards bearing any logo of the payment card network; and

''(II) any person, including any financial institution and any person that may be referred to as an 'acquirer', that is authorized to—

''(aa) screen and accept any person into any program under which that person may accept, for payment for goods or services, a credit card bearing any logo of the payment card network;

''(bb) process transactions on behalf of any person who accepts credit cards for payments; and

''(cc) complete financial settlement of any transaction on behalf of a person who accepts credit cards for payments.''; and

(B) in subsection (d)(1), by inserting '', except that the Bureau shall not have authority to enforce the requirements of this section or any regulations prescribed by the Board under this section'' after ''section 918''.

(2) EFFECTIVE DATE.—Each set of regulations prescribed by the Board of Governors of the Federal Reserve System under paragraph (2) of section 921(b) of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2(b)), as amended by this section, shall take effect on the date that is 180 days after the date on which the Board prescribes the final version of that set of regulations.

SA 863. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. REPORT ON IRANIAN INVOLVEMENT IN REGIONAL NARCOTICS TRADE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Middle East narcotics trade continues to evolve, including through expanding volumes and routes facilitating the sale, supply, or transfer of captagon and methamphetamines throughout the region.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the Director of

National Intelligence, shall submit to the congressional defense committees, the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence in the House of Representatives, and the Committee on Foreign Relations and the Select Committee on Intelligence in the Senate a report on Iranian involvement in the narcotics trade in the Middle East region. Such report shall include each of the following:

(1) An assessment of any element of the Government of Iran, including the Islamic Revolutionary Guard Corps (in this section referred to as the ''IRGC'') and any Iran-backed group operating in Iraq, Syria, Lebanon, or Yemen, that supports the sale, supply, or transfer of narcotics in the Middle East region.

(2) An assessment of the benefits accrued from the sale, supply, and transfer of narcotics in the region by any element of the Government of Iran, including the IRGC and any Iran-backed groups operating in Iraq, Syria, Lebanon, or Yemen.

(3) An assessment of all foreign terrorist organizations to or for which the IRGC, or any person owned or controlled by the IRGC, provides material support in the sale, supply, transfer, or production of captagon or other related narcotics or precursors in the Middle East and North Africa.

(4) An assessment of activities conducted by the IRGC in Afghanistan related to the trade of methamphetamine or opiates, including synthetic opiates.

(5) A detailed account of intercepted transfers involving the United States Fifth Fleet of narcotics from Iran or involving Iranian nationals or persons acting, or purporting to act, for or on behalf of the Government of Iran, including the IRGC.

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may contain a classified annex.

SA 864. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1015. THREAT ANALYSIS REGARDING FENTANYL CRISIS.

(a) THREAT ANALYSIS.—The Secretary of Defense, in consultation with the Director of the Defense Threat Reduction Agency and the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Stabilization Policy, shall conduct an analysis of—

(1) any potential threats the illicit fentanyl drug trade poses to the defense interests of the United States;

(2) the illicit fentanyl drug trade, including the manufacture, distribution, and sale or trade, and trans-shipment of fentanyl and fentanyl-related substances;

(3) new or emerging techniques or technologies that are likely to affect the evolution of the illicit fentanyl drug trade; and

(4) United States laws, executive orders, secretarial orders, and agency actions that are likely affecting the evolution of the illicit fentanyl drug trade across the southern border of the United States.

(b) REPORT.—Not later than March 31, 2024, the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(1) the threat analysis required under subsection (a), including any recommendations of the Secretary for any related actions;

(2) any actions the Department of Defense has taken in response to such threat analysis; and

(3) any other matter the Secretary of Defense determines to be appropriate.

SA 865. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. DEPARTMENT OF HOMELAND SECURITY FUNDING RESTRICTIONS ON INSTITUTIONS OF HIGHER EDUCATION THAT HAVE A RELATIONSHIP WITH CONFUCIUS INSTITUTES.

(a) RESTRICTIONS ON INSTITUTIONS OF HIGHER EDUCATION.—Beginning with the first fiscal year that begins after the date that is 12 months after the date of the enactment of this Act, the Secretary of Homeland Security shall ensure that an institution of higher education (referred to in this section as an ''institution'') which has a relationship with a Confucius Institute or Chinese entity of concern is ineligible to receive any funds from the Department of Homeland Security, unless the institution terminates the relationship between the institution and such Confucius Institute or Chinese entity of concern, as the case may be. Upon the termination of such a relationship, the institution at issue shall be eligible to receive funds from the Department of Homeland Security.

(b) DEFINITIONS.—In this section:

(1) CHINESE ENTITY OF CONCERN.—The term ''Chinese entity of concern'' means any university or college in the People's Republic of China that—

(A) is involved in the implementation of military-civil fusion;

(B) participates in the Chinese defense industrial base;

(C) is affiliated with the Chinese State Administration for Science, Technology and Industry for the National Defense;

(D) receives funding from any organization subordinate to the Central Military Commission of the Chinese Communist Party; or

(E) provides support to any security, defense, police, or intelligence organization of the Government of the People's Republic of China or the Chinese Communist Party.

(2) CONFUCIUS INSTITUTE.—The term ''Confucius Institute'' means a cultural institute funded by the Government of the People's Republic of China.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(4) RELATIONSHIP.—The term ''relationship'' means, with respect to an institution of higher education, any contract awarded, or agreement entered into, as well as any in-kind donation or gift, received from a Confucius Institute or Chinese entity of concern.

SA 866. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. OFFICE OF STRATEGIC CAPITAL CHINESE COMPANY INVESTMENT PROHIBITION.

Beginning on the date of the enactment of this Act, the Office of Strategic Capital in the Office of the Under Secretary of Defense for Research and Engineering may not invest in or guarantee or otherwise facilitate any investment in any entity—

(1) incorporated under the laws of the People's Republic of China; or

(2) of which more than 50 percent is owned, directly or indirectly, by—

(A) citizens of the People's Republic of China;

(B) entities incorporated under the laws of the People's Republic of China; or

(C) any combination of the individuals and entities described in subparagraphs (A) and (B).

SA 867. Mr. CARDIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. RECEIPT OF GRANT FUNDS BY UNITED STATES NAVAL ACADEMY EMPLOYEES.

Section 8452 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) Notwithstanding section 5533 of title 5, employees of the Naval Academy who are on leave without pay, due to the regular 10-month pay schedule and not due to discipline or other reasons, are eligible to receive funds, including for salary and fringe benefit payments, from grant funds provided by Federal agencies other than the Naval Academy, including the National Institutes of Health, the National Science Foundation, the Office of Naval Research, the Department of Energy, and the National Aeronautics and Space Administration.''.

SA 868. Mr. CARDIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. RECEIPT OF GRANT FUNDS BY UNITED STATES NAVAL ACADEMY EMPLOYEES.

Section 8452 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) Employees of the Naval Academy who are on leave without pay, due to the regular 10-month pay schedule and not due to discipline or other reasons, are eligible to receive funds, including for salary and fringe benefit payments, from grant funds provided by Federal agencies other than the Naval Academy, including the National Institutes of Health, the National Science Foundation, the Office of Naval Research, the Department of Energy, and the National Aeronautics and Space Administration.''.

SA 869. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. STEM APPRENTICESHIPS.

(a) DEFINITIONS.—In this section:

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

(2) ELIGIBLE RECIPIENT.—The term ''eligible recipient'' has the meaning given the term in section 30(b) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3723(b)).

(3) LABOR ORGANIZATION.—The term ''labor organization'' has the meaning given the term in section 2(5) of the National Labor Relations Act (29 U.S.C. 152(5)), except that such term shall also include—

(A) any organization composed of labor organizations, such as a labor union federation or a State or municipal labor body; and

(B) any organization which would be included in the definition for such term under such section 2(5) but for the fact that the organization represents—

(i) individuals employed by the United States, any wholly owned Government corporation, any Federal Reserve Bank, or any State or political subdivision thereof;

(ii) individuals employed by persons subject to the Railway Labor Act (45 U.S.C. 151 et seq.); or

(iii) individuals employed as agricultural laborers.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(5) STEM.—The term ''STEM'' means the fields of science, technology, engineering, and mathematics, including computer science.

(b) CHIPS STEM APPRENTICESHIPS.—The Secretary shall make awards to covered entities to develop and expand STEM apprenticeship programs.

(c) STEM APPRENTICESHIPS FOR KEY TECHNOLOGY FOCUS AREAS.—The Secretary shall make awards to eligible recipients and labor organizations to develop and expand STEM apprenticeship programs, including programs focused on the key technology focus areas identified under section 10387 of Public Law 117–167 (commonly known as the ''CHIPS and Science Act of 2022'') (42 U.S.C. 19107).

(d) ADDITIONAL USE OF FUNDS.—In making awards under subsections (b) and (c) the Secretary may also make awards to—

(1) develop and disseminate best practices for STEM apprenticeship programs; and

(2) identify national and regional workforce needs that can be addressed through STEM apprenticeship programs.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $2,000,000,000, which shall remain available until expended, of which—

(1) $1,000,000,000 is authorized for awards made under subsection (b); and

(2) $1,000,000,000 is authorized for awards made under subsection (c).

SA 870. Mrs. CAPITO (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 31____. ACCELERATING DEPLOYMENT OF VERSATILE, ADVANCED NUCLEAR FOR CLEAN ENERGY.

(a) SHORT TITLE.—This section may be cited as the ''Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2023'' or the ''ADVANCE Act of 2023''.

(b) DEFINITIONS.—In this section:

(1) ACCIDENT TOLERANT FUEL.—The term ''accident tolerant fuel'' has the meaning given the term in section 107(a) of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577).

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) ADVANCED NUCLEAR FUEL.—The term ''advanced nuclear fuel'' means—

(A) advanced nuclear reactor fuel; and

(B) accident tolerant fuel.

(4) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(5) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(6) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(7) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(8) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(c) INTERNATIONAL NUCLEAR REACTOR EXPORT AND INNOVATION ACTIVITIES.—

(1) COORDINATION.—

(A) IN GENERAL.—The Commission shall—

(i) coordinate all work of the Commission relating to—

(I) nuclear reactor import and export licensing; and

(II) international regulatory cooperation and assistance relating to nuclear reactors, including with countries that are members of—

(aa) the Organisation for Economic Co-operation and Development; or

(bb) the Nuclear Energy Agency; and

(ii) support interagency and international coordination with respect to—

(I) the consideration of international technical standards to establish the licensing and regulatory basis to assist the design, construction, and operation of nuclear systems;

(II) efforts to help build competent nuclear regulatory organizations and legal frameworks in countries seeking to develop nuclear power; and

(III) exchange programs and training provided, in coordination with the Secretary of State, to other countries relating to nuclear regulation and oversight to improve nuclear technology licensing, in accordance with subparagraph (B).

(B) EXCHANGE PROGRAMS AND TRAINING.—With respect to the exchange programs and training described in subparagraph (A)(ii)(III), the Commission shall coordinate, as applicable, with—

(i) the Secretary of Energy;

(ii) the Secretary of State;

(iii) National Laboratories;

(iv) the private sector; and

(v) institutions of higher education.

(2) AUTHORITY TO ESTABLISH BRANCH.—The Commission may establish within the Office of International Programs a branch, to be known as the ''International Nuclear Reactor Export and Innovation Branch'', to carry out such international nuclear reactor export and innovation activities as the Commission determines to be appropriate and within the mission of the Commission.

(3) EXCLUSION OF INTERNATIONAL ACTIVITIES FROM THE FEE BASE.—

(A) IN GENERAL.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended—

(i) in subsection (a), by adding at the end the following:

''(4) INTERNATIONAL NUCLEAR REACTOR EXPORT AND INNOVATION ACTIVITIES.—The Commission shall identify in the annual budget justification international nuclear reactor export and innovation activities described in subsection (c)(1) of the ADVANCE Act of 2023.''; and

(ii) in subsection (b)(1)(B), by adding at the end the following:

''(iv) Costs for international nuclear reactor export and innovation activities described in subsection (c)(1) of the ADVANCE Act of 2023.''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on October 1, 2024.

(4) COORDINATION.—The Commission shall coordinate all international activities under this subsection with the Secretary of State and other applicable agencies, as appropriate.

(5) SAVINGS CLAUSE.—Nothing in this subsection alters the authority of the Commission to license and regulate the civilian use of radioactive materials.

(d) DENIAL OF CERTAIN DOMESTIC LICENSES FOR NATIONAL SECURITY PURPOSES.—

(1) DEFINITION OF COVERED FUEL.—In this subsection, the term ''covered fuel'' means enriched uranium that is fabricated into fuel assemblies for nuclear reactors by an entity that—

(A) is owned or controlled by the Government of the Russian Federation or the Government of the People's Republic of China; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, the Russian Federation or the People's Republic of China.

(2) PROHIBITION ON UNLICENSED POSSESSION OR OWNERSHIP OF COVERED FUEL.—Unless specifically authorized by the Commission in a license issued under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), no person subject to the jurisdiction of the Commission may possess or own covered fuel.

(3) LICENSE TO POSSESS OR OWN COVERED FUEL.—

(A) CONSULTATION REQUIRED PRIOR TO ISSUANCE.—The Commission shall not issue a license to possess or own covered fuel under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), unless the Commission has first consulted with the Secretary of Energy and the Secretary of State before issuing the license.

(B) PROHIBITION ON ISSUANCE OF LICENSE.—

(i) IN GENERAL.—Subject to clause (iii), a license to possess or own covered fuel shall not be issued if the Secretary of Energy and the Secretary of State make the determination described in clause (ii)(I)(aa).

(ii) DETERMINATION.—

(I) IN GENERAL.—The determination referred to in clause (i) is a determination that possession or ownership, as applicable, of covered fuel—

(aa) poses a threat to the national security of the United States, including because of an adverse impact on the physical and economic security of the United States; or

(bb) does not pose a threat to the national security of the United States.

(II) JOINT DETERMINATION.—A determination described in subclause (I) shall be jointly made by the Secretary of Energy and the Secretary of State.

(III) TIMELINE.—

(aa) NOTICE OF APPLICATION.—Not later than 30 days after the date on which the Commission receives an application for a license to possess or own covered fuel, the Commission shall notify the Secretary of Energy and the Secretary of State of the application.

(bb) DETERMINATION.—The Secretary of Energy and the Secretary of State shall have a period of 180 days, beginning on the date on which the Commission notifies the Secretary of Energy and the Secretary of State under item (aa) of an application for a license to possess or own covered fuel, in which to make the determination described in subclause (I).

(cc) COMMISSION NOTIFICATION.—On making the determination described in subclause (I), the Secretary of Energy and the Secretary of State shall immediately notify the Commission.

(dd) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after the date on which the Secretary of Energy and the Secretary of State notify the Commission under item (cc), the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives of the determination.

(ee) PUBLIC NOTICE.—Not later than 15 days after the date on which the Commission notifies Congress under item (dd) of a determination made under subclause (I), the Commission shall make that determination publicly available.

(iii) EFFECT OF NO DETERMINATION.—The Commission shall not issue a license if the Secretary of Energy and the Secretary of State have not made a determination described in clause (ii).

(4) SAVINGS CLAUSE.—Nothing in this subsection alters any treaty or international agreement in effect on the date of enactment of this Act or that enters into force after the date of enactment of this Act.

(e) EXPORT LICENSE REQUIREMENTS.—

(1) DEFINITION OF LOW-ENRICHED URANIUM.—In this subsection, the term ''low-enriched uranium'' means uranium enriched to less than 20 percent of the uranium-235 isotope.

(2) REQUIREMENT.—The Commission shall not issue an export license for the transfer of any item described in paragraph (4) to a country described in paragraph (3) unless the Commission, in consultation with the Secretary of State and any other relevant agencies, makes a determination that such transfer will not be inimical to the common defense and security of the United States.

(3) COUNTRIES DESCRIBED.—A country referred to in paragraph (2) is a country that—

(A) has not concluded and ratified an Additional Protocol to its safeguards agreement with the International Atomic Energy Agency; or

(B) has not ratified or acceded to the amendment to the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979, and opened for signature at New York March 3, 1980 (TIAS 11080), described in the information circular of the International Atomic Energy Agency numbered INFCIRC/274/Rev.1/Mod.1 and dated May 9, 2016 (TIAS 16–508).

(4) ITEMS DESCRIBED.—An item referred to in paragraph (2) includes—

(A) unirradiated nuclear fuel containing special nuclear material (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)), excluding low-enriched uranium;

(B) a nuclear reactor that uses nuclear fuel described in subparagraph (A); and

(C) any plant or component listed in Appendix I to part 110 of title 10, Code of Federal Regulations (or successor regulations), that is involved in—

(i) the reprocessing of irradiated nuclear reactor fuel elements;

(ii) the separation of plutonium; or

(iii) the separation of the uranium-233 isotope.

(5) NOTIFICATION.—If the Commission, in consultation with the Secretary of State and any other relevant agencies, makes a determination, in accordance with applicable laws and regulations, under paragraph (2) that the transfer of any item described in paragraph (4) to a country described in paragraph (3) will not be inimical to the common defense and security of the United States, the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives.

(f) FEES FOR ADVANCED NUCLEAR REACTOR APPLICATION REVIEW.—

(1) DEFINITIONS.—Section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) is amended—

(A) by redesignating paragraphs (2) through (15) as paragraphs (3), (6), (7), (8), (9), (10), (12), (15), (16), (17), (18), (19), (20), and (21), respectively;

(B) by inserting after paragraph (1) the following:

''(2) ADVANCED NUCLEAR REACTOR APPLICANT.—The term 'advanced nuclear reactor applicant' means an entity that has submitted to the Commission an application to receive a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).'';

(C) by inserting after paragraph (3) (as so redesignated) the following:

''(4) ADVANCED NUCLEAR REACTOR PRE-APPLICANT.—The term 'advanced nuclear reactor pre-applicant' means an entity that has submitted to the Commission a licensing project plan for the purposes of submitting a future application to receive a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

''(5) AGENCY SUPPORT.—The term 'agency support' means the resources of the Commission that are located in executive, administrative, and other support offices of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).'';

(D) by inserting after paragraph (10) (as so redesignated) the following:

''(11) HOURLY RATE FOR MISSION-DIRECT PROGRAM SALARIES AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY PROGRAM.—The term 'hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program' means the quotient obtained by dividing—

''(A) the full-time equivalent rate (within the meaning of the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document)) for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program (as determined by the Commission) for a fiscal year; by

''(B) the productive hours assumption for that fiscal year, determined in accordance with the formula established in the document referred to in subparagraph (A) (or a successor document).''; and

(E) by inserting after paragraph (12) (as so redesignated) the following:

''(13) MISSION-DIRECT PROGRAM SALARIES AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY PROGRAM.—The term 'mission-direct program salaries and benefits for the Nuclear Reactor Safety Program' means the resources of the Commission that are allocated to the Nuclear Reactor Safety Program (as determined by the Commission) to perform core work activities committed to fulfilling the mission of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).

''(14) MISSION-INDIRECT PROGRAM SUPPORT.—The term 'mission-indirect program support' means the resources of the Commission that support the core mission-direct activities for the Nuclear Reactor Safety Program of the Commission (as determined by the Commission), as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).''.

(2) EXCLUDED ACTIVITIES.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection (c)(3)(A)(ii)) is amended by adding at the end the following:

''(v) The total costs of mission-indirect program support and agency support that, under paragraph (2)(B), may not be included in the hourly rate charged for fees assessed to advanced nuclear reactor applicants.

''(vi) The total costs of mission-indirect program support and agency support that, under paragraph (2)(C), may not be included in the hourly rate charged for fees assessed to advanced nuclear reactor pre-applicants.''.

(3) FEES FOR SERVICE OR THING OF VALUE.—Section 102(b) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)) is amended by striking paragraph (2) and inserting the following:

''(2) FEES FOR SERVICE OR THING OF VALUE.—

''(A) IN GENERAL.—In accordance with section 9701 of title 31, United States Code, the

Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

''(B) ADVANCED NUCLEAR REACTOR APPLICANTS.—The hourly rate charged for fees assessed to advanced nuclear reactor applicants under this paragraph relating to the review of a submitted application described in section 3(1) shall not exceed the hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program.

''(C) ADVANCED NUCLEAR REACTOR PRE-APPLICANTS.—The hourly rate charged for fees assessed to advanced nuclear reactor pre-applicants under this paragraph relating to the review of submitted materials as described in the licensing project plan of an advanced nuclear reactor pre-applicant shall not exceed the hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program.''.

(4) SUNSET.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended by adding at the end the following:

''(g) CESSATION OF EFFECTIVENESS.—Paragraphs (1)(B)(vi) and (2)(C) of subsection (b) shall cease to be effective on September 30, 2029.''.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2024.

(g) ADVANCED NUCLEAR REACTOR PRIZES.—Section 103 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5571) is amended by adding at the end the following:

''(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LICENSING.—

''(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a non-Federal entity; and

''(B) the Tennessee Valley Authority.

''(2) PRIZE FOR ADVANCED NUCLEAR REACTOR LICENSING.—

''(A) IN GENERAL.—Notwithstanding section 169 of the Atomic Energy Act of 1954 (42 U.S.C. 2209) and subject to the availability of appropriations, the Secretary is authorized to make, with respect to each award category described in subparagraph (C), an award in an amount described in subparagraph (B) to the first eligible entity—

''(i) to which the Commission issues an operating license for an advanced nuclear reactor under part 50 of title 10, Code of Federal Regulations (or successor regulations), for which an application has not been approved by the Commission as of the date of enactment of this subsection; or

''(ii) for which the Commission makes a finding described in section 52.103(g) of title 10, Code of Federal Regulations (or successor regulations), with respect to a combined license for an advanced nuclear reactor—

''(I) that is issued under subpart C of part 52 of that title (or successor regulations); and

''(II) for which an application has not been approved by the Commission as of the date of enactment of this subsection.

''(B) AMOUNT OF AWARD.—An award under subparagraph (A) shall be in an amount equal to the total amount assessed by the Commission and collected under section 102(b)(2) from the eligible entity receiving the award for costs relating to the issuance of the license described in that subparagraph, including, as applicable, costs relating to the issuance of an associated construction permit described in section 50.23 of title 10, Code of Federal Regulations (or successor regulations), or early site permit (as defined in section 52.1 of that title (or successor regulations)).

''(C) AWARD CATEGORIES.—An award under subparagraph (A) may be made for—

''(i) the first advanced nuclear reactor for which the Commission—

''(I) issues a license in accordance with clause (i) of subparagraph (A); or

''(II) makes a finding in accordance with clause (ii) of that subparagraph;

''(ii) an advanced nuclear reactor that—

''(I) uses isotopes derived from spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)) or depleted uranium as fuel for the advanced nuclear reactor; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph;

''(iii) an advanced nuclear reactor that—

''(I) is a nuclear integrated energy system—

''(aa) that is composed of 2 or more co-located or jointly operated subsystems of energy generation, energy storage, or other technologies;

''(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

''(cc) the purpose of which is—

''(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and

''(BB) to maximize energy production and efficiency; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph;

''(iv) an advanced reactor that—

''(I) operates flexibly to generate electricity or high temperature process heat for nonelectric applications; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph; and

''(v) the first advanced nuclear reactor for which the Commission grants approval to load nuclear fuel pursuant to the technology-inclusive regulatory framework established under subsection (a)(4).

''(3) FEDERAL FUNDING LIMITATIONS.—

''(A) EXCLUSION OF TVA FUNDS.—In this paragraph, the term 'Federal funds' does not include funds received under the power program of the Tennessee Valley Authority.

''(B) LIMITATION ON AMOUNTS EXPENDED.—An award under this subsection shall not exceed the total amount expended (excluding any expenditures made with Federal funds received for the applicable project and an amount equal to the minimum cost-share required under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352)) by the eligible entity receiving the award for licensing costs relating to the project for which the award is made.

''(C) REPAYMENT AND DIVIDENDS NOT REQUIRED.—Notwithstanding section 9104(a)(4) of title 31, United States Code, or any other provision of law, an eligible entity that receives an award under this subsection shall not be required—

''(i) to repay that award or any part of that award; or

''(ii) to pay a dividend, interest, or other similar payment based on the sum of that award.''.

(h) REPORT ON UNIQUE LICENSING CONSIDERATIONS RELATING TO THE USE OF NUCLEAR ENERGY FOR NONELECTRIC APPLICATIONS.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this subsection as the ''report'') addressing any unique licensing issues or requirements relating to—

(A) the flexible operation of nuclear reactors, such as ramping power output and switching between electricity generation and nonelectric applications;

(B) the use of advanced nuclear reactors exclusively for nonelectric applications; and

(C) the colocation of nuclear reactors with industrial plants or other facilities.

(2) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) technology developers;

(D) the industrial, chemical, and medical sectors;

(E) nongovernmental organizations; and

(F) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall describe—

(i) any unique licensing issues or requirements relating to the matters described in subparagraphs (A) through (C) of paragraph (1), including, with respect to the nonelectric applications referred to in subparagraphs (A) and (B) of that paragraph, any licensing issues or requirements relating to the use of nuclear energy in—

(I) hydrogen or other liquid and gaseous fuel or chemical production;

(II) water desalination and wastewater treatment;

(III) heat for industrial processes;

(IV) district heating;

(V) energy storage;

(VI) industrial or medical isotope production; and

(VII) other applications, as identified by the Commission;

(ii) options for addressing those issues or requirements—

(I) within the existing regulatory framework of the Commission;

(II) as part of the technology-inclusive regulatory framework required under subsection (a)(4) of section 103 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) or described in the report required under subsection (e) of that section (Public Law 115–439; 132 Stat. 5575); or

(III) through a new rulemaking; and

(iii) the extent to which Commission action is needed to implement any matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regulatory guidance in the licensing of nuclear reactors for nonelectric applications.

(i) ENABLING PREPARATIONS FOR THE DEMONSTRATION OF ADVANCED NUCLEAR REACTORS ON DEPARTMENT OF ENERGY SITES OR CRITICAL NATIONAL SECURITY INFRASTRUCTURE SITES.—

(1) IN GENERAL.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection (f)(2)) is amended by adding at the end the following:

''(vii) Costs for—

''(I) activities to review and approve or disapprove an application for an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or a successor

regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site; and

''(II) pre-application activities relating to an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or a successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2024.

(j) CLARIFICATION ON FUSION REGULATION.—Section 103(a)(4) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) is amended—

(1) by striking ''Not later'' and inserting the following:

''(A) IN GENERAL.—Not later''; and

(2) by adding at the end the following:

''(B) EXCLUSION OF FUSION REACTORS.—For purposes of subparagraph (A), the term 'advanced reactor applicant' does not include an applicant seeking a license for a fusion reactor.''.

(k) REGULATORY ISSUES FOR NUCLEAR FACILITIES AT BROWNFIELD SITES.—

(1) DEFINITIONS.—

(A) BROWNFIELD SITE.—The term ''brownfield site'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(B) PRODUCTION FACILITY.—The term ''production facility'' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(C) RETIRED FOSSIL FUEL SITE.—The term ''retired fossil fuel site'' means the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

(D) UTILIZATION FACILITY.—The term ''utilization facility'' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(2) IDENTIFICATION OF REGULATORY ISSUES.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall evaluate the extent to which modification of regulations, guidance, or policy is needed to enable timely licensing reviews for, and to support the oversight of, production facilities or utilization facilities at brownfield sites.

(B) REQUIREMENT.—In carrying out subparagraph (A), the Commission shall consider how licensing reviews for production facilities or utilization facilities at brownfield sites may be expedited by considering matters relating to siting and operating a production facility or a utilization facility at or near a retired fossil fuel site to support—

(i) the reuse of existing site infrastructure, including—

(I) electric switchyard components and transmission infrastructure;

(II) heat-sink components;

(III) steam cycle components;

(IV) roads;

(V) railroad access; and

(VI) water availability;

(ii) the use of early site permits;

(iii) the utilization of plant parameter envelopes or similar standardized site parameters on a portion of a larger site; and

(iv) the use of a standardized application for similar sites.

(C) REPORT.—Not later than 14 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing any regulations, guidance, and policies identified under subparagraph (A).

(3) LICENSING.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Commission shall—

(i) develop and implement strategies to enable timely licensing reviews for, and to support the oversight of, production facilities or utilization facilities at brownfield sites, including retired fossil fuel sites; or

(ii) initiate a rulemaking to enable timely licensing reviews for, and to support the oversight of, of production facilities or utilization facilities at brownfield sites, including retired fossil fuel sites.

(B) REQUIREMENTS.—In carrying out subparagraph (A), consistent with the mission of the Commission, the Commission shall consider matters relating to—

(i) the use of existing site infrastructure;

(ii) existing emergency preparedness organizations and planning;

(iii) the availability of historical site-specific environmental data;

(iv) previously approved environmental reviews required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(v) activities associated with the potential decommissioning of facilities or decontamination and remediation at brownfield sites; and

(vi) community engagement and historical experience with energy production.

(4) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the actions taken by the Commission under paragraph (3).

(l) APPALACHIAN REGIONAL COMMISSION NUCLEAR ENERGY DEVELOPMENT.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14512. Appalachian Regional Commission nuclear energy development

''(a) DEFINITIONS.—In this section:

''(1) BROWNFIELD SITE.—The term 'brownfield site' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

''(2) PRODUCTION FACILITY.—The term 'production facility' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(3) RETIRED FOSSIL FUEL SITE.—The term 'retired fossil fuel site' means the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

''(4) UTILIZATION FACILITY.—The term 'utilization facility' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(b) AUTHORITY.—The Appalachian Regional Commission may provide technical assistance to, make grants to, enter into contracts with, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to conduct research and analysis regarding the economic impact of siting, constructing, and operating a production facility or a utilization facility at a brownfield site, including a retired fossil fuel site;

''(2) to assist with workforce training or retraining to perform activities relating to the siting and operation of a production facility or a utilization facility at a brownfield site, including a retired fossil fuel site; and

''(3) to engage with the Nuclear Regulatory Commission, the Department of Energy, and other Federal agencies with expertise in civil nuclear energy.

''(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project or activity eligible for a grant under this section—

''(1) except as provided in paragraphs (2) and (3), not more than 50 percent may be provided from amounts made available to carry out this section;

''(2) in the case of a project or activity to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts made available to carry out this section; and

''(3) in the case of a project or activity to be carried out in a county for which an at-risk county designation is in effect under section 14526, not more than 70 percent may be provided from amounts made available to carry out this section.

''(d) SOURCES OF ASSISTANCE.—Subject to subsection (c), a grant provided under this section may be provided from amounts made available to carry out this section, in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(e) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(A) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

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

''(e) APPALACHIAN REGIONAL COMMISSION NUCLEAR ENERGY DEVELOPMENT.—Of the amounts made available under subsection (a), $5,000,000 may be used to carry out section 14512 for each of fiscal years 2023 through 2026.''.

(3) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by striking the item relating to section 14511 and inserting the following:

''14511. Appalachian regional energy hub initiative.
''14512. Appalachian Regional Commission nuclear energy development.''.

(m) FOREIGN OWNERSHIP.—

(1) IN GENERAL.—The prohibitions against issuing certain licenses for utilization facilities to certain corporations and other entities described in the second sentence of section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) and the second sentence of section 104 d. of that Act (42 U.S.C. 2134(d)) shall not apply to an entity described in paragraph (2) if the Commission determines that issuance of the applicable license to that entity is not inimical to—

(A) the common defense and security; or

(B) the health and safety of the public.

(2) ENTITIES DESCRIBED.—

(A) IN GENERAL.—An entity referred to in paragraph (1) is a corporation or other entity that is owned, controlled, or dominated by—

(i) the government of—

(I) a country that is a member of the Organisation for Economic Co-operation and Development on the date of enactment of this Act, subject to subparagraph (B); or

(II) the Republic of India;

(ii) a corporation that is incorporated in a country described in subclause (I) or (II) of clause (i); or

(iii) an alien who is a national of a country described in subclause (I) or (II) of clause (i).

(B) EXCLUSION.—An entity described in subparagraph (A)(i)(I) is not an entity referred to in paragraph (1), and paragraph (1) shall not apply to that entity, if, on the date of enactment of this Act—

(i) the entity (or any department, agency, or instrumentality of the entity) is a person subject to sanctions under section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525); or

(ii) any citizen of the entity, or any entity organized under the laws of, or otherwise subject to the jurisdiction of, the entity, is a person subject to sanctions under that section.

(3) TECHNICAL AMENDMENT.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence, by striking ''any any'' and inserting ''any''.

(4) SAVINGS CLAUSE.—Nothing in this subsection affects the requirements of section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565).

(n) EXTENSION OF THE PRICE-ANDERSON ACT.—

(1) EXTENSION.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'') is amended by striking ''December 31, 2025'' each place it appears and inserting ''December 31, 2045''.

(2) LIABILITY.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'') is amended—

(A) in subsection d. (5), by striking ''$500,000,000'' and inserting ''$2,000,000,000''; and

(B) in subsection e. (4), by striking ''$500,000,000'' and inserting ''$2,000,000,000''.

(3) REPORT.—Section 170 p. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) (commonly known as the ''Price-Anderson Act'') is amended by striking ''December 31, 2021'' and inserting ''December 31, 2041''.

(4) DEFINITION OF NUCLEAR INCIDENT.—Section 11 q. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(q)) is amended, in the second proviso, by striking ''if such occurrence'' and all that follows through ''United States:'' and inserting a colon.

(o) REPORT ON ADVANCED METHODS OF MANUFACTURING AND CONSTRUCTION FOR NUCLEAR ENERGY APPLICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this subsection as the ''report'') on manufacturing and construction for nuclear energy applications.

(2) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) National Laboratories;

(D) institutions of higher education;

(E) nuclear and manufacturing technology developers;

(F) the manufacturing and construction industries, including manufacturing and construction companies with operating facilities in the United States;

(G) standards development organizations;

(H) labor unions;

(I) nongovernmental organizations; and

(J) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall—

(i) examine any unique licensing issues or requirements relating to the use of innovative—

(I) advanced manufacturing processes;

(II) advanced construction techniques; and

(III) rapid improvement or iterative innovation processes;

(ii) examine—

(I) the requirements for nuclear-grade components in manufacturing and construction for nuclear energy applications;

(II) opportunities to use standard materials, parts, or components in manufacturing and construction for nuclear energy applications;

(III) opportunities to use standard materials that are in compliance with existing codes to provide acceptable approaches to support or encapsulate new materials that do not yet have applicable codes; and

(IV) requirements relating to the transport of a fueled advanced nuclear reactor core from a manufacturing licensee to a licensee that holds a license to construct and operate a facility at a particular site;

(iii) identify any safety aspects of innovative advanced manufacturing processes and advanced construction techniques that are not addressed by existing codes and standards, so that generic guidance may be updated or created, as necessary;

(iv) identify options for addressing the issues, requirements, and opportunities examined under clauses (i) and (ii)—

(I) within the existing regulatory framework; or

(II) through a new rulemaking;

(v) identify how addressing the issues, requirements, and opportunities examined under clauses (i) and (ii) will impact opportunities for domestic nuclear manufacturing and construction developers; and

(vi) describe the extent to which Commission action is needed to implement any matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regulatory guidance for manufacturing and construction for nuclear energy applications.

(p) NUCLEAR ENERGY TRAINEESHIP.—Section 313 of division C of the Omnibus Appropriations Act, 2009 (42 U.S.C. 16274a), is amended—

(1) in subsection (a), by striking ''Nuclear Regulatory'';

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by inserting ''and subsection (c)'' after ''paragraph (2)'';

(3) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (5); and

(B) by striking paragraph (1) and inserting the following:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

''(2) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(4) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).'';

(4) in subsection (d)(2), by striking ''Nuclear Regulatory'';

(5) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(6) by inserting after subsection (b) the following:

''(c) NUCLEAR ENERGY TRAINEESHIP SUBPROGRAM.—

''(1) IN GENERAL.—The Commission shall establish, as a subprogram of the Program, a nuclear energy traineeship subprogram under which the Commission, in coordination with institutions of higher education and trade schools, shall competitively award traineeships that provide focused training to meet critical mission needs of the Commission and nuclear workforce needs, including needs relating to the nuclear tradecraft workforce.

''(2) REQUIREMENTS.—In carrying out the nuclear energy traineeship subprogram described in paragraph (1), the Commission shall—

''(A) coordinate with the Secretary of Energy to prioritize the funding of traineeships that focus on—

''(i) nuclear workforce needs; and

''(ii) critical mission needs of the Commission;

''(B) encourage appropriate partnerships among—

''(i) National Laboratories;

''(ii) institutions of higher education;

''(iii) trade schools;

''(iv) the nuclear energy industry; and

''(v) other entities, as the Commission determines to be appropriate; and

''(C) on an annual basis, evaluate nuclear workforce needs for the purpose of implementing traineeships in focused topical areas that—

''(i) address the workforce needs of the nuclear energy community; and

''(ii) support critical mission needs of the Commission.''.

(q) REPORT ON COMMISSION READINESS AND CAPACITY TO LICENSE ADDITIONAL CONVERSION AND ENRICHMENT CAPACITY TO REDUCE RELIANCE ON URANIUM FROM RUSSIA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the readiness and capacity of the Commission to license additional conversion and enrichment capacity at existing and new fuel cycle facilities to reduce reliance on nuclear fuel that is recovered, converted, enriched, or fabricated by an entity that—

(A) is owned or controlled by the Government of the Russian Federation; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, the Russian Federation.

(2) CONTENTS.—The report required under paragraph (1) shall analyze how the capacity of the Commission to license additional conversion and enrichment capacity at existing and new fuel cycle facilities may conflict with or restrict the readiness of the Commission to review advanced nuclear reactor applications.

(r) ANNUAL REPORT ON THE SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE INVENTORY IN THE UNITED STATES.—

(1) DEFINITIONS.—In this subsection:

(A) HIGH-LEVEL RADIOACTIVE WASTE.—The term ''high-level radioactive waste'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(B) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(C) STANDARD CONTRACT.—The term ''standard contract'' has the meaning given the term ''contract'' in section 961.3 of title 10, Code of Federal Regulations (or a successor regulation).

(2) REPORT.—Not later than January 1, 2025, and annually thereafter, the Secretary of Energy shall submit to Congress a report that describes—

(A) the annual and cumulative amount of payments made by the United States to the holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) resulting in financial damages to the holder;

(B) the cumulative amount spent by the Department of Energy since fiscal year 2008 to reduce future payments projected to be made by the United States to any holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.);

(C) the cumulative amount spent by the Department of Energy to store, manage, and dispose of spent nuclear fuel and high-level radioactive waste in the United States as of the date of the report;

(D) the projected lifecycle costs to store, manage, transport, and dispose of the projected inventory of spent nuclear fuel and high-level radioactive waste in the United States, including spent nuclear fuel and high-level radioactive waste expected to be generated from existing reactors through 2050;

(E) any mechanisms for better accounting of liabilities for the lifecycle costs of the spent nuclear fuel and high-level radioactive waste inventory in the United States;

(F) any recommendations for improving the methods used by the Department of Energy for the accounting of spent nuclear fuel and high-level radioactive waste costs and liabilities;

(G) any actions taken in the previous fiscal year by the Department of Energy with respect to interim storage; and

(H) any activities taken in the previous fiscal year by the Department of Energy to develop and deploy nuclear technologies and fuels that enhance the safe transportation or storage of spent nuclear fuel or high-level radioactive waste, including technologies to protect against seismic, flooding, and other extreme weather events.

(s) AUTHORIZATION OF APPROPRIATIONS FOR SUPERFUND ACTIONS AT ABANDONED MINING SITES ON TRIBAL LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE NON-NPL SITE.—The term ''eligible non-NPL site'' means a site—

(i) that is not on the National Priorities List; but

(ii) with respect to which the Administrator determines that—

(I) the site would be eligible for listing on the National Priorities List based on the presence of hazards from contamination at the site, applying the hazard ranking system described in section 105(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(c)); and

(II) for removal site evaluations, engineering evaluations/cost analyses, remedial planning activities, remedial investigations and feasibility studies, and other actions taken pursuant to section 104(b) of that Act (42 U.S.C. 9604), the site—

(aa) has undergone a pre-CERCLA screening; and

(bb) is included in the Superfund Enterprise Management System.

(B) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(C) NATIONAL PRIORITIES LIST.—The term ''National Priorities List'' means the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

(D) REMEDIAL ACTION; REMOVAL; RESPONSE.—The terms ''remedial action'', ''removal'', and ''response'' have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(E) TRIBAL LAND.—The term ''Tribal land'' has the meaning given the term ''Indian country'' in section 1151 of title 18, United States Code.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2023 through 2032, to remain available until expended—

(A) $97,000,000 to the Administrator to carry out this subsection (except for paragraph (4)); and

(B) $3,000,000 to the Administrator of the Agency for Toxic Substances and Disease Registry to carry out paragraph (4).

(3) USES OF AMOUNTS.—Amounts appropriated under paragraph (2)(A) shall be used by the Administrator—

(A) to carry out removal actions on abandoned mine land located on Tribal land;

(B) to carry out response actions, including removal and remedial planning activities, removal and remedial studies, remedial actions, and other actions taken pursuant to section 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(b)) on abandoned mine land located on Tribal land at—

(i) eligible non-NPL sites; and

(ii) sites listed on the National Priorities List; and

(C) to make grants under paragraph (5).

(4) HEALTH ASSESSMENTS.—Subject to the availability of appropriations, the Agency for Toxic Substances and Disease Registry, in coordination with Tribal health authorities, shall perform 1 or more health assessments at each eligible non-NPL site that is located on Tribal land, in accordance with section 104(i)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(i)(6)).

(5) TRIBAL GRANTS.—

(A) IN GENERAL.—The Administrator may use amounts appropriated under paragraph (2)(A) to make grants to eligible entities described in subparagraph (B) for the purposes described in subparagraph (C).

(B) ELIGIBLE ENTITIES DESCRIBED.—An eligible entity referred to in subparagraph (A) is—

(i) the governing body of an Indian Tribe; or

(ii) a legally established organization of Indians that—

(I) is controlled, sanctioned, or chartered by the governing bodies of 2 or more Indian Tribes to be served, or that is democratically elected by the adult members of the Indian community to be served, by that organization; and

(II) includes the maximum participation of Indians in all phases of the activities of that organization.

(C) USE OF GRANT FUNDS.—A grant under this paragraph shall be used—

(i) in accordance with the second sentence of section 117(e)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)(1));

(ii) for obtaining technical assistance in carrying out response actions under clause (iii); or

(iii) for carrying out response actions, if the Administrator determines that the Indian Tribe has the capability to carry out any or all of those response actions in accordance with the criteria and priorities established pursuant to section 105(a)(8) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)).

(D) APPLICATIONS.—An eligible entity desiring a grant under this paragraph shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(E) LIMITATIONS.—A grant under this paragraph shall be governed by the rules, procedures, and limitations described in section 117(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)(2)), except that—

(i) ''Administrator of the Environmental Protection Agency'' shall be substituted for ''President'' each place it appears in that section; and

(ii) in the first sentence of that section, ''under subsection (s) of the ADVANCE Act of 2023'' shall be substituted for ''under this subsection''.

(6) STATUTE OF LIMITATIONS.—If a remedial action described in paragraph (3)(B) is scheduled at an eligible non-NPL site, no action may be commenced for damages (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) with respect to that eligible non-NPL site unless the action is commenced within the timeframe provided for such actions with respect to facilities on the National Priorities List in the first sentence of the matter following subparagraph (B) of section 113(g)(1) of that Act (42 U.S.C. 9613(g)(1)).

(7) COORDINATION.—The Administrator shall coordinate with the Indian Tribe on whose land the applicable site is located in—

(A) selecting and prioritizing sites for response actions under subparagraphs (A) and (B) of paragraph (3); and

(B) carrying out those response actions.

(t) DEVELOPMENT, QUALIFICATION, AND LICENSING OF ADVANCED NUCLEAR FUEL CONCEPTS.—

(1) IN GENERAL.—The Commission shall establish an initiative to enhance preparedness and coordination with respect to the qualification and licensing of advanced nuclear fuel.

(2) AGENCY COORDINATION.—Not later than 180 days after the date of enactment of this Act, the Commission and the Secretary of Energy shall enter into a memorandum of understanding—

(A) to share technical expertise and knowledge through—

(i) enabling the testing and demonstration of accident tolerant fuels for existing commercial nuclear reactors and advanced nuclear reactor fuel concepts to be proposed and funded, in whole or in part, by the private sector;

(ii) operating a database to store and share data and knowledge relevant to nuclear science and engineering between Federal agencies and the private sector;

(iii) leveraging expertise with respect to safety analysis and research relating to advanced nuclear fuel; and

(iv) enabling technical staff to actively observe and learn about technologies, with an emphasis on identification of additional information needed with respect to advanced nuclear fuel; and

(B) to ensure that—

(i) the Department of Energy has sufficient technical expertise to support the timely research, development, demonstration, and commercial application of advanced nuclear fuel;

(ii) the Commission has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications and other requests for regulatory approval for advanced nuclear fuel;

(iii)(I) the Department of Energy maintains and develops the facilities necessary to enable the timely research, development, demonstration, and commercial application

by the civilian nuclear industry of advanced nuclear fuel; and

(II) the Commission has access to the facilities described in subclause (I), as needed; and

(iv) the Commission consults, as appropriate, with the modeling and simulation experts at the Office of Nuclear Energy of the Department of Energy, at the National Laboratories, and within industry fuel vendor teams in cooperative agreements with the Department of Energy to leverage physics-based computer modeling and simulation capabilities.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the efforts of the Commission under paragraph (1), including—

(i) an assessment of the preparedness of the Commission to review and qualify for use—

(I) accident tolerant fuel;

(II) ceramic cladding materials;

(III) fuels containing silicon carbide;

(IV) high-assay, low-enriched uranium fuels;

(V) molten-salt based liquid fuels;

(VI) fuels derived from spent nuclear fuel or depleted uranium; and

(VII) other related fuel concepts, as determined by the Commission;

(ii) activities planned or undertaken under the memorandum of understanding described in paragraph (2);

(iii) an accounting of the areas of research needed with respect to advanced nuclear fuel; and

(iv) any other challenges or considerations identified by the Commission.

(B) CONSULTATION.—In developing the report under subparagraph (A), the Commission shall seek input from—

(i) the Secretary of Energy;

(ii) National Laboratories;

(iii) the nuclear energy industry;

(iv) technology developers;

(v) nongovernmental organizations; and

(vi) other public stakeholders.

(u) COMMISSION WORKFORCE.—

(1) DEFINITION OF CHAIRMAN.—In this subsection, the term ''Chairman'' means the Chairman of the Commission.

(2) HIRING BONUS AND APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Notwithstanding section 161 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(d)), any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and any provision of title 5, United States Code, governing appointments and General Schedule classification and pay rates, the Chairman may, subject to the limitations described in subparagraph (C), and without regard to the civil service laws—

(i) establish the positions described in subparagraph (B); and

(ii) appoint persons to the positions established under clause (i).

(B) POSITIONS DESCRIBED.—The positions referred to in subparagraph (A)(i) are—

(i) permanent or term-limited positions with highly specialized scientific, engineering, and technical competencies to address a critical licensing or regulatory oversight need for the Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or engineer;

(IV) risk and reliability analyst or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) permanent or term-limited positions to be filled by exceptionally well-qualified individuals that the Chairman, subject to paragraph (5), determines are necessary to fulfill the mission of the Commission.

(C) LIMITATIONS.—

(i) IN GENERAL.—Appointments under subparagraph (A)(ii) may be made to not more than—

(I)(aa) 15 permanent positions described in subparagraph (B)(i) during fiscal year 2024; and

(bb) 10 permanent positions described in subparagraph (B)(i) during each fiscal year thereafter;

(II)(aa) 15 term-limited positions described in subparagraph (B)(i) during fiscal year 2024; and

(bb) 10 term-limited positions described in subparagraph (B)(i) during each fiscal year thereafter;

(III)(aa) 15 permanent positions described in subparagraph (B)(ii) during fiscal year 2024; and

(bb) 10 permanent positions described in subparagraph (B)(ii) during each fiscal year thereafter; and

(IV)(aa) 15 term-limited positions described in subparagraph (B)(ii) during fiscal year 2024; and

(bb) 10 term-limited positions described in subparagraph (B)(ii) during each fiscal year thereafter.

(ii) TERM OF TERM-LIMITED APPOINTMENT.—If a person is appointed to a term-limited position described in clause (i) or (ii) of subparagraph (B), the term of that appointment shall not exceed 4 years.

(iii) STAFF POSITIONS.—Subject to paragraph (5), appointments made to positions established under this paragraph shall be to a range of staff positions that are of entry, mid, and senior levels, to the extent practicable.

(D) HIRING BONUS.—The Commission may pay a person appointed under subparagraph (A) a 1-time hiring bonus in an amount not to exceed the least of—

(i) $25,000;

(ii) the amount equal to 15 percent of the annual rate of basic pay of the employee; and

(iii) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(3) COMPENSATION AND APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Notwithstanding section 161 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(d)), any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and chapter 51, and subchapter III of chapter 53, of title 5, United States Code, the Chairman, subject to the limitations described in subparagraph (C) and without regard to the civil service laws, may—

(i) establish and fix the rates of basic pay for the positions described in subparagraph (B); and

(ii) appoint persons to the positions established under clause (i).

(B) POSITIONS DESCRIBED.—The positions referred to in subparagraph (A)(i) are—

(i) positions with highly specialized scientific, engineering, and technical competencies to address a critical need for the Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or engineer;

(IV) risk and reliability analyst or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) positions to be filled by exceptionally well-qualified persons that the Chairman, subject to paragraph (5), determines are necessary to fulfill the mission of the Commission.

(C) LIMITATIONS.—

(i) IN GENERAL.—The annual rate of basic pay for a position described in subparagraph (B) may not exceed the per annum rate of salary payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(ii) NUMBER OF POSITIONS.—Appointments under subparagraph (A)(ii) may be made to not more than—

(I) 10 positions described in subparagraph (B)(i) per fiscal year, not to exceed a total of 50 positions; and

(II) 10 positions described in subparagraph (B)(ii) per fiscal year, not to exceed a total of 50 positions.

(D) PERFORMANCE BONUS.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), an employee may be paid a 1-time performance bonus in an amount not to exceed the least of—

(I) $25,000;

(II) the amount equal to 15 percent of the annual rate of basic pay of the person; and

(III) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(ii) PERFORMANCE.—Any 1-time performance bonus under clause (i) shall be made to a person who demonstrated exceptional performance in the applicable fiscal year, including—

(I) leading a project team in a timely, efficient, and predictable licensing review to enable the safe use of nuclear technology;

(II) making significant contributions to a timely, efficient, and predictable licensing review to enable the safe use of nuclear technology;

(III) the resolution of novel or first-of-a-kind regulatory issues;

(IV) developing or implementing licensing or regulatory oversight processes to improve the effectiveness of the Commission; and

(V) other performance, as determined by the Chairman, subject to paragraph (5).

(iii) LIMITATIONS.—The Commission may pay a 1-time performance bonus under clause (i) for not more than 15 persons per fiscal year, and a person who receives a 1-time performance bonus under that clause may not receive another 1-time performance bonus under that clause for a period of 5 years thereafter.

(4) ANNUAL SOLICITATION FOR NUCLEAR REGULATOR APPRENTICESHIP NETWORK APPLICATIONS.—The Chairman, on an annual basis, shall solicit applications for the Nuclear Regulator Apprenticeship Network.

(5) APPLICATION OF MERIT SYSTEM PRINCIPLES.—To the maximum extent practicable, appointments under paragraphs (2)(A) and (3)(A) and any 1-time performance bonus under paragraph (3)(D) shall be made in accordance with the merit system principles set forth in section 2301 of title 5, United States Code.

(6) DELEGATION.—Pursuant to Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), the Chairman shall delegate, subject to the direction and supervision of the Chairman, the authority provided by paragraphs (2), (3), and (4) to the Executive Director for Operations of the Commission.

(7) ANNUAL REPORT.—The Commission shall include in the annual budget justification of the Commission—

(A) information that describes—

(i) the total number of and the positions of the persons appointed under the authority provided by paragraph (2);

(ii) the total number of and the positions of the persons paid at the rate determined under the authority provided by paragraph (3)(A);

(iii) the total number of and the positions of the persons paid a 1-time performance bonus under the authority provided by paragraph (3)(D);

(iv) how the authority provided by paragraphs (2) and (3) is being used, and has been used during the previous fiscal year, to address the hiring and retention needs of the Commission with respect to the positions described in those subsections to which that authority is applicable;

(v) if the authority provided by paragraphs (2) and (3) is not being used, or has not been used, the reasons, including a justification, for not using that authority; and

(vi) the attrition levels with respect to the term-limited appointments made under paragraph (2), including, with respect to persons leaving a position before completion of the applicable term of service, the average length of service as a percentage of the term of service;

(B) an assessment of—

(i) the current critical workforce needs of the Commission, including any critical workforce needs that the Commission anticipates in the subsequent 5 fiscal years; and

(ii) further skillsets that are or will be needed for the Commission to fulfill the licensing and oversight responsibilities of the Commission; and

(C) the plans of the Commission to assess, develop, and implement updated staff performance standards, training procedures, and schedules.

(8) REPORT ON ATTRITION AND EFFECTIVENESS.—Not later than September 30, 2032, the Commission shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Energy and Commerce of the House of Representatives a report that—

(A) describes the attrition levels with respect to the term-limited appointments made under paragraph (2), including, with respect to persons leaving a position before completion of the applicable term of service, the average length of service as a percentage of the term of service;

(B) provides the views of the Commission on the effectiveness of the authorities provided by paragraphs (2) and (3) in helping the Commission fulfill the mission of the Commission; and

(C) makes recommendations with respect to whether the authorities provided by paragraphs (2) and (3) should be continued, modified, or discontinued.

(v) COMMISSION CORPORATE SUPPORT FUNDING.—

(1) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress and make publicly available a report that describes—

(A) the progress on the implementation of section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)); and

(B) whether the Commission is meeting and is expected to meet the total budget authority caps required for corporate support under that section.

(2) LIMITATION ON CORPORATE SUPPORT COSTS.—Section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) 30 percent for fiscal year 2024 and each fiscal year thereafter.''.

(3) CORPORATE SUPPORT COSTS CLARIFICATION.—Paragraph (9) of section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) (as redesignated by subsection (f)(1)(A)) is amended—

(A) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(B) by adding at the end the following:

''(B) EXCLUSIONS.—The term 'corporate support costs' does not include—

''(i) costs for rent and utilities relating to any and all space in the Three White Flint North building that is not occupied by the Commission; or

''(ii) costs for salaries, travel, and other support for the Office of the Commission.''.

(w) PERFORMANCE AND REPORTING UPDATE.—Section 102(c) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(c)) is amended—

(1) in paragraph (3)—

(A) in the paragraph heading, by striking ''180'' and inserting ''90''; and

(B) by striking ''180'' and inserting ''90''; and

(2) by adding at the end the following:

''(4) PERIODIC UPDATES TO METRICS AND SCHEDULES.—

''(A) REVIEW AND ASSESSMENT.—Not less frequently than once every 3 years, the Commission shall review and assess, based on the licensing and regulatory activities of the Commission, the performance metrics and milestone schedules established under paragraph (1).

''(B) REVISIONS.—After each review and assessment under subparagraph (A), the Commission shall revise and improve, as appropriate, the performance metrics and milestone schedules described in that subparagraph to provide the most efficient metrics and schedules reasonably achievable.''.

(x) NUCLEAR CLOSURE COMMUNITIES.—

(1) DEFINITIONS.—In this subsection:

(A) COMMUNITY ADVISORY BOARD.—The term ''community advisory board'' means a community committee or other advisory organization that aims to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect.

(B) DECOMMISSION.—The term ''decommission'' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

(C) ELIGIBLE RECIPIENT.—The term ''eligible recipient'' has the meaning given the term in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122).

(D) LICENSEE.—The term ''licensee'' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

(E) NUCLEAR CLOSURE COMMUNITY.—The term ''nuclear closure community'' means a unit of local government, including a county, city, town, village, school district, or special district, that has been impacted, or reasonably demonstrates to the satisfaction of the Secretary that it will be impacted, by a nuclear power plant licensed by the Commission that—

(i) is not co-located with an operating nuclear power plant;

(ii) is at a site with spent nuclear fuel; and

(iii) as of the date of enactment of this Act—

(I) has ceased operations; or

(II) has provided a written notification to the Commission that it will cease operations.

(F) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development.

(2) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a grant program to provide grants to eligible recipients—

(A) to assist with economic development in nuclear closure communities; and

(B) to fund community advisory boards in nuclear closure communities.

(3) REQUIREMENT.—In carrying out this subsection, to the maximum extent practicable, the Secretary shall implement the recommendations described in the report submitted to Congress under section 108 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577) entitled ''Best Practices for Establishment and Operation of Local Community Advisory Boards Associated with Decommissioning Activities at Nuclear Power Plants''.

(4) DISTRIBUTION OF FUNDS.—The Secretary shall establish a formula to ensure, to the maximum extent practicable, geographic diversity among grant recipients under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Secretary—

(i) to carry out paragraph (2)(A), $35,000,000 for each of fiscal years 2023 through 2028; and

(ii) to carry out paragraph (2)(B), $5,000,000 for each of fiscal years 2023 through 2025.

(B) AVAILABILITY.—Amounts made available under this subsection shall remain available for a period of 5 years beginning on the date on which the amounts are made available.

(C) NO OFFSET.—None of the funds made available under this subsection may be used to offset the funding for any other Federal program.

(y) TECHNICAL CORRECTION.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) by striking the third sentence and inserting the following:

''(3) LIMITATION ON UTILIZATION FACILITIES.—The Commission may issue a license under this section for a utilization facility useful in the conduct of research and development activities of the types specified in section 31 if—

''(A) not more than 75 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale, other than for research and development or education and training, of—

''(i) nonenergy services;

''(ii) energy; or

''(iii) a combination of nonenergy services and energy; and

''(B) not more than 50 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale of energy.'';

(2) in the second sentence, by striking ''The Commission'' and inserting the following:

''(2) REGULATION.—The Commission''; and

(3) by striking ''c. The Commission'' and inserting the following:

''c. RESEARCH AND DEVELOPMENT ACTIVITIES.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Commission''.

(z) REPORT ON ENGAGEMENT WITH THE GOVERNMENT OF CANADA WITH RESPECT TO NUCLEAR WASTE ISSUES IN THE GREAT LAKES BASIN.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate,

and the Committee on Foreign Affairs of the House of Representatives a report describing any engagement between the Commission and the Government of Canada with respect to nuclear waste issues in the Great Lakes Basin.

(aa) SAVINGS CLAUSE.—Nothing in this section affects authorities of the Department of State.

SA 871. Mr. BRAUN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 8_____. MODIFICATIONS TO RIGHTS IN TECHNICAL DATA.

Section 3771(b) of title 10, United States Code, is amended—

(1) in paragraph (3)(C), by inserting ''for which the United States shall have government purpose rights, unless the Government and the contractor negotiate different license rights'' after ''component)''; and

(2) in paragraph (4)(A)—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) is a release, disclosure, or use of detailed manufacturing or process data—

''(I) that is necessary for operation, maintenance, installation, or training and shall be used only for operation, maintenance, installation, or training purposes supporting wartime operations or contingency operations; and

''(II) for which the head of an agency determines that the original supplier of such data will be unable to satisfy military readiness or operational requirements for such operations; or''.

SA 872. Ms. KLOBUCHAR (for herself, Mr. CRAMER, Mr. CARPER, and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CREDIT MONITORING.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605A(k) (15 U.S.C. 1681c–1(k)) is amended—

(A) by amending paragraph (1) to read as follows:

''(1) DEFINITIONS.—In this subsection:

''(A) UNIFORMED SERVICES.—The term 'uniformed services' has the meaning given the term in section 101(a) of title 10, United States Code.

''(B) UNIFORMED SERVICES MEMBER CONSUMER.—The term 'uniformed services member consumer' means a consumer who, regardless of duty status, is—

''(i) a member of the uniformed services; or

''(ii) a spouse, or a dependent who is not less than 18 years old, of a member of the uniformed services.''; and

(B) in paragraph (2)(A), by striking ''active duty military consumer'' and inserting ''uniformed services member consumer''; and

(2) in section 625 (15 U.S.C. 1681t(b)(1)(K)), by striking ''active duty military consumers'' and inserting ''uniformed services member consumer''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 1 year after the date on which the appropriate agency updates existing rules to implement the amendments made by subsection (a).

SA 873. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10___. PUBLIC BUILDING PROHIBITIONS BASED ON LEGALITY OR AVAILABILITY OF ABORTION.

(a) ACQUISITION OF BUILDINGS AND SITES.—Section 3304 of title 40, United States Code, is amended—

(1) in subsection (a), by inserting ''(referred to in this section as the 'Administrator')'' after ''Administrator of General Services''; and

(2) by adding at the end the following:

''(e) NO CONSIDERATION OF LEGALITY OR AVAILABILITY OF ABORTION.—In acquiring a building or site under this section, the Administrator shall not consider the legality or availability of abortion.''.

(b) CONSTRUCTION AND ALTERATION OF BUILDINGS.—Section 3305 of title 40, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence, by inserting ''(referred to in this section as the 'Administrator')'' after ''Administrator of General Services''; and

(B) by adding at the end the following:

''(4) NO CONSIDERATION OF LEGALITY OR AVAILABILITY OF ABORTION.—In acquiring a site to construct a public building under paragraph (1), including through exchange, the Administrator shall not consider the legality or availability of abortion.''; and

(2) in subsection (b)(1)(B), by striking ''section 3304(b)-(d) of this title'' and inserting ''subsections (b) through (e) of section 3304''.

(c) LEASE OF BUILDINGS.—Section 1302 of title 40, United States Code, is amended by adding at the end the following: ''The leasing of buildings and property of the Federal Government shall not be based on the consideration of the legality or availability of abortion.''.

(d) LEASE AGREEMENTS.—Section 585 of title 40, United States Code, is amended—

(1) in subsection (a)(1), in the first sentence, by inserting ''(referred to in this section as the 'Administrator')'' after ''Administrator of General Services''; and

(2) by adding at the end the following:

''(e) NO CONSIDERATION OF LEGALITY OR AVAILABILITY OF ABORTION.—In entering into a lease agreement under this section, the Administrator shall not consider the legality or availability of abortion.''.

SA 874. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION ON FLAGS OTHER THAN THE FLAG OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) FLAG OF THE UNITED STATES.—The term ''flag of the United States'' has the meaning given the term in section 700(b) of title 18, United States Code.

(2) PUBLIC BUILDING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''public building'' has the meaning given the term in section 3301(a) of title 40, United States Code.

(B) INCLUSION.—The term ''public building'' includes—

(i) a military installation (as defined in section 2801(c) of title 10, United States Code); and

(ii) any embassy or consulate of the United States.

(b) PROHIBITIONS.—Notwithstanding any other provision of law and except as provided in subsection (c), no flag that is not the flag of the United States may be flown, draped, or otherwise displayed—

(1) on the exterior of a public building; or

(2) in the hallway of a public building.

(c) EXCEPTIONS.—The prohibitions under subsection (b) shall not apply to—

(1) a National League of Families POW/MIA flag (as designated by section 902 of title 36, United States Code);

(2) any flag that represents the nation of a visiting diplomat;

(3) the State flag of the State represented by a member of Congress, outside or within the office of the member;

(4) in the case of a military installation, any flag that represents a unit or branch of the Armed Forces;

(5) any flag that represents an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); or

(6) any flag that represents the State, territory, county, city, or local jurisdiction in which the public building is located.

SA 875. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—CALIFORNIA PUBLIC LAND

TITLE LXI—NORTHWEST CALIFORNIA WILDERNESS, RECREATION, AND WORKING FORESTS

SEC. 6101. 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. 6111. SOUTH FORK TRINITY-MAD RIVER RESTORATION AREA.

(a) DEFINITIONS.—In this section:

(1) COLLABORATIVELY DEVELOPED.—The term ''collaboratively developed'' means, with respect to a restoration project, the development and implementation of the restoration project 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—

(A) effectively addresses all slash generated by a project; and

(B) retains, to the maximum extent practicable—

(i) adequate canopy cover to suppress plant regrowth in the forest understory following treatment;

(ii) the longest living trees that provide the most shade over the longest period of time;

(iii) the healthiest and most vigorous trees with the greatest potential for crown growth in—

(I) plantations; and

(II) natural stands adjacent to plantations; and

(iv) mature hardwoods.

(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 in 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 871,414 acres of Federal land administered by the Forest Service and the Bureau of Land Management, as generally depicted on the map entitled ''South Fork Trinity-Mad River Restoration Area'' and dated May 15, 2020.

(c) PURPOSES.—The purposes of the restoration area are—

(1) to establish, restore, and maintain fire-resilient late successional forest structures characterized by large trees and multistoried canopies, as ecologically appropriate, in the restoration area;

(2) to protect late successional reserves in the restoration area;

(3) to enhance the restoration of Federal land in the restoration area;

(4) to reduce the threat posed by wildfires to communities in or in the vicinity of the restoration area;

(5) to protect and restore aquatic habitat and anadromous fisheries;

(6) to protect the quality of water within the restoration area; and

(7) to 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—

(i) consistent with the purposes described in subsection (c); and

(ii) in the case of the Forest Service, that prioritizes the 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, California;

(B) in accordance with an agreement entered into by the Chief of the Forest Service and the Director of the United States Fish and Wildlife Service—

(i) for cooperation to ensure the timely consultation required under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) on restoration projects within the restoration area; and

(ii) to maintain and exchange information on planning schedules and priorities with respect to the restoration area on a regular basis;

(C) in accordance with—

(i) the laws (including regulations) and rules applicable to the National Forest System, with respect to land managed by the Forest Service;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), with respect to 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 be completed in a timely and efficient manner.

(2) CONFLICT OF LAWS.—

(A) IN GENERAL.—The establishment of the restoration area shall not modify the management status of any land or water that is designated as a component of the National Wilderness Preservation System or the National Wild and Scenic Rivers System, including land or water designated as a component of the National Wilderness Preservation System or the National Wild and Scenic Rivers System by this title (including an amendment made by this title).

(B) RESOLUTION OF CONFLICT.—If there is a conflict between a law applicable to a component 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 give priority to restoration activities within the restoration area.

(C) LIMITATION.—Nothing in this section limits the ability of the Secretary 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 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.—To the maximum extent practicable, the Secretary may use prescribed burning and managed wildland fire to achieve the purposes of this section.

(5) ROAD DECOMMISSIONING.—

(A) DEFINITION OF DECOMMISSION.—In this paragraph, the term ''decommission'' means, with respect to a road—

(i) to reestablish vegetation on the road; and

(ii) to restore any natural drainage, watershed function, or other ecological process that is disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(B) DECOMMISSIONING.—To the maximum extent practicable, the Secretary shall decommission any unneeded National Forest System road or any unauthorized road identified for decommissioning within the restoration area—

(i) subject to appropriations;

(ii) consistent with the analysis required under subparts A and B of part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(iii) in accordance with existing law.

(C) ADDITIONAL REQUIREMENT.—In making determinations with respect to the decommissioning of a road under subparagraph (B), the Secretary shall consult with—

(i) appropriate State, Tribal, and local governmental entities; and

(ii) members of the public.

(6) VEGETATION MANAGEMENT.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the Secretary may carry out any vegetation management projects in the restoration area that the Secretary determines to be necessary—

(i) to maintain or restore the characteristics of ecosystem composition and structure;

(ii) to reduce wildfire risk to the community by promoting forests that are fire resilient;

(iii) to improve the habitat of threatened species, endangered species, or sensitive species;

(iv) to protect or improve water quality; or

(v) to enhance the restoration of land within the restoration area.

(B) ADDITIONAL REQUIREMENTS.—

(i) SHADED FUEL BREAKS.—In carrying out subparagraph (A), the Secretary shall prioritize, as practicable, the establishment in the restoration area of a network of shaded fuel breaks within—

(I) any portion of the wildland-urban interface that is within 150 feet of private property contiguous to Federal land;

(II) on the condition that the Secretary includes vegetation treatments within a minimum of 25 feet of a road that is open to motorized vehicles as of the date of enactment of this Act if practicable, feasible, and appropriate as part of any shaded fuel break—

(aa) 150 feet of the road; or

(bb) as topography or other conditions require, 275 feet of the road, if the combined total width of the shaded fuel breaks for both sides of the road does not exceed 300 feet; or

(III) 150 feet of any plantation.

(ii) PLANTATIONS; RIPARIAN RESERVES.—The Secretary may carry out vegetation management projects—

(I) in an area within the restoration area in which a fish or wildlife habitat is significantly compromised as a result of past management practices (including plantations); and

(II) in designated riparian reserves in the restoration area, as the Secretary determines to be necessary—

(aa) to maintain the integrity of fuel breaks; or

(bb) to enhance fire resilience.

(C) APPLICABLE LAW.—The Secretary shall carry out vegetation management projects in the restoration area—

(i) in accordance with—
(I) this section; and
(II) applicable 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 carrying out vegetation management projects in 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 such reasonable regulations, policies, and practices as the Secretary considers to be necessary;
(ii) in accordance with applicable law (including regulations); and
(iii) 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 an area of the restoration area in which the grazing of livestock is not authorized before the date of enactment of this Act to control noxious weeds, aid in the control of wildfire within the wildland-urban interface, or provide other ecological benefits—
(i) subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and
(ii) in a manner consistent with the purposes described in subsection (c).
(C) BEST AVAILABLE SCIENCE.—The Secretary shall use the best available science in determining whether to issue targeted grazing permits under subparagraph (B) 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 carry out this section; and
(2) use revenue derived from stewardship contracts under paragraph (1) to carry out restoration and other activities within the restoration area, including staff and administrative costs to support timely consultation activities for restoration projects.
(g) COLLABORATION.—In developing and carrying out 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 in sections 104, 105, and 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6514, 6515, 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) AVAILABLE AUTHORITIES.—The Secretary shall use any available authorities to secure the funding 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 use 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 institutions of higher education, nongovernmental organizations, industry, Tribes, and Federal, State, and local governmental agencies.

SEC. 6112. REDWOOD NATIONAL AND STATE PARKS RESTORATION.

(a) PARTNERSHIP AGREEMENTS.—The Secretary of the Interior may carry out initiatives to restore degraded redwood forest ecosystems in Redwood National and State Parks in partnership with the State, local agencies, and nongovernmental organizations.
(b) APPLICABLE LAW.—In carrying out an initiative under subsection (a), the Secretary of the Interior shall comply with applicable law.

SEC. 6113. CALIFORNIA PUBLIC LAND REMEDIATION PARTNERSHIP.

(a) DEFINITIONS.—In this section:
(1) PARTNERSHIP.—The term ''partnership'' means the California Public Land Remediation Partnership established by subsection (b).
(2) PRIORITY LAND.—The term ''priority land'' means Federal land in the State that is determined by the partnership to be a high priority for remediation.
(3) REMEDIATION.—
(A) IN GENERAL.—The term ''remediation'' means to facilitate the recovery of land or water that has been degraded, damaged, or destroyed by illegal marijuana cultivation or another illegal activity.
(B) INCLUSIONS.—The term ''remediation'' includes—
(i) the removal of trash, debris, or other material; and
(ii) establishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial or aquatic ecosystem sustainability, resilience, or health under current and future conditions.
(b) ESTABLISHMENT.—There is established the California Public Land Remediation Partnership.
(c) PURPOSES.—The purposes of the partnership are to support coordination of activities among Federal, State, Tribal, and local authorities and the private sector in the remediation of priority land in the State affected by illegal marijuana cultivation or another illegal activity.
(d) MEMBERSHIP.—The members of the partnership shall include the following:
(1) The Secretary of Agriculture (or a designee) to represent the Forest Service.
(2) The Secretary of the Interior (or a designee) to represent—
(A) the United States Fish and Wildlife Service;
(B) the Bureau of Land Management; and
(C) the National Park Service.
(3) The Director of the Office of National Drug Control Policy (or a designee).
(4) The Secretary of the State Natural Resources Agency (or a designee) 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) 1 member to represent federally recognized Indian Tribes, to be appointed by the Secretary of Agriculture.
(8) 1 member to represent nongovernmental organizations with an interest in Federal land remediation, to be appointed by the Secretary of Agriculture.
(9) 1 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 subject matter expert to provide expertise and advice on methods needed for remediation efforts, to be appointed by the Secretary of Agriculture.
(12) A designee of the National Guard Counterdrug Program.
(13) Any other members that are determined to be appropriate by the partnership.
(e) DUTIES.—To further the purposes of this section and subject to subsection (f), the partnership shall—
(1) identify priority land for remediation in the State;
(2) secure voluntary contributions of resources from Federal sources and non-Federal sources for remediation of priority land in the State;
(3) support efforts by Federal, State, Tribal, and local agencies and nongovernmental organizations in carrying out remediation of priority land in the State;
(4) support research and education on the impacts of, and solutions to, illegal marijuana cultivation and other illegal activities on priority land in the State;
(5) involve other Federal, State, Tribal, and local agencies, nongovernmental organizations, and the public in remediation efforts on priority land in the State, to the maximum extent practicable; and
(6) carry out any other administrative or advisory activities necessary to address remediation of priority land in the State.
(f) LIMITATION.—Nothing in this section limits the authorities of the Federal, State, Tribal, and local entities that comprise the partnership.
(g) AUTHORITIES.—Subject to the prior approval of the Secretary of Agriculture and consistent with applicable law (including regulations), the partnership may—
(1) provide grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;
(2) enter into cooperative agreements with or provide technical assistance to Federal agencies, the State, political subdivisions of the State, nonprofit organizations, and other interested persons;
(3) identify opportunities for collaborative efforts among members of the partnership;
(4) hire and compensate staff;
(5) obtain funds or services from any source, including—
(A) Federal funds (including funds and services provided under any other Federal law or program); and
(B) non-Federal funds;
(6) coordinate to identify sources of funding or services that may be available for remediation activities;
(7) seek funds or services from any source, including—
(A) Federal funds (including funds and services provided under any other Federal law or program); and
(B) non-Federal funds; and
(8) support—
(A) activities of partners; and
(B) any other activities that further the purposes of this section.
(h) PROCEDURES.—The partnership shall establish any internal administrative procedures for the partnership that the partnership determines to be necessary or appropriate.

(i) LOCAL HIRING.—The partnership shall, to the maximum extent practicable and in accordance with existing law, give preference to local entities and individuals in carrying out this section.

(j) SERVICE WITHOUT COMPENSATION.—A member of the partnership shall serve without pay.

(k) DUTIES AND AUTHORITIES OF THE SECRETARIES.—

(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 the Secretary of the Interior may provide technical and financial assistance, on a reimbursable or nonreimbursable basis, as determined to be appropriate by the Secretary of Agriculture or the Secretary of the Interior, as applicable, to the partnership or any members of the partnership to carry out this section.

(3) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture and the Secretary of the Interior may enter into cooperative agreements with the partnership, any member of the partnership, or other public or private entities to provide technical, financial, or other assistance to carry out this section.

SEC. 6114. TRINITY LAKE VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the ''Secretary''), may establish, in cooperation with any other public or private entity that the Secretary determines 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 provide for the interpretation of the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of the Whiskeytown-Shasta-Trinity National Recreation Area and other Federal land in the vicinity of the visitor center.

(c) COOPERATIVE AGREEMENTS.—In a manner consistent with this section, the Secretary may enter into cooperative agreements with the State and any other appropriate institutions and organizations to carry out the purposes of this section.

SEC. 6115. DEL NORTE COUNTY VISITOR CENTER.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of the Interior, acting jointly or separately (referred to in this section as the ''Secretaries''), may establish, in cooperation with any other public or private entity 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 any other Federal land in the vicinity of the visitor center.

(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 any other Federal land in the vicinity of the visitor center.

SEC. 6116. LAND AND RESOURCE MANAGEMENT PLANS.

In revising the land and resource management plan for each of the Shasta-Trinity, Six Rivers, Klamath, and Mendocino National Forests, the Secretary shall consider the purposes of the South Fork Trinity-Mad River Restoration Area established by section 6111(b).

SEC. 6117. ANNUAL FIRE MANAGEMENT PLANS.

In revising the fire management plan for a wilderness area or wilderness addition designated by section 6131(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 the 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 to which land is added under section 6131, provides consistent direction regarding fire management to the entire wilderness area, including the wilderness addition;

(3) consult with—

(A) appropriate State, Tribal, and local governmental entities; and

(B) members of the public; and

(4) comply with applicable law (including regulations).

SEC. 6118. STUDY; PARTNERSHIPS RELATED TO OVERNIGHT ACCOMMODATIONS.

(a) STUDY.—The Secretary of the Interior (referred to in this section as the ''Secretary''), 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 that is—

(A) at the northern boundary of Redwood National and State Parks; or

(B) on land within 20 miles of the northern boundary of Redwood National and State Parks; and

(2) Federal land that is—

(A) at the southern boundary of Redwood National and State Parks; or

(B) on land within 20 miles of the southern boundary of Redwood National and State Parks.

(b) PARTNERSHIPS.—

(1) AGREEMENTS AUTHORIZED.—If the Secretary determines, based on the study conducted under subsection (a), that establishing the accommodations described in that subsection is suitable and feasible, the Secretary may, in accordance with applicable law, enter into 1 or more agreements with qualified private and nonprofit organizations for the development, operation, and maintenance of the accommodations.

(2) CONTENTS.—Any agreement entered into under paragraph (1) shall clearly define the role and responsibility of the Secretary and the private or nonprofit organization entering into the agreement.

(3) 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 law (including regulations) applicable to land under the jurisdiction of the Secretary.

Subtitle B—Recreation

SEC. 6121. 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 7,482 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'' and dated May 15, 2020.

(b) PURPOSE.—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 5 years after the date of enactment of this Act and in accordance with paragraph (2), the Secretary of Agriculture (referred to in this section as 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 purpose 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 bicycling, motorized recreation on authorized routes, and other recreational activities, if the recreational use is consistent with—

(A) the purpose of the special management area;

(B) this section;

(C) other applicable law (including regulations); and

(D) any 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. 6122. BIGFOOT NATIONAL RECREATION TRAIL.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary of Agriculture (referred to in this section as the ''Secretary''), in cooperation with the Secretary of the Interior, 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 study that describes the feasibility of establishing a nonmotorized Bigfoot National Recreation Trail that follows the route described in paragraph (2).

(2) ROUTE.—The route referred to in paragraph (1) shall extend from the Ides Cove Trailhead in the Mendocino National Forest to Crescent City, California, 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 under paragraph (1), the Secretary 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.—On a determination by the Secretary that the Bigfoot National Recreation Trail is feasible and meets the requirements for a National Recreation Trail under section 4 of the National Trails System Act (16 U.S.C. 1243), the Secretary shall designate the Bigfoot National Recreation Trail (referred to in this section as the ''trail'') in accordance with—

(A) the National Trails System Act (16 U.S.C. 1241 et seq.)

(B) this title; and

(C) other applicable law (including regulations).

(2) ADMINISTRATION.—On designation by the Secretary, the trail shall be administered by the Secretary, 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 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 may enter into cooperative agreements with State, Tribal, and local government entities and private entities—

(1) to complete necessary trail construction, reconstruction, realignment, or maintenance; or

(2) carry out education projects relating to the trail.

(d) MAP.—

(1) MAP REQUIRED.—On designation of the trail, the Secretary 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. 6123. ELK CAMP RIDGE RECREATION TRAIL.

(a) DESIGNATION.—

(1) IN GENERAL.—In accordance with paragraph (2), the Secretary of Agriculture (referred to in this section as the ''Secretary''), after providing an opportunity for public comment, shall designate a trail (which may include a system of trails)—

(A) for use by off-highway vehicles, mountain bicycles, or both; and

(B) to be known as the ''Elk Camp Ridge Recreation Trail'' (referred to in this section as the ''trail'').

(2) REQUIREMENTS.—In designating the trail under paragraph (1), the Secretary shall only include routes that are—

(A) as of the date of enactment of this Act, authorized for use by off-highway vehicles, mountain bicycles, or both; and

(B) located on land that is managed by the Forest Service in Del Norte County in the State.

(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 law (including regulations);

(B) in a manner that ensures the safety of citizens who use the trail; and

(C) in a manner that minimizes 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 in the State 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 habitat;

(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 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. 6124. TRINITY LAKE TRAIL.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 3 years 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 (referred to in this section as the ''trail'').

(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 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. 6125. TRAILS STUDY.

(a) IN GENERAL.—Not later than 3 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 in the State.

(b) CONSULTATION.—In carrying out the study under 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 System land described in subsection (a).

SEC. 6126. CONSTRUCTION OF MOUNTAIN BICYCLING ROUTES.

(a) TRAIL CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 3 years after the date of enactment of this Act, the Secretary of Agriculture (referred to in this section as the ''Secretary'') 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 1 or more routes described in that 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 determined to be necessary by 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. 6127. PARTNERSHIPS.

(a) AGREEMENTS AUTHORIZED.—The Secretary may enter into agreements with qualified private and nonprofit organizations to carry out the following activities on Federal land in Mendocino, Humboldt, Trinity, and Del Norte Counties in the State:

(1) Trail and campground maintenance.

(2) Public education, visitor contacts, and outreach.

(3) Visitor center staffing.

(b) CONTENTS.—An agreement 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. 6131. 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 11,155 acres, as generally depicted on the map entitled ''Black Butte Wilderness—Proposed'' and dated May 15, 2020, 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 6,382 acres, as generally depicted on the map entitled ''Chanchelulla Wilderness Additions—Proposed'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Chanchelulla Wilderness designated by section 101(a)(4) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1619).

(3) CHINQUAPIN WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 27,164 acres, as generally depicted on the map entitled ''Chinquapin Wilderness—Proposed'' and dated May 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 February 2, 2022, which is incorporated in, and considered to be a part of, the Elkhorn Ridge Wilderness designated by section 6(d) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 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 February 2, 2022, 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 6,097 acres, as generally depicted on the map entitled ''Mad River Buttes Wilderness—Proposed'' and dated May 15, 2020, 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 1,288 acres, as generally depicted on the map entitled ''Mt. Lassic Wilderness Additions—Proposed'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Mount Lassic Wilderness designated by section 3(6) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2065).

(9) NORTH FORK WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service and the Bureau of Land Management in the State, comprising approximately 16,342 acres, as generally depicted on the map entitled ''North Fork Eel Wilderness Additions'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the North Fork Wilderness designated by section 101(a)(19) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1621).

(10) PATTISON WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 29,451 acres, as generally depicted on the map entitled ''Pattison Wilderness—Proposed'' and dated May 15, 2020, which shall be known as the ''Pattison Wilderness''.

(11) SISKIYOU WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 23,913 acres, as generally depicted on the maps entitled ''Siskiyou Wilderness Additions—Proposed (North)'' and ''Siskiyou Wilderness Additions—Proposed (South)'' and dated May 15, 2020, 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; Public Law 98–425; 98 Stat. 1623).

(12) 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 designated by section 3(10) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2066).

(13) SOUTH FORK TRINITY RIVER WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 26,115 acres, as generally depicted on the map entitled ''South Fork Trinity River Wilderness Additions—Proposed'' and dated May 15, 2020, which shall be known as the ''South Fork Trinity River Wilderness''.

(14) TRINITY ALPS WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service in the State, comprising approximately 61,187 acres, as generally depicted on the maps entitled ''Trinity Alps Proposed Wilderness Additions EAST'' and ''Trinity Alps Wilderness Additions West—Proposed'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Trinity Alps Wilderness designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1623).

(15) UNDERWOOD WILDERNESS.—Certain Federal land managed by the Forest Service in the State, comprising approximately 15,068 acres, as generally depicted on the map entitled ''Underwood Wilderness—Proposed'' and dated May 15, 2020, which shall be known as the ''Underwood Wilderness''.

(16) 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 11,243 acres, as generally depicted on the maps entitled ''Yolla Bolly Wilderness Proposed—NORTH'', ''Yolla Bolly Wilderness Proposed—SOUTH'', and ''Yolla Bolly Wilderness Proposed—WEST'' and dated May 15, 2020, which is incorporated in, and considered to be a part of, the Yolla Bolly-Middle Eel Wilderness designated by section 3 of the Wilderness Act (16 U.S.C. 1132).

(17) 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 February 7, 2022, which is incorporated in, and considered to be a part of, the Yuki Wilderness designated by section 3(3) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2065).

(b) REDESIGNATION OF NORTH FORK WILDERNESS AS NORTH FORK EEL RIVER WILDERNESS.—

(1) IN GENERAL.—Section 101(a)(19) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1621) is amended by striking ''which shall be known as the North Fork Wilderness'' and inserting ''which shall be known as the 'North Fork Eel River Wilderness' ''.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the ''North Fork Wilderness'' shall be considered to be a reference to the ''North Fork Eel River Wilderness''.

(c) ELKHORN RIDGE WILDERNESS MODIFICATION.—The boundary of the Elkhorn Ridge Wilderness established by section 6(d) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2070) is modified by removing approximately 30 acres of Federal land, as generally depicted on the map entitled ''Proposed Elkhorn Ridge Wilderness Additions'' and dated October 24, 2019.

SEC. 6132. ADMINISTRATION OF WILDERNESS.

(a) IN GENERAL.—Subject to valid existing rights, a wilderness area or wilderness addition established by section 6131(a) (referred to in this section as a ''wilderness area or addition'') 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 carry out any activities in a wilderness area or addition as are necessary for the control of fire, insects, or disease in accordance with—

(A) section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)); and

(B) the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 1437 of the 98th Congress (House Report 98–40).

(2) FUNDING PRIORITIES.—Nothing in this subtitle limits funding for fire or fuels management in a wilderness area or addition.

(3) 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 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 a wilderness area or addition, 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 land 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); and

(B) for land 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 subtitle affects the jurisdiction or responsibilities of the State with respect to fish and wildlife on public land in the State.

(2) MANAGEMENT ACTIVITIES.—In support of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activity that the Secretary determines to be necessary to maintain or restore a fish, wildlife, or plant population or habitat in a wilderness area or addition, if the management activity is conducted in accordance with—

(A) an applicable wilderness management plan;

(B) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(C) 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).

(e) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle establishes a protective perimeter or buffer zone around a wilderness area or addition.

(2) OUTSIDE ACTIVITIES OR USES.—The fact that a nonwilderness activity or use can be seen or heard from within a wilderness area or addition shall not preclude the activity or use outside the boundary of the wilderness area or addition.

(f) MILITARY ACTIVITIES.—Nothing in this subtitle precludes—

(1) low-level overflights of military aircraft over a wilderness area or addition;

(2) the designation of a new unit of special airspace over a wilderness area or addition; or

(3) the use or establishment of a military flight training route over a wilderness area or addition.

(g) HORSES.—Nothing in this subtitle precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, a wilderness area or addition—

(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 additions 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 additions 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 additions 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 1 or more specific portions of a wilderness area or 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 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 addition that is acquired by the United States shall—

(1) become part of the wilderness area or addition in which the land is located;

(2) be withdrawn in accordance with subsection (h); and

(3) 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.

(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 devices and access to the devices are essential to a flood warning, flood control, or water reservoir operation activity.

(l) AUTHORIZED EVENTS.—The Secretary may continue to authorize the competitive equestrian event permitted since 2012 in the Chinquapin Wilderness established by section 6131(a)(3) 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 or additions, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of 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. 6133. 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 4,005 acres, as generally depicted on the map entitled ''Chinquapin Proposed Potential Wilderness'' and dated May 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 5,681 acres, as generally depicted on the map entitled ''Siskiyou Proposed Potential Wildernesses'' and dated May 15, 2020.

(4) Certain Federal land managed by the Forest Service, comprising approximately 446 acres, as generally depicted on the map entitled ''South Fork Trinity River Proposed Potential Wilderness'' and dated May 15, 2020.

(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 May 15, 2020.

(6) Certain Federal land managed by the Forest Service, comprising approximately 4,386 acres, as generally depicted on the map entitled ''Yolla Bolly Middle-Eel Proposed Potential Wilderness'' and dated May 15, 2020.

(7) Certain Federal land managed by the Forest Service, comprising approximately 2,918 acres, as generally depicted on the map entitled ''Yuki Proposed Potential Wilderness'' and dated May 15, 2020.

(b) MANAGEMENT.—Except as provided in subsection (c) and subject to valid existing rights, the Secretary shall manage each potential wilderness area designated by subsection (a) (referred to in this section as a ''potential wilderness area'') as wilderness until the date on which the potential wilderness area is 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

date on which 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) WILDERNESS DESIGNATION.—A potential wilderness area 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 the potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed; and

(2) the date that is 10 years after the date of enactment of this Act, in the case of a potential wilderness area located on land managed by the Forest Service.

(e) ADMINISTRATION AS WILDERNESS.—

(1) IN GENERAL.—On the designation of a potential wilderness area as wilderness under subsection (d), the wilderness shall be administered in accordance with—

(A) section 6132; and

(B) the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) DESIGNATION.—On the 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 6131(a)(3);

(B) the land described in subsection (a)(3) shall be incorporated in, and considered to be a part of, the Siskiyou Wilderness designated by section 101(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1623);

(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 6131(a)(13);

(D) the land described in subsection (a)(5) shall be incorporated in, and considered to be a part of, the Trinity Alps Wilderness designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1623);

(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 designated by section 3 of the Wilderness Act (16 U.S.C. 1132); and

(F) the land described in subsection (a)(7) shall be incorporated in, and considered to be a part of, the Yuki Wilderness designated by section 3(3) of the Northern California Coastal Wild Heritage Wilderness Act (16 U.S.C. 1132 note; Public Law 109–362; 120 Stat. 2065) and expanded by section 6131(a)(17).

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, and every 3 years thereafter until the date on which the potential wilderness areas are designated as wilderness under subsection (d), 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 that describes—

(1) the status of ecological restoration within the potential wilderness areas; and

(2) the progress toward the eventual designation of the potential wilderness areas as wilderness under subsection (d).

SEC. 6134. DESIGNATION OF WILD AND SCENIC RIVERS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(233) 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 sec. 15, T. 27 N., R. 10 W., to 0.25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The 0.65-mile segment from 0.25 miles upstream of Wild Mad Road to the confluence with the unnamed tributary approximately 0.4 miles downstream of the Wild Mad Road in sec. 29, T. 28 N., R. 11 W., as a scenic river.

''(C) The 9.8-mile segment from 0.75 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 sec. 5, T. 15, R. 7 E., as a wild river.

''(G) The 2.5-mile segment from the unnamed creek confluence upstream of Hidden Valley Ranch to the confluence with the unnamed creek flowing west from Bear Wallow Mountain in sec. 29, T. 1 N., R. 7 E., as a scenic river.

''(H) The 3.8-mile segment from the unnamed creek confluence in sec. 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 sec. 6, T. 1 N., R. 7 E., as a scenic river.

''(J) The 5.4-mile segment from the unnamed tributary confluence in sec. 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.

''(234) 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 sec. 10, T. 3 S., R. 10 W., to 0.25 miles upstream of the Wild Mad Road, as a wild river.

''(B) The 3.4-mile segment from 0.25 miles upstream of the Wild Mad Road to the South Fork Trinity River, as a recreational river.

''(235) RATTLESNAKE CREEK.—The 5.9-mile segment from the confluence with the unnamed tributary in the southeast corner of sec. 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.

''(236) BUTTER CREEK.—The 7-mile segment from 0.25 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.

''(237) 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 sec. 19, T. 3 N., R. 7 E., as a scenic river.

''(238) OLSEN CREEK.—The 2.8-mile segment from the confluence of its source tributaries in sec. 5, T. 3 N., R. 7 E., to the northern boundary of sec. 24, T. 3 N., R. 6 E., to be administered by the Secretary of the Interior as a scenic river.

''(239) RUSCH CREEK.—The 3.2-mile segment from 0.25 miles downstream of the 32N11 Road crossing to Hayfork Creek, to be administered by the Secretary of Agriculture as a recreational river.

''(240) 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.

''(241) 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.

''(242) 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 sec. 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.

''(243) 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 sec. 25, T. 34 N., R. 11 W., as a recreational river.

''(244) 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 sec. 24, T. 8 N., R. 12 W., to the Trinity Alps Wilderness boundary upstream of Hobo Gulch, as a wild river.

''(B) The 0.5-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.

''(245) 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 source north of Mt. Hilton in sec. 19, T. 36 N., R. 10 W., to the end of Road 35N20 approximately 0.5 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 0.25 miles upstream of Coleridge, as a scenic river.

''(C) The 4.6-mile segment from 0.25 miles upstream of Coleridge to the confluence of Fox Gulch, as a recreational river.

''(246) 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 sec. 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.

''(247) MIDDLE EEL RIVER.—The following segments, 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 sec. 11, T. 26 N., R. 11 W., to the confluence of the Middle Eel River, as a wild river.

''(248) NORTH FORK EEL RIVER, CALIFORNIA.—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.

''(249) RED MOUNTAIN CREEK, CALIFORNIA.—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 sec. 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 sec. 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 sec. 32, T. 4 S., R. 8 E., to the confluence with the North Fork Eel River, as a wild river.

''(250) 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 the Interior of a notice in the Federal Register that sufficient land or interests in land within the boundaries of the segments have been acquired in fee title or as a scenic easement to establish a manageable addition to the National Wild and Scenic Rivers System.

''(B) The 19.1-mile segment from the confluence with Coyote Creek in sec. 2, T. 8 N., R. 2 E., to the Redwood National Park boundary upstream of Orick in sec. 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 sec. 29, T. 10 N., R. 2 E., to the confluence with Redwood Creek, as a scenic river.

''(251) LACKS CREEK.—The following segments, to be administered by the Secretary of the Interior:

''(A) The 5.1-mile segment from the confluence with 2 unnamed tributaries in sec. 14, T. 7 N., R. 3 E., to Kings Crossing in sec. 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, on 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 National Wild and Scenic Rivers System.

''(252) 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 sec. 5, T. 10 N., R. 2 E., to 0.25 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 sec. 8, T. 11 N., R. 2 E., to the confluence with Lost Man Creek, as a recreational river.

''(253) LITTLE LOST MAN CREEK.—The 3.6-mile segment of Little Lost Man Creek from its source in sec. 6, T. 10 N., R. 2 E., to 0.25 miles upstream of the Lost Man Creek road crossing, to be administered by the Secretary of the Interior as a wild river.

''(254) 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 sec. 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 sec. 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.

''(255) SALMON CREEK.—The 4.6-mile segment from its source in sec. 27, T. 3 N., R. 1 E., to the Headwaters Forest Reserve boundary in sec. 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.

''(256) 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 sec. 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 sec. 29, T. 23 N., R. 16 W., as a wild river.

''(257) 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 sec. 6, T. 21 N., R. 15 W., to the confluence with the unnamed tributary near the center of sec. 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 sec. 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 sec. 7, T. 21 N., R. 15 W., to the confluence with Elder Creek, as a wild river.

''(258) 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 sec. 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 sec. 28, T. 24 N., R. 16 E., to the confluence with Cedar Creek.

''(259) 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 National Wild and Scenic Rivers System:

''(A) The 2.3-mile segment of Cruso Cabin Creek from the confluence of 2 unnamed tributaries in sec. 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 2 unnamed tributaries in sec. 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 sec. 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 sec. 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 sec. 12, T. 5 S., R. 4 E., to the confluence with the East Branch South Fork Eel River.

''(260) 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.

''(261) 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 sec. 25, T. 3 S., R. 1 W., to the eastern boundary of the King Range National Conservation Area in sec. 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 sec. 23, T. 3 S., R. 1 W., to the confluence with Honeydew Creek.

''(262) 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 sec. 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 sec. 11, T. 4 S., R. 1 E., as a wild river.

''(263) 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.

''(264) 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 sec. 36, T. 3 S., R. 1 W., to the Pacific Ocean.

''(B) The 0.8-mile segment of the unnamed tributary from its source in sec. 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 sec. 34, T. 3 S., R. 1 W., to the confluence with Big Flat Creek.

''(265) BIG CREEK.—The following segments, to be administered by the Secretary of the Interior as a wild river:

''(A) The 2.7-mile segment of Big Creek from its source in sec. 26, T. 3 S., R. 1 W., to the Pacific Ocean.

''(B) The 1.9-mile unnamed southern tributary from its source in sec. 25, T. 3 S., R. 1 W., to the confluence with Big Creek.

''(266) 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.

''(267) EDEN CREEK.—The 2.7-mile segment from the private property boundary in the northwest quarter of sec. 27, T. 21 N., R. 12 W., to the eastern boundary of sec. 23, T. 21 N., R. 12 W., to be administered by the Secretary of the Interior as a wild river.

''(268) DEEP HOLE CREEK.—The 4.3-mile segment from the private property boundary in the southwest quarter of sec. 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.

''(269) INDIAN CREEK.—The 3.3-mile segment from 300 feet downstream of the jeep trail in sec. 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.

''(270) 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. 6135. 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 12,254 acres of Federal land administered by the Forest Service in Mendocino County, California, as generally depicted on the map entitled ''Sanhedrin Conservation Management Area'' and dated May 15, 2020.

(b) PURPOSES.—The purposes of the conservation management area are—

(1) to 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) to protect and restore late-successional forest structure, oak woodlands and grasslands, aquatic habitat, and anadromous fisheries within the conservation management area;

(3) to protect and restore the undeveloped character of the conservation management area; and

(4) to 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) EXCEPTIONS.—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 land 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, not later than 3 years after 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 paragraph (4);

(D) authorizing the use of motorized vehicles for administrative purposes; or

(E) responding to an emergency.

(4) DECOMMISSIONING OF TEMPORARY ROADS.—

(A) DEFINITION OF DECOMMISSION.—In this paragraph, the term ''decommission'' means, with respect to a road—

(i) to reestablish vegetation on the 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.

(B) REQUIREMENT.—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 paragraph (3)(C).

(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 to be 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 carry out any activities within the conservation management area that the Secretary determines to be necessary to control fire, insects, or 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 a willing seller, 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.

SEC. 6136. RELEASE OF WILDERNESS STUDY AREA.

(a) FINDING.—Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), any portion of the Eden Valley Wilderness Study Area that is not designated as a wilderness area or wilderness addition by section 6131(a) has been adequately studied for wilderness designation.

(b) RELEASE.—Any portion of a wilderness study area described in subsection (a) that is not designated as a wilderness area or wilderness addition by section 6131(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)).

Subtitle D—Miscellaneous

SEC. 6141. 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—

(1) the South Fork Trinity-Mad River Restoration Area established by section 6111(b);

(2) the Horse Mountain Special Management Area established by section 6121(a);

(3) the wilderness areas and wilderness additions designated by section 6131(a);

(4) the potential wilderness areas designated by section 6133(a); and

(5) the Sanhedrin Special Conservation Management Area established by section 6135(a).

(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 Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(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, the Bureau of Land Management, or the National Park Service, as applicable.

SEC. 6142. UPDATES TO LAND AND RESOURCE MANAGEMENT PLANS.

As soon as practicable after the date of enactment of this Act, in accordance with applicable law (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. 6143. PACIFIC GAS AND ELECTRIC COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.

(a) EFFECT OF TITLE.—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—

(A) the South Fork Trinity-Mad River Restoration Area established by section 6111(b);

(B) the Horse Mountain Special Management Area established by section 6121(a);

(C) the Bigfoot National Recreation Trail established under section 6122(b)(1);

(D) the Sanhedrin Special Conservation Management Area established by section 6135(a); or

(2) prohibits the upgrading or replacement of any—

(A) utility facilities of the Pacific Gas and Electric Company, including those utility facilities in existence on the date of enactment of this Act within—

(i) the 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) the 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) the Sanhedrin Special Conservation Management Area known as ''Electric Distribution Line-Willits 1103 12 kV or rights-of-way''; or

(iv) the 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 subparagraph (A).

(b) PLANS FOR ACCESS.—Not later than the later of the date that is 1 year after the date of enactment of this Act or the date of 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, or Horse Mountain Special Management Area, 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 inholdings and rights-of-way of the Pacific Gas and Electric Company.

TITLE LXII—CENTRAL COAST HERITAGE PROTECTION

SEC. 6201. DEFINITIONS.

In this title:

(1) SCENIC AREA.—The term ''scenic area'' means a scenic area designated by section 6207(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 6202(a).

SEC. 6202. 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 February 2, 2022, 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 section 2(5) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; Public Law 102–301; 106 Stat. 243).

(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 section 101(a)(6) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1620).

(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 section 2(4) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; Public Law 102–301; 106 Stat. 243).

(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 section 101(a)(38) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1624).

(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 section 2(2) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; 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 February 2, 2021, which shall be incorporated into and managed as part of the San Rafael Wilderness as designated by Public Law 90–271 (16 U.S.C. 1132 note; 82 Stat. 51).

(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 section 2(c) of the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note; Public Law 95–237; 92 Stat. 41).

(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 section 2(1) of the Los Padres Condor Range and River Protection Act (16 U.S.C. 1132 note; 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. 6203. 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; and

(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 section 101(a)(38) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–425; 98 Stat. 1624) and expanded by section 6202; and

(B) administered in accordance with—

(i) section 6204; and

(ii) the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 6204. 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 plan that applies 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) TREATMENT OF EXISTING WATER DIVERSIONS IN THE SAN RAFAEL WILDERNESS ADDITIONS.—

(1) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture may issue a special use authorization to the owners of the 2 existing water transport or diversion facilities, including administrative access roads (each referred to in this subsection as a ''facility''), located on National Forest System land in the San Rafael Wilderness Additions in the Moon Canyon unit (T. 11 N., R. 30 W., secs. 13 and 14) and the Peak Mountain unit (T. 10 N., R. 28 W., secs. 23 and 26) for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(A) the facility was in existence on the date on which the land on which the facility is located was designated as part of the National Wilderness Preservation System (referred to in this subsection as ''the date of designation'');

(B) the facility has been in substantially continuous use to deliver water for the beneficial use on the non-Federal land of the owner since the date of designation;

(C) the owner of the facility holds a valid water right for use of the water on the non-Federal land of the owner under State law, with a priority date that predates the date of designation; and

(D) it is not practicable or feasible to relocate the facility to land outside of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(2) TERMS AND CONDITIONS.—

(A) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under paragraph (1), the Secretary may—

(i) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(I) the use is the minimum necessary to allow the facility to continue delivery of water to the non-Federal land for the beneficial uses recognized by the water right held under State law; and

(II) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(ii) preclude use of the facility for the diversion or transport of water in excess of the water right recognized by the State on the date of designation.

(B) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under paragraph (1), the Secretary may require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished.

(k) TREATMENT OF EXISTING ELECTRICAL DISTRIBUTION LINE IN THE SAN RAFAEL WILDERNESS ADDITIONS.—

(1) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture may issue a special use authorization to the owners of the existing electrical distribution line to the Plowshare Peak communication site (referred to in this subsection as a ''facility'') located on National Forest System land in the San Rafael Wilderness Additions in the Moon Canyon unit (T. 11 N., R. 30 W., secs. 2, 3 and 4) for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(A) the facility was in existence on the date on which the land on which the facility is located was designated as part of the National Wilderness Preservation System (referred to in this subsection as ''the date of designation'');

(B) the facility has been in substantially continuous use to deliver electricity to the communication site; and

(C) it is not practicable or feasible to relocate the distribution line to land outside of the wilderness.

(2) TERMS AND CONDITIONS.—

(A) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under paragraph (1), the Secretary may allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of the electrical distribution line, if the Secretary determines that the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible.

(B) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under paragraph (1), the Secretary may require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131).

(l) 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. 6205. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) INDIAN CREEK, MONO CREEK, AND MATILIJA CREEK, CALIFORNIA.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 6134) is amended by adding at the end the following:

''(271) 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.

''(272) 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.

''(273) 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 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 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 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 Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 6206. 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; and

(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 (16 U.S.C. 1132 note; 82 Stat. 51) and expanded by section 6202; and

(B) administered in accordance with section 6204 and the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 6207. 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 and the Secretary of the Interior 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 and the Secretary of the Interior 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 of Agriculture and the Secretary of the Interior 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. 6208. CONDOR NATIONAL SCENIC TRAIL.

(a) FINDING.—Congress finds that the Condor National Scenic Trail established under paragraph (33) of section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is named after the California Condor, a critically endangered bird species that lives along the corridor of the Condor National Scenic Trail.

(b) PURPOSES.—The purposes of the Condor National Scenic Trail are—

(1) to 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) to provide for the public enjoyment of the nationally significant scenic, historic, natural, and cultural resources 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—

(1) by redesignating the second paragraph (31) (relating to the Butterfield Overland National Historic Trail) as paragraph (32); and

(2) by adding at the end the following:

''(33) 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 the northern portion of the Los Padres National Forest.

''(B) ADMINISTRATION.—The Condor National Scenic 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 Condor National Scenic 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 Condor National Scenic Trail.''.

(d) STUDY.—

(1) STUDY REQUIRED.—Not later than 6 years after the date of enactment of this Act, in accordance with this subsection, 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 Condor National Scenic Trail or construction of new segments for the Condor National Scenic Trail to avoid existing segments of the Condor National Scenic Trail that allow motorized vehicles.

(2) CONTENTS.—In carrying out the study required under paragraph (1), the Secretary of Agriculture shall—

(A) comply with the requirements for studies for a national scenic trail 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 system of National Forest System trails;

(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 under 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 under paragraph (1) to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(5) ADDITIONS AND ALTERATIONS TO THE CONDOR NATIONAL SCENIC TRAIL.—

(A) IN GENERAL.—On completion of the study required under 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 the segments in the Condor National Scenic Trail.

(B) EFFECTIVE DATE.—An addition or alteration to the Condor National Scenic Trail determined to be feasible under subparagraph (A) shall take effect on the date on which 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 necessary construction, reconstruction, and realignment projects authorized for the Condor National Scenic Trail under this section (including the amendments made by this section).

SEC. 6209. 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. 6210. 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. 6211. USE BY MEMBERS OF INDIAN TRIBES.

(a) ACCESS.—The Secretary shall ensure that Indian 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 an Indian Tribe, may temporarily close to the general public 1 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 Indian 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—

(i) Public Law 95–341 (commonly known as the ''American Indian Religious Freedom Act'') (42 U.S.C. 1996 et seq.); and

(ii) the Wilderness Act (16 U.S.C. 1131 et seq.).

TITLE LXIII—SAN GABRIEL MOUNTAINS FOOTHILLS AND RIVERS PROTECTION

SEC. 6301. DEFINITIONS.

In this title:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(2) STATE.—The term ''State'' means the State of California.

(3) WILDERNESS AREA OR ADDITION.—The term ''wilderness area or addition'' means any wilderness area or wilderness addition designated by section 6303(a).

SEC. 6302. 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 Monument (including the land added to the Monument by subsection (a)), in accordance with—

(1) Presidential Proclamation Number 9194, dated October 10, 2014 (79 Fed. Reg. 62303);

(2) the laws generally applicable to the Monument; and

(3) this title.

(c) MANAGEMENT PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary shall consult with the State, local governments, and interested members of the public to update the San Gabriel Mountains National Monument Plan to provide management direction and protection for the land added to the Monument by subsection (a).

SEC. 6303. 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; Public Law 98–425; 98 Stat. 1623).

(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 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 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 Forest Service.

SEC. 6304. 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 enactment of this Act.

(b) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may carry out such activities in a wilderness area or addition 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 title 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 enactment of this Act, the Secretary shall amend, as applicable, any local fire management plan that applies to a wilderness area or addition.

(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 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 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 title 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 support of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activity that the Secretary determines to be necessary to maintain or restore a fish or wildlife population or habitat in a wilderness area or addition, if the activity is conducted in accordance with—

(i) applicable wilderness management plans; and

(ii) 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—

(i) would maintain or improve the wilderness character of the wilderness area or addition;

(ii) is impracticable to accomplish by nonmotorized methods; and

(iii) is in accordance with memoranda of understanding between the applicable Federal agencies and the State Department of Fish and Wildlife.

(C) EXISTING ACTIVITIES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and other 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)), 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, if the activity, as determined by the Secretary—

(i) is impracticable to accomplish without use of aircraft; and

(ii) is in accordance with memoranda of understanding between the applicable Federal agencies and the State Department of Fish and Wildlife.

(e) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title establishes any protective perimeter or buffer zone around a wilderness area or addition.

(2) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that a nonwilderness activity or use can be seen or heard from within a wilderness area or addition shall not preclude the activity or use 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 a wilderness area or addition;

(2) the designation of a new unit of special airspace over a wilderness area or addition; or

(3) the use or establishment of a military flight training route over a wilderness area or addition.

(g) HORSES.—Nothing in this title precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, a wilderness area or addition—

(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 title precludes any law enforcement or drug interdiction effort within a wilderness area or addition, 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 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 law (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 device and access to the device is essential to a flood warning, flood control, or water reservoir operation activity.

(l) AUTHORIZED EVENT.—The Secretary may authorize the Angeles Crest 100 competitive running event to continue in substantially the same manner in which the event was operated and permitted in 2015 within the land added to the Sheep Mountain Wilderness by section 6303(a)(3) and the Pleasant View Ridge Wilderness Area designated by section 1802(8) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11; 123 Stat. 1054), if the event is authorized and conducted in a manner compatible with the preservation of the areas as wilderness.

SEC. 6305. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 6205(a)) is amended by adding at the end the following:

''(274) 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.

''(275) 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.

''(276) 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 power lines in sec. 22, T. 2 N., R. 11 W., to the confluence with Bobcat Canyon, as a wild river.

''(277) 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; WATER USE.—

(1) WATER RESOURCE FACILITIES.—

(A) DEFINITIONS.—In this paragraph:

(i) WATER RESOURCE FACILITY.—The term ''water resource facility'' means—

(I) an irrigation or pumping facility;

(II) a dam or reservoir;

(III) a flood control facility;

(IV) a water conservation works (including a debris protection facility);

(V) a sediment placement site;

(VI) a rain gauge or stream gauge;

(VII) a water quality facility;

(VIII) a recycled water facility or water pumping, conveyance, or distribution system;

(IX) a water storage tank or reservoir;

(X) a water treatment facility;

(XI) an aqueduct, canal, ditch, pipeline, well, hydropower project, or transmission or other ancillary facility;

(XII) a groundwater recharge facility;

(XIII) a water filtration plant; and

(XIV) any other water diversion, conservation, storage, or carriage structure.

(ii) WILD AND SCENIC RIVER SEGMENT.—The term ''wild and scenic river segment'' means a component of the national wild and scenic rivers system designated by paragraph (274), (275), (276), or (277) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)).

(B) NO EFFECT ON EXISTING WATER RESOURCE FACILITIES.—Nothing in this section alters, modifies, or affects—

(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, subject to the condition that the physical structures of such a facility or reservoir shall not be located within the wild and scenic river segment; or

(ii) access to a water resource facility downstream of a wild and scenic river segment.

(C) NO EFFECT ON NEW WATER RESOURCE FACILITIES.—Nothing in this section precludes the establishment of a new water resource facility (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 wild and scenic river segments (as defined in paragraph (1)(A)).

(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. 6306. WATER RIGHTS.

(a) STATUTORY CONSTRUCTION.—Nothing in this title, and no action carried out pursuant to this title—

(1) constitutes an express or implied reservation of any water or water right, or authorizes an expansion of water use pursuant to existing water rights held by the United States, with respect to—

(A) the San Gabriel Mountains National Monument;

(B) the wilderness areas and additions; and

(C) the components of the national wild and scenic rivers system designated by paragraphs (274), (275), (276), and (277) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by section 6305(a)) and land adjacent to the components;

(2) affects, alters, modifies, or conditions any water right in the State in existence on the date of enactment of this Act, including any water rights held by the United States;

(3) establishes a precedent with respect to any designation of wilderness or wild and scenic rivers after the date of enactment of this Act;

(4) affects, alters, or modifies the interpretation of, or any designation, decision, adjudication, or action carried out pursuant to, any other Act; or

(5) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree 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 under State law to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to—

(1) the San Gabriel Mountains National Monument;

(2) the wilderness areas and additions; and

(3) the components of the national wild and scenic rivers system designated by paragraphs (274), (275), (276), or (277) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by section 6305(a)).

SEC. 6307. REAUTHORIZATION OF EXISTING WATER FACILITIES IN PLEASANT VIEW RIDGE WILDERNESS.

(a) AUTHORIZATION FOR CONTINUED USE.—The Secretary may issue a special use authorization to the owners of a water transport or diversion facility (referred to in this section as a ''facility'') located on National Forest System land in the Pleasant View Ridge Wilderness for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land on which the facility is located was designated as part of the National Wilderness Preservation System (referred to in this section as ''the date of designation'');

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the non-Federal land of the owner since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the non-Federal land of the owner under State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the Pleasant View Ridge Wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) TERMS AND CONDITIONS.—

(1) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary may—

(A) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(i) the use is the minimum necessary to allow the facility to continue delivery of water to the non-Federal land for the beneficial uses recognized by the water right held under State law; and

(ii) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(B) prohibit use of the facility for the diversion or transport of water in excess of the water right recognized by the State on the date of designation.

(2) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary may require or

allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished.

SA 876. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. BERRYESSA SNOW MOUNTAIN NATIONAL MONUMENT BOUNDARY MODIFICATION.

(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) BOUNDARY MODIFICATION.—The boundary of the National Monument is modified to include the Walker Ridge (Molok Luyuk) Addition.

(c) MAP.—

(1) CORRECTIONS.—The Secretary may make clerical and typographical corrections to the Map.

(2) PUBLIC AVAILABILITY; EFFECT.—The Map and any corrections to the Map under paragraph (1) shall—

(A) be publicly available on the website of the Bureau of Land Management; and

(B) have the same force and effect as if included in this section.

(d) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall administer the Walker Ridge (Molok Luyuk) Addition—

(1) as part of the National Monument;

(2) in accordance with Presidential Proclamation 9298, dated July 10, 2015 (80 Fed. Reg. 41975); and

(3) in accordance with applicable laws (including regulations).

(e) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, 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.

(f) 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).

(g) 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 paragraph (1).

(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;

(ii) be subject to a public notice and comment period of not less than 30 days; and

(iii) have the same force and effect as if included in this section.

SA 877. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. SUPERCOMPUTING FOR SAFER CHEMICALS (SUPERSAFE) CONSORTIUM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator''), in consultation with the heads of relevant Federal agencies, shall form a consortium, to be known as the ''Supercomputing for Safer Chemicals (SUPERSAFE) Consortium'' (referred to in this section as the ''Consortium''). The Consortium shall include the National Laboratories of the Department of Energy, academic and other research institutions, and other entities, as determined by the Administrator, to carry out the activities described in subsection (b).

(2) INCLUSION OF STATE AGENCIES.—The Administrator shall allow the head of a relevant State agency to join the Consortium on request of the State agency.

(b) CONSORTIUM ACTIVITIES.—

(1) IN GENERAL.—The Consortium shall use supercomputing, machine learning, and other similar capabilities—

(A) to establish rapid approaches for large-scale identification of toxic substances and the development of safer alternatives to toxic substances by developing and validating computational toxicology methods based on unique high-performance computing, artificial intelligence, machine learning, and precision measurements;

(B) to address the need to identify safe chemicals for use in consumer and industrial products and in their manufacture to support the move away from toxic substances and toward safe-by-design alternatives; and

(C) to make recommendations on how the information produced can be applied in risk assessments and other characterizations for use by the Environmental Protection Agency and other agencies in regulatory decisions, and by industry in identifying toxic and safer chemicals.

(2) MODELS.—In carrying out paragraph (1), the Consortium—

(A) shall use supercomputers and other virtual tools to develop, validate, and run models to predict adverse health effects caused by toxic substances and to identify safe

chemicals for use in products and manufacturing; and

(B) may utilize, as needed, appropriate biological test systems to test and evaluate approaches and improve their predictability and reliability in industrial and regulatory applications.

(c) PUBLIC RESULTS.—The Consortium shall make model predictions, along with supporting documentation, available to the public in an accessible format.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section—

(1) for fiscal year 2023, $20,000,000;

(2) for fiscal year 2024, $30,000,000; and

(3) for each of fiscal years 2025 through 2027, $35,000,000.

SA 878. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means an entity that represents or otherwise serves a qualifying area.

(2) ELIGIBLE NONPROFIT ORGANIZATION.—The term ''eligible nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such code.

(3) ENTITY.—The term ''entity'' means—

(A) a State;

(B) a political subdivision of a State, including—

(i) a city;

(ii) a county; and

(iii) a special purpose district that manages open space, including a park district; and

(C) an Indian Tribe, urban Indian organization, or Alaska Native or Native Hawaiian community or organization.

(4) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) LOW-INCOME COMMUNITY.—The term ''low-income community'' means any census block group in which 30 percent or more of the population are individuals with an annual household 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) an amount equal to 200 percent of the Federal poverty line.

(6) OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM.—The term ''Outdoor Recreation Legacy Partnership Program'' means the program established under subsection (b)(1).

(7) QUALIFYING AREA.—The term ''qualifying area'' means—

(A) an urbanized area or urban cluster that has a population of 25,000 or more in the most recent census;

(B) 2 or more adjacent urban clusters with a combined population of 25,000 or more in the most recent census; or

(C) an area administered by an Indian Tribe or an Alaska Native or Native Hawaiian community organization.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) STATE.—The term ''State'' means each of the several States, the District of Columbia, and each territory of the United States.

(b) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish an outdoor recreation legacy partnership program under which the Secretary may award grants to eligible entities for projects—

(A) to acquire land and water for parks and other outdoor recreation purposes in qualifying areas; and

(B) to develop new or renovate existing outdoor recreation facilities that provide outdoor recreation opportunities to the public in qualifying areas.

(2) PRIORITY.—In awarding grants to eligible entities under paragraph (1), the Secretary shall give priority to projects that—

(A) create or significantly enhance access to park and recreational opportunities in an urban neighborhood or community;

(B) engage and empower underserved communities and youth;

(C) provide employment or job training opportunities for youth or underserved communities;

(D) establish or expand public-private partnerships, with a focus on leveraging resources; and

(E) take advantage of coordination among various levels of government.

(c) MATCHING REQUIREMENT.—

(1) IN GENERAL.—As a condition of receiving a grant under subsection (b), an eligible entity shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to not less than 100 percent of the amounts made available under the grant.

(2) WAIVER.—The Secretary may waive all or part of the matching requirement under paragraph (1) if the Secretary determines that—

(A) no reasonable means are available through which the eligible entity can meet the matching requirement; and

(B) the probable benefit of the project outweighs the public interest in the matching requirement.

(3) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of funds provided to an eligible entity under a grant awarded under subsection (b) may be used for administrative expenses.

(d) CONSIDERATIONS.—In awarding grants to eligible entities under subsection (b), the Secretary shall consider the extent to which a project would—

(1) provide recreation opportunities in underserved communities in which access to parks is not adequate to meet local needs;

(2) provide opportunities for outdoor recreation and public land volunteerism;

(3) support innovative or cost-effective ways to enhance parks and other recreation—

(A) opportunities; or

(B) delivery of services;

(4) support park and recreation programming provided by cities, including cooperative agreements with community-based eligible nonprofit organizations;

(5) develop Native American event sites and cultural gathering spaces; and

(6) provide benefits such as community resilience, reduction of urban heat islands, enhanced water or air quality, or habitat for fish or wildlife.

(e) ELIGIBLE USES.—

(1) IN GENERAL.—Subject to paragraph (2), a grant recipient may use a grant awarded under subsection (b) for a project described in paragraph (1) or (2) of that subsection.

(2) LIMITATIONS ON USE.—A grant recipient may not use grant funds for—

(A) incidental costs related to land acquisition, including appraisal and titling;

(B) operation and maintenance activities;

(C) facilities that support semiprofessional or professional athletics;

(D) indoor facilities, such as recreation centers or facilities that support primarily non-outdoor purposes; or

(E) acquisition of land or interests in land that restrict access to specific persons.

(f) REVIEW AND EVALUATION REQUIREMENTS.—In carrying out the Outdoor Recreation Legacy Partnership Program, the Secretary shall—

(1) conduct an initial screening and technical review of applications received;

(2) evaluate and score all qualifying applications; and

(3) provide culturally and linguistically appropriate information to eligible entities (including low-income communities and eligible entities serving low-income communities) on—

(A) the opportunity to apply for grants under this section;

(B) the application procedures by which eligible entities may apply for grants under this section; and

(C) eligible uses for grants under this section.

(g) REPORTING.—

(1) ANNUAL REPORTS.—Not later than 30 days after the last day of each report period, each State lead agency that receives a grant under this section shall annually submit to the Secretary performance and financial reports that—

(A) summarize project activities conducted during the report period; and

(B) provide the status of the project.

(2) FINAL REPORTS.—Not later than 90 days after the earlier of the date of expiration of a project period or the completion of a project, each State lead agency that receives a grant under this section shall submit to the Secretary a final report containing such information as the Secretary may require.

SA 879. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. GRANTS TO STATES AND INDIAN TRIBES FOR MULTIBENEFIT PROGRAMS TO VOLUNTARILY REPURPOSE AGRICULTURAL LAND TO REDUCE CONSUMPTIVE WATER USE.

(a) AUTHORIZATION OF GRANTS.—

(1) IN GENERAL.—Section 101 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2211) is amended—

(A) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively; and

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

''(b) GRANTS TO STATES AND INDIAN TRIBES FOR MULTIBENEFIT PROGRAMS TO VOLUNTARILY REPURPOSE AGRICULTURAL LAND.—

''(1) DEFINITIONS.—In this subsection:

''(A) BASIN-SCALE.—The term 'basin-scale' means an eligible landscape area or subbasin that—

''(i) includes multiple water users; or

''(ii) aligns with the boundaries of a State, Tribal, regional, or local land or water management agency.

''(B) COVERED PROGRAM.—The term 'covered program' means an existing program of an eligible entity or a pilot program proposed to be carried out by an eligible entity, the purpose of which is to voluntarily repurpose or provide for the transition of, over a period of years, irrigated agricultural land to reduce consumptive water use, while providing community health, economic wellbeing, water supply, habitat, and climate benefits.

''(C) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(i) a State (including a designated State agency); or

''(ii) a Tribal government.

''(2) AUTHORIZATION OF GRANTS.—The Secretary shall carry out a program under which the Secretary shall provide competitive matching grants to eligible entities, in accordance with this subsection, to carry out covered programs.

''(3) ELIGIBLE PROGRAMS.—To be eligible for a grant under paragraph (2), a covered program shall—

''(A) be basin-scale;

''(B) reduce consumptive water use;

''(C) repurpose or transition irrigated agricultural land for not less than 10 years;

''(D) provide, for not less than 10 years, 1 or more other measurable benefits to the environment or community in which the program is being carried out, including—

''(i) restoring upland habitat;

''(ii) restoring riparian habitat;

''(iii) creating pollinator habitat;

''(iv) restoring flood plains connection to stream or river channels;

''(v) creating dedicated multibenefit recharge areas;

''(vi) dry-land farming or planting non-irrigated or water-saving cover crops;

''(vii) switching from irrigated agriculture to non-irrigated rangeland;

''(viii) creating park or community recreation areas;

''(ix) acquiring a conservation easement on land taken out of irrigated agricultural production to permanently protect a new use of the land;

''(x) facilitation of renewable energy projects that have an overall greenhouse gas reduction; and

''(xi) reestablishment of Tribal land uses.

''(4) APPLICATION.—To be eligible for a grant under paragraph (2), an eligible entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including a description of the manner in which the eligible entity would use the grant funds to carry out projects under the covered program that reduce consumptive water use by converting irrigated agricultural land to a new use that—

''(A) reduces groundwater withdrawals or consumptive water use for not less than 10 years; and

''(B) provides other measurable benefits to the environment or communities in which the covered program is being carried out.

''(5) PRIORITY.—In providing grants under paragraph (2), the Secretary shall give priority to covered programs that—

''(A) provide direct benefits to disadvantaged communities; or

''(B) were developed through a multistakeholder planning process.

''(6) VOLUNTARY CONSERVATION AGREEMENTS.—

''(A) IN GENERAL.—Subject to subparagraph (C), the Secretary (acting through the Director of the United States Fish and Wildlife Service) or the Secretary of Commerce (acting through the Director of the National Marine Fisheries Service), as applicable, shall seek to enter into voluntary conservation agreements, with the individuals and entities described in subparagraph (B), under which the individuals and entities entering into the agreements would carry out on formerly irrigated agricultural land converted under a covered program carried out under this subsection or on associated aquatic resources actions that contribute to the recovery of species listed as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

''(B) ENTITIES AND INDIVIDUALS DESCRIBED.—The individuals and entities referred to in subparagraph (A) are the following:

''(i) Eligible entities provided grants to carry out a covered program under paragraph (2).

''(ii) Owners of irrigated agricultural land converted under a covered program carried out under this subsection.

''(iii) Owners of land adjacent to irrigated agricultural land converted under a covered program carried out under this subsection.

''(7) ANNUAL REPORT TO CONGRESS.—Annually, the Secretary shall submit to the appropriate committees of Congress a report that describes the status of covered programs for which grant funds have been provided under this subsection during the period covered by the report, including a description of—

''(A) the achievements and effectiveness of each covered program with respect to reducing groundwater withdrawals and reducing consumptive water use;

''(B) the quantity of groundwater or surface water that was conserved; and

''(C) the community agricultural sustainability or environmental benefits that were achieved under each covered program.

''(8) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection $250,000,000 for the period of fiscal years 2024 through 2028.

''(B) RESERVATION OF FUNDS.—Of the amounts made available for a fiscal year under subparagraph (A), 50 percent shall be used—

''(i) to provide grants for covered programs that are pilot programs; or

''(ii) if no applications for grants for a pilot program for the applicable fiscal year are submitted, to provide grants to eligible covered programs that are existing programs.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 102(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2212) is amended, in the first sentence of the matter preceding paragraph (1), by striking ''section 101(c)'' and inserting ''section 101(d)''.

(B) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking ''section 303 of this Act'' and inserting ''section 101(b)(7)(A) or 303''.

(b) APPLICABLE PERIOD OF DROUGHT PROGRAM.—Section 104 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The programs and authorities established under this title shall only become operative in a Reclamation State or in the State of Hawaii if—

''(1)(A) the Governor of the affected State, or the governing body of the affected Indian Tribe with respect to a reservation, has made a request for temporary drought assistance; and

''(B) the Secretary has determined that the temporary assistance is merited;

''(2) a drought emergency has been declared by the Governor of the affected State;

''(3) a drought contingency plan has been approved in accordance with title II;

''(4) for purposes of subsection (b) of section 101, the affected State has implemented a covered program under that subsection; or

''(5) in the case of a Colorado River Basin State, by operation of the Colorado River Basin Drought Contingency Plan executed in accordance with the Colorado River Drought Contingency Plan Authorization Act (Public Law 116–14; 133 Stat. 850).''.

SEC. 10___. GRANTS TO SUPPORT AGRICULTURAL SUSTAINABILITY TO REDUCE RELIANCE ON GROUNDWATER AND REDUCE CONSUMPTIVE WATER USE.

Section 9504(a) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364(a)) is amended—

(1) in paragraph (1)(J)—

(A) in clause (ii), by striking ''or'' at the end;

(B) in clause (iii), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(iv) to reduce groundwater withdrawals and otherwise reduce consumptive water use to respond to drought.'';

(2) in paragraph (2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii)(II), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) for a project to carry out on an activity described in paragraph (1)(J)(iv)—

''(I) a proposal to repurpose irrigated agricultural land for not less than 10 years to reduce consumptive water use, while providing community health, economic wellbeing, water supply, habitat, and climate resilience benefits, including—

''(aa) restoring upland habitat;

''(bb) restoring riparian habitat;

''(cc) creating pollinator habitat;

''(dd) restoring the connection of floodplains to stream or river channels;

''(ee) creating dedicated multi-benefit recharge areas;

''(ff) dry-land farming or planting nonirrigated cover crops;

''(gg) switching from irrigated agriculture to nonirrigated rangeland;

''(hh) creating park or community recreation areas;

''(ii) acquiring a conservation easement on land taken out of irrigated agricultural production to permanently protect any of the new uses;

''(jj) facilitation of renewable energy projects that have an overall greenhouse gas reduction; and

''(kk) reestablishment of Tribal land uses; and

''(II) a demonstration of the manner in which the proposed activity would—

''(aa) reduce groundwater withdrawals or consumptive water use for not less than 10 years; and

''(bb) provide other measurable benefits to the environment or disadvantaged communities.''; and

(3) in paragraph (4)—

(A) by striking ''In providing'' and inserting the following:

''(A) IN GENERAL.—In providing''; and

(B) by adding at the end the following:

''(B) GRANTS TO REPURPOSE AGRICULTURAL LAND.—For purposes of evaluating applications for grants described in paragraph (2)(B)(iii), the Secretary shall give priority to applications for proposals that provide direct benefits to disadvantaged communities.''.

SA 880. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. CÉSAR E. CHÁVEZ AND THE FARMWORKER MOVEMENT NATIONAL HISTORICAL PAR.

(a) PURPOSE.—The purpose of this section is to establish the César E. Chávez and the Farmworker Movement National Historical Park—

(1) to help preserve, protect, and interpret the nationally significant resources associated with César Chávez and the farmworker movement;

(2) to interpret and provide for a broader understanding of the extraordinary achievements and contributions to the history of the United States made by César Chávez and the farmworker movement; and

(3) to support and enhance the network of sites and resources associated with César Chávez and the farmworker movement.

(b) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term ''historical park'' means the César E. Chávez and the Farmworker Movement National Historical Park established by subsection (c).

(2) MAP.—The term ''map'' means the map entitled ''Cesar E. Chávez and the Farmworker Movement National Historical Park Proposed Boundary'', numbered 502/179857B, and dated September 2022.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATES.—The term ''States'' means—

(A) the State of California; and

(B) the State of Arizona.

(5) STUDY.—The term ''Study'' means the study conducted by the National Park Service entitled ''César Chávez Special Resource Study and Environmental Assessment'' and submitted to Congress on October 24, 2013.

(c) CÉSAR E. CHÁVEZ AND THE FARMWORKER MOVEMENT NATIONAL HISTORICAL PARK.—

(1) REDESIGNATION OF CÉSAR E. CHÁVEZ NATIONAL MONUMENT.—

(A) IN GENERAL.—The César E. Chávez National Monument established on October 8, 2012, by Presidential Proclamation 8884 (54 U.S.C. 320301 note) is redesignated as the ''César E. Chávez and the Farmworker Movement National Historical Park''.

(B) AVAILABILITY OF FUNDS.—Any funds available for the purposes of the monument referred to in subparagraph (A) shall be available for the purposes of the historical park.

(C) REFERENCES.—Any reference in a law, regulation, document, record, map, or other paper of the United States to the monument referred to in subparagraph (A) shall be considered to be a reference to the ''César E. Chávez and the Farmworker Movement National Historical Park''.

(2) BOUNDARY.—

(A) IN GENERAL.—The boundary of the historical park shall include the area identified as ''César E. Chávez National Monument'' in Keene, California, as generally depicted on the map.

(B) INCLUSION OF ADDITIONAL SITES.—Subject to subparagraph (C), the Secretary may include within the boundary of the historical park the following sites, as generally depicted on the map:

(i) The Forty Acres in Delano, California.

(ii) Santa Rita Center in Phoenix, Arizona.

(iii) McDonnell Hall in San Jose, California.

(C) CONDITIONS FOR INCLUSION.—A site described in subparagraph (B) shall not be included in the boundary of the historical park until—

(i) the date on which the Secretary acquires the land or an interest in the land at the site; or

(ii) the date on which the Secretary enters into a written agreement with the owner of the site providing that the site shall be managed in accordance with this section.

(D) NOTICE.—Not later than 30 days after the date on which the Secretary includes a site described in subparagraph (B) in the historical park, the Secretary shall publish in the Federal Register notice of the addition to the historical park.

(3) AVAILABILITY OF MAP.—The map shall be available for public inspection in the appropriate offices of the National Park Service.

(4) LAND ACQUISITION.—The Secretary may acquire land and interests in land within the area generally depicted on the map as ''Proposed NPS Boundary'' by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(5) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the historical park in accordance with—

(i) this subsection; and

(ii) the laws generally applicable to units of the National Park System, including—

(I) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(II) chapter 3201 of title 54, United States Code.

(B) INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of historic sites, museums, and resources on land not administered by the Secretary relating to the life of César E. Chávez and the history of the farmworker movement.

(C) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the States, local governments, public and private organizations, and individuals to provide for the preservation, development, interpretation, and use of the historical park.

(6) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this paragraph, the Secretary shall prepare a general management plan for the historical park in accordance with section 100502 of title 54, United States Code.

(B) ADDITIONAL SITES.—

(i) IN GENERAL.—The general management plan prepared under subparagraph (A) shall include a determination of whether there are—

(I) sites located in the Coachella Valley in the State of California that were reviewed in the Study that should be added to the historical park;

(II) additional representative sites in the States that were reviewed in the Study that should be added to the historical park; or

(III) sites outside of the States in the United States that relate to the farmworker movement that should be linked to, and interpreted at, the historical park.

(ii) RECOMMENDATION.—On completion of the preparation of the general management plan under subparagraph (A), 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 any recommendations for additional sites to be included in the historical park.

(C) CONSULTATION.—The general management plan under subparagraph (A) shall be prepared in consultation with—

(i) any owner of land that is included within the boundaries of the historical park; and

(ii) appropriate Federal, State, and Tribal agencies, public and private organizations, and individuals, including—

(I) the National Chávez Center; and

(II) the César Chávez Foundation.

(d) FARMWORKER PEREGRINACIÓN NATIONAL HISTORICAL TRAIL STUDY.—Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

''(50) FARMWORKER PEREGRINACIÓN NATIONAL HISTORIC TRAIL.—The Farmworker Peregrinación National Historic Trail, a route of approximately 300 miles taken by farmworkers between Delano and Sacramento, California, in 1966, as generally depicted as 'Alternative C' in the study conducted by the National Park Service entitled 'César Chávez Special Resource Study and Environmental Assessment' and submitted to Congress on October 24, 2013.''.

SA 881. Mr. MERKLEY (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—Transnational Repression

SECTION 12__1. SHORT TITLE.

This subtitle may be cited as the ''Transnational Repression Policy Act''.

SEC. 12__2. FINDINGS.

Congress finds the following:

(1) Transnational repression against individuals who live outside their countries of origin, prominent or vocal anti-regime figures, and persons who provide aid and support to dissidents—

(A) is a human rights violation that seeks to stifle dissent and enhance control over exile, activist, emigrant, and diaspora communities; and

(B) can take the form of—

(i) extrajudicial killings;

(ii) physical assaults and intimidation;

(iii) unlawful detentions;

(iv) unlawful renditions;

(v) unlawful deportations;

(vi) unexplained or enforced disappearances;

(vii) physical or online surveillance or stalking;

(viii) unwarranted passport cancellation or control over other identification documents;

(ix) INTERPOL abuse;

(x) intimidation by diplomatic personnel, government officials, or proxies;

(xi) unlawful asset freezes;

(xii) digital threats, such as cyberattacks, targeted surveillance and spyware, online harassment, and intimidation;

(xiii) coercion by proxy, such as harassment of, or threats or harm to, family and associates of such private individuals who remain in the country of origin; and

(xiv) slander and libel to discredit individuals.

(2) Governments perpetrating transnational repression often pressure host countries, especially—

(A) through threats to condition foreign assistance or other pressure campaigns on lawmakers in host countries, such as threats—

(i) to withdraw foreign students from their universities; and

(ii) to induce them to enact policies that repress emigrant and diaspora communities; and

(B) by offering financial and material assistance to host countries to harass and intimidate emigrant and diaspora communities.

(3) Transnational repression is a threat to individuals, democratic institutions, the exercise of rights and freedoms, and national security and sovereignty.

(4) Authoritarian governments increasingly rely on transnational repression as their consolidation of control at home pushes dissidents abroad.

(5) The spread of digital technologies provides new tools for censoring, surveilling, and targeting individuals deemed to be threats across international borders, especially dissidents pushed abroad who themselves rely on communications technology to amplify their messages, which can often lead to physical attacks and coercion by proxy.

(6) Many acts of transnational repression are undertaken through cooperation of, or cooperation with, authorities in the host country, most notably by taking advantage of other States' concerns about terrorism to accuse the targeted individual of terrorism or extremism.

(7) Authoritarian actors routinely attempt to deter and silence the voices of dissident and exile communities at international fora, as documented by the United Nations Assistant Secretary-General for Human Rights in the Secretary-General's annual report on reprisals to the United Nations Human Rights Council.

(8) The principle of non-refoulement, which is explicitly included in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984—

(A) forms an essential protection under international law; and

(B) prohibits countries from expelling or returning an individual to another country where the individual's life or freedom would be threatened on account of the individual's race, religion, nationality, membership in a particular social group, or political opinion, or due to substantial grounds for believing that the individual would be at risk of torture.

SEC. 12__3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to protect persons in the United States and United States persons outside of the United States from undue foreign harassment, intimidation, coercion, and surveillance in accordance with section 6 of the Arms Export Control Act (22 U.S.C. 2756);

(2) to pursue criminal prosecutions, as appropriate, and carry out other steps, such as facilitating mutual legal assistance and other forms of international cooperation with like-minded partners, in accordance with United States law, to hold foreign governments and individuals accountable when they stalk, publish false narratives online with the intent to unlawfully intimidate, harass, coerce, or assault people in the United States or United States persons outside of the United States or collect information while acting as a foreign agent in the United States without notifying United States authorities; and

(3) to prohibit the arrest or seizure of assets of any individual based solely on an INTERPOL Red Notice or Diffusion issued by another INTERPOL member country for such individual because such notices do not meet the requirements of the Fourth Amendment to the Constitution of the United States.

SEC. 12__4. AMENDMENTS TO ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

Section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n) is amended by adding at the end the following:

''(h) USE OF TRANSNATIONAL REPRESSION.—The country reports required under subsection (d) shall, as applicable—

''(1) describe incidents in which a government has harassed, intimidated, or killed individuals outside of their internationally recognized borders and document patterns of such repression among repeat offenders;

''(2) identify the countries in which such repression occurs and the roles of the host government in enabling, preventing, mitigating, and responding to such acts;

''(3) describe the tactics used by the countries identified pursuant to paragraph (2), including the actions identified in section 2(1) and any new techniques observed; and

''(4) in the case of digital surveillance and harassment, specify the type of technology or platform, including social media, smart city technology, health tracking systems, general surveillance technology, and data access, transfer, and storage procedures, used by the countries for such actions.''.

SEC. 12__5. INTERAGENCY STRATEGY TO ADDRESS TRANSNATIONAL REPRESSION IN UNITED STATES AND ABROAD.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other appropriate Federal departments and agencies, shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security of the House of Representatives that contains a United States strategy to promote initiatives that will—

(1) enhance international awareness of transnational repression;

(2) address transnational repression, including through raising the costs of such activities for perpetrating governments and protecting targeted individuals and groups;

(3) conduct regular outreach (whether through government agencies or civil society organizations) with diaspora communities and other people who have been targeted by foreign governments regarding the transnational threats they face within the United States and around the world and the resources available to them without putting them at further risk; and

(4) develop policy and programmatic-related responses based on input from the communities and people referred to in paragraph (3) and regularly seek and consider credible information obtained by nongovernmental organizations working on issues of transnational repression.

(b) MATTERS TO BE INCLUDED.—

(1) DIPLOMACY.—The strategy required under subsection (a) shall include—

(A) a plan developed in consultation with like-minded partner governments, civil society, the business community, and other entities for advancing and promoting—

(i) the rule of law and human rights globally with respect to the use of surveillance technology and export licensing policy regarding such technology; and

(ii) safeguards to prevent the access, use, and storage of personal digital data by governments and technology companies for the purposes of transnational repression;

(B) public affairs, public diplomacy, and counter-messaging efforts, including through the use of the voice, vote, and influence of the United States at international bodies—

(i) to promote awareness;

(ii) to develop a common understanding; and

(iii) to draw critical attention to and oppose acts of transnational repression;

(C) a plan for establishing or strengthening regional and international coalitions—

(i) to monitor cases of transnational repression, including reprisals when human rights defenders and other activists face reprisals for engaging at multilateral organizations, such as the United Nations; and

(ii) to create or strengthen emergency alert mechanisms for key stakeholders within the international community that can engage in public or private diplomacy to address emergency cases of transnational repression, including cases involving individuals and their family members who are at serious risk of rendition, disappearance, unlawful deportation, refoulement, or other actions;

(D) an analysis of the advantages and disadvantages of working with partners and allies to push for the establishment of a special rapporteur for transnational repression at the United Nations; and

(E) a plan for engaging with diplomats and consular officials who abuse their positions by intimidating, threatening, attacking, or otherwise undermining the human rights and fundamental freedoms of exiles and members of diasporas in the United States.

(2) ASSISTANCE PROGRAMMING.—The strategy required under subsection (a) shall include—

(A) ways in which the United States Government has previously and will continue to provide support to civil society organizations in the United States and in countries in which transnational repression occurs—

(i) to improve the documentation, investigation, and research of cases, trends, and tactics of transnational repression, including—

(I) any potential for misusing security tools to target individual dissidents, activists, or journalists; and

(II) ramifications of transnational repression in undermining United States policy or assistance efforts to promote internationally recognized human rights and democracy overseas; and

(ii) to promote the transparency of the host country decision-making processes, including instances in which law enforcement actions against victims of transnational repression occurred because of INTERPOL red notices or extradition treaties; and

(B) a description of new or existing emergency assistance mechanisms, including the Fundamental Freedoms Fund and the Lifeline Embattled CSO Assistance Fund, to aid at-risk groups, communities, and individuals, and victims of transnational repression in the United States and in countries in which transnational repression occurs to address—

(i) physical security installation and support;

(ii) operational support of organizations providing assistance to at-risk groups, communities, and individuals;

(iii) psychosocial and psycho-emotional support;

(iv) medical assistance, subject to the limitations of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.);

(v) digital security installation and support;

(vi) support and training beyond basic digital hygiene training, including emergency response to cyberattacks and enhanced capacity to deter surveillance and monitoring by malicious actors;

(vii) relocation support;

(viii) legal advice and assistance; and

(ix) trainings to build on their existing capacities so they can continue their activism.

(3) LAW ENFORCEMENT IN THE UNITED STATES.—The strategy required under subsection (a) shall include—

(A) the consideration of updates to United States law to directly address certain tactics of transnational repression, including—

(i) the criminalization of the gathering of information about private individuals in diaspora and exile communities on behalf of a foreign power that is intending to harass, intimidate, or harm an individual in order to prevent their exercise of internationally recognized human rights; and

(ii) the expansion of the definition of foreign agents under the Foreign Registrations Act of 1938 (22 U.S.C. 611 et seq.) and section 951 of title 18, United States Code;

(B) ways in which the Federal Bureau of Investigation coordinates with the Department of State, the Department of Homeland Security, United States intelligence agencies, and domestic law enforcement agencies in partner countries in responding to transnational repression;

(C) full consideration of unintended negative impacts of such expanded legal authorities on the civil liberties of communities targeted by transnational repression, taking into account the views of such affected communities;

(D) the development of specific outreach strategies to connect law enforcement, other agencies, and local municipal officials with targeted diaspora communities to ensure that individuals who are vulnerable to transnational repression are aware of the Federal and local resources available to them without putting them at further risk; and

(E) examining and reviewing the steps taken to address the legality of foreign governments establishing overseas police stations to monitor members of the diaspora.

(c) ADDITIONAL MATTERS TO BE INCLUDED.—In addition to the matters set forth in subsection (b), the report required under subsection (a) shall include—

(1) to the extent practicable, a list of—

(A) the governments that perpetrate transnational repression most often and the host countries that such governments are targeting most often;

(B) the host governments that cooperate most often with the governments on transnational repression actions referred to in subparagraph (A);

(C) any individuals, whether United States citizens or foreign nationals, who are complicit in transnational repression as agents of a foreign government referred to in subparagraph (A) who are operating in the United States;

(D) refugees, asylum seekers, and populations that are most vulnerable to transnational repression in the United States and, to the extent possible, in foreign countries;

(E) entities that are exporting dual-use spyware technology to any of the governments referred to in subparagraph (A);

(F) entities that are buying and selling personally identifiable information that can be used to track and surveil potential victims; and

(G) entities that are exporting items on the Commerce Control List (as set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations) to any governments referred to in subparagraph (a) that can be misused for human rights abuses;

(2) an assessment of how data that is purchased by governments most often perpetrating transnational repression is utilized; and

(3) a description of any actions taken by the United States Government to address transnational repression under existing law, including—

(A) section 212(a)(3)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(C));

(B) section 1263 of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note);

(C) the interim final rule issued by the Bureau of Industry and Security of the Department of Commerce relating to ''Information Security Controls: Cybersecurity Items'' (86 Fed. Reg. 58205; October 21, 2021; 87 Fed. Reg. 1670, effective March 7, 2022);

(D) section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94; 8 U.S.C. 1182 note);

(E) prosecutions and the statutory authority authorizing such prosecutions;

(F) establishing specific bureaucratic structures focused on transnational repression;

(G) which agencies are conducting outreach to victims of transnational repression and the form of such outreach;

(H) the challenges of intelligence agencies in identifying transnational repression threats and perpetrators; and

(I) United States technology companies that knowingly or unknowingly employ, or provide access to information to, foreign intelligence officers.

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

(e) UPDATES.—The Secretary of State shall provide the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with annual updates of the strategy required under subsection (a).

SEC. 12__6. TRAINING.

(a) DEPARTMENT OF STATE PERSONNEL.—

(1) IN GENERAL.—In order to provide United States diplomats and personnel stationed around the world with the level of understanding to recognize and combat transnational repression, the Secretary of State, in consultation with civil society and the business community, shall provide training to such members of the Foreign Service, including chiefs of mission, regarding transnational repression, including training on—

(A) how to identify different tactics of transnational repression in physical and nonphysical forms;

(B) which governments are known to employ transnational repression most frequently;

(C) which governments are most likely to cooperate with governments on transnational repression-related actions referred to in subparagraph (B); and

(D) tools of digital surveillance and other cyber tools used to carry out transnational repression activities.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 for each of the fiscal years 2024 through 2027, to develop and implement the curriculum described in paragraph (1).

(b) UNITED STATES OFFICIALS RESPONSIBLE FOR DOMESTIC THREATS OF TRANSNATIONAL REPRESSION.—

(1) IN GENERAL.—In order to achieve an adequate level of understanding to recognize and combat transnational repression, the Attorney General, in consultation with the Secretary of Homeland Security, the Director of National Intelligence, civil society, and the business community, shall provide the training recipients referred to in paragraph (2) with training regarding transnational repression, including training on—

(A) how to identify different tactics of transnational repression in physical and nonphysical forms;

(B) which governments are known to employ transnational repression most frequently;

(C) which communities and locations in the United States are most vulnerable to transnational repression;

(D) tools of digital surveillance and other cyber tools used to carry out transnational repression activities;

(E) espionage and foreign agent laws; and

(F) how foreign governments may try to coopt the immigration system.

(2) TRAINING RECIPIENTS.—The training recipients referred to in this paragraph include, to the extent deemed appropriate and necessary by their respective agency heads in the case of any Federal employee—

(A) employees of—

(i) the Department of Homeland Security, including U.S. Customs and Border Protection, U.S. Citizenship and Immigration Services, and U.S. Immigration and Customs Enforcement;

(ii) the Department of Justice, including the Federal Bureau of Investigation; and

(iii) the Office of Refugee Resettlement of the Department of Health and Human Services;

(B) other Federal, State, and local law enforcement and municipal officials receiving instruction at the Federal Law Enforcement Training Center; and

(C) appropriate private sector and community partners of the Federal Bureau of Investigation.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 for each of the fiscal years 2024 through 2027, to develop and provide the curriculum and training described in paragraph (1).

SEC. 12__7. INTELLIGENCE GATHERING.

The intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) shall devote significant resources—

(1) to prioritize, to the extent feasible, the identification of individuals, networks, and tools that are used for perpetrating transnational repression against communities in the United States on behalf of foreign governments;

(2) to share relevant and appropriate information with like-minded partners; and

(3) to effectively coordinate such efforts with the Federal Bureau of Investigation, the Department of Homeland Security, the Office of the Director of National Intelligence, and the Department of State.

SEC. 12__8. DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF JUSTICE INITIATIVES TO COMBAT TRANSNATIONAL REPRESSION IN THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Homeland Security and the Attorney General, in consultation with the Director of the Federal Bureau of Investigation, shall—

(1) dedicate resources to ensure that a tip line for victims and witnesses of transnational repression—

(A) is staffed by people who are—

(i) equipped with cultural and linguistic ability to communicate effectively with diaspora and exile communities; and

(ii) knowledgeable of the tactics of transnational repression;

(B) is encrypted and, to the maximum extent practicable, protects the confidentiality of the identifying information of individuals who may call the tip line;

(2) not later than 270 days after the date of the enactment of this Act—

(A) identify existing Federal resources to assist and protect individuals and communities targeted by transnational repression in the United States; and

(B) in cooperation with the Secretary of Health and Human Services and the heads of other Federal agencies, publish such resources in a toolkit or guide;

(3) continue to conduct proactive outreach so that individuals in targeted communities—

(A) are aware of the tip line described in paragraph (1); and

(B) are informed about the types of incidents that should be reported to the Federal Bureau of Investigation;

(4) support data collection and analysis undertaken by Federal research and development centers regarding the needs of targeted communities in the United States, with the goal of identifying priority needs and developing solutions and assistance mechanisms, while recognizing that such mechanisms may differ depending on geographic location of targeted communities, language, and other factors;

(5) continue to issue advisories to, and engage regularly with, communities that are at particular risk of transnational repression, including specific diaspora communities—

(A) to explain what transnational repression is and clarify the threshold at which incidents of transnational repression constitute a crime; and

(B) to identify the resources available to individuals in targeted communities to facilitate their reporting of, and to protect them from, transnational repression, without placing such individuals at additional risk; and

(6) conduct annual trainings with caseworker staff in congressional offices regarding the tactics of transnational repression and the resources available to their constituents.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 for each of the fiscal years 2024 through 2027, for the research, development, outreach, and training activities described in subsection (a).

SEC. 12__9. IMPOSITION OF SANCTIONS RELATING TO TRANSNATIONAL REPRESSION.

(a) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE.—The terms ''admission'', ''admitted'', ''alien'', and ''lawfully admitted for permanent residence'' have the meanings given such terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

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

(D) the Committee on Financial Services of the House of Representatives.

(3) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(4) TRANSNATIONAL REPRESSION.—The term ''transnational repression'' means actions of a foreign government, or agents of a foreign government, involving the transgression of national borders through physical, digital, or analog means to intimidate, silence, coerce, harass, or harm members of diaspora and exile communities in order to prevent their exercise of internationally recognized human rights.

(5) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or the laws of any jurisdiction within the United States, including a foreign branch of such an entity; and

(C) any person who is physically present in the United States.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that, except as provided in paragraph (2), identifies each foreign person that the President determines has, on or after the date of the enactment of this Act, whether knowingly or unknowingly, directly engaged in transnational repression.

(2) EXCEPTION.—The report required under paragraph (1) shall not identify individuals if such identification would interfere with law enforcement efforts.

(3) EXPLANATION.—If a foreign person identified in the report required under paragraph (1) is not subject to sanctions under subsection (c), the report shall explain, to the extent practicable, the reasons such sanctions were not imposed on such person.

(4) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) IMPOSITION OF SANCTIONS.—Except as provided in subsection (b)(3), the President shall impose 1 or more of the sanctions described in subsection (d) with respect to each foreign person identified in the report required under subsection (b)(1).

(d) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted to the President under section 203 through 207 of the International Emergency Economic Powers Act (50 U.S.C. 1702 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person identified in the report required under subsection (b)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (b)(1) is—

(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.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (b)(1) is subject to revocation of any visa or other entry documentation of the alien, regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall, in accordance with section 221(i) of the Immigration and Nationality Act, 8 U.S.C. 1201(i)—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(e) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

(f) SANCTIONS.—The President is authorized to impose sanctions as provided under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) against any foreign person who the President, based on credible evidence, determines is responsible for the rendition of journalists, activists, or other individuals to a country in which the person would be at risk of irreparable harm upon return, including extrajudicial killings, torture, or other gross violations of internationally recognized human rights.

(g) WAIVER.—

(1) IN GENERAL.—The President may waive the application of sanctions authorized under this section with respect to a foreign person if the President determines and certifies to the appropriate congressional committees that such a waiver is in the national interests of the United States.

(2) ANNUAL REPORT.—The President shall provide an annual report to Congress that—

(A) lists every waiver granted under paragraph (1); and

(B) provides a justification for each such waiver.

(h) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (d)(2) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) 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; or

(B) to carry out or assist law enforcement activity in the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(i) SUNSET.—This section, and any sanctions imposed under this section, shall terminate on the date that is 5 years after the date of the enactment of this Act.

SA 882. Mr. MERKLEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of

Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1282. REPORT ON PARTNER FORCES UTILIZING UNITED STATES SECURITY ASSISTANCE IDENTIFIED AS USING HUNGER AS A WEAPON OF WAR.

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

(1) the United States recognizes the link between armed conflict and conflict-induced food insecurity;

(2) Congress recognizes and condemns the role of nefarious security actors, including state and non-state armed groups, who have utilized hunger as a weapon of war, including through the unanimous adoption of House of Representatives Resolution 922 and Senate Resolution 669 relating to ''[c]ondemning the use of hunger as a weapon of war and recognizing the effect of conflict on global food security and famine'';

(3) United Nations Security Council Resolution 2417 articulates principles that should serve as important framework for holding perpetrators that use hunger as a weapon of war accountable; and

(4) the United States should use the diplomatic and humanitarian tools at our disposal to not only fight global hunger, mitigate the spread of conflict, and promote critical, lifesaving assistance, but also hold perpetrators using hunger as a weapon of war to account.

(b) DEFINITIONS.—In this section:

(1) HUNGER AS A WEAPON OF WAR.—The term ''hunger as a weapon of war'' means—

(A) intentional starvation of civilians;

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

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

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

(2) SECURITY ASSISTANCE.—The term ''security assistance'' means assistance meeting the definition of ''security assistance'' under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator of the United States Agency for International Development, and the Secretary of Defense shall submit a report to the appropriate congressional committees regarding—

(1) United States-funded security assistance and cooperation; and

(2) whether the governments and entities receiving such assistance have or are currently using hunger as a weapon of war.

(d) ELEMENTS.—The report required under subsection (c) shall—

(1) identify countries receiving United States-funded security assistance or participating in security programs and activities, including in coordination with the Department of Defense, that are currently experiencing famine-like conditions as a result of conflict;

(2) describe the actors and actions taken by such actors in the countries identified pursuant to paragraph (1) who are utilizing hunger as a weapon of war; and

(3) describe any current or existing plans to continue providing United States-funded security assistance to recipient countries.

(e) FORM.—The report required under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SA 883. Mr. MERKLEY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1282. REPORT ON ISRAELI SETTLEMENT ACTIVITY IN OCCUPIED WEST BANK.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate committees of Congress a report that assesses the status of Israeli settlement activity in the occupied West Bank.

(b) ELEMENTS.—The report required under subsection (a) shall include the following with respect to Israeli settlement activity in the West Bank:

(1) The number of permits, tenders, and housing starts approved by the Government of Israel for settlement construction and the locations concerned.

(2) The number and locations of new outposts established without the approval of the Government of Israel.

(3) The number and locations of outposts established without the approval of the Government of Israel that were retroactively legalized by Israeli authorities.

(4) The number and locations of settlements and outposts that are situated, in whole or in part, on land owned by Palestinians.

(5) An analysis of new infrastructure approved or built in the West Bank and which populations it will benefit from its use.

(6) An assessment of the impact of settlements and outposts on—

(A) the freedom of movement, livelihoods, and quality of life of Palestinians; and

(B) the potential for establishing in the future a viable Palestinian state.

(7) The number and locations of demolitions of homes, schools, businesses, agricultural holdings, infrastructure, or other property owned by, or primarily serving, Palestinians.

(8) The number and locations of evictions of Palestinians from their places of residence.

(9) The number of building permits issued for Palestinians in East Jerusalem and the West Bank territory designated under the Oslo Accords as ''Area C'', as well as the number of building permits requested by Palestinians in those areas.

(10) A description of any changes made to Israel's administration of the occupied territory and an analysis of the compatibility of these changes with international law governing military occupation.

(11) The amount of money budgeted by Israeli authorities for settlements and the infrastructure that serves them.

(12) An analysis of the impact any change in the matters described in paragraphs (1) through (11) would have on—

(A) the potential for establishing a viable, contiguous Palestinian state alongside Israel;

(B) the diplomatic posture of the United States globally; and

(C) the national security of the United States.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 884. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle _____—Stop Harboring Iranian Petroleum Act of 2023

SEC. _____. SHORT TITLE.

This subtitle may be cited as the ''Stop Harboring Iranian Petroleum Act of 2023''.

SEC. _____. DEFINITIONS.

In this subtitle:

(1) ALIEN.—The term ''alien'' has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) FAMILY MEMBER.—The term ''family member'' means, with respect to an individual, a spouse, child, parent, sibling, grandchild, or grandparent of the individual.

(4) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(5) FOREIGN PORT.—The term ''foreign port'' means any harbor, marine terminal, or other shore side facility outside of the United States used principally for the movement of goods on the water.

(6) 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.

(7) MATERIAL SUPPORT.—The term ''material support'' has the meaning given the term ''material support or resources'' in section 2339A of title 18, United States Code.

(8) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(9) VESSEL.—The term ''vessel'' means any watercraft or aircraft capable of being used as a means of transportation on, under, or over water.

SEC. _____. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to deny the Islamic Republic of Iran the ability to engage in destabilizing activities, support international terrorism, fund the development and acquisition of weapons of mass destruction and the means to deliver such weapons by limiting export of petroleum and petroleum products by the Islamic Republic of Iran;

(2) to deny the Islamic Republic of Iran funds to oppress and commit human rights violations against the Iranian people who are assembling peacefully to redress the Iranian regime;

(3) to sanction entities that violate the laws of the United States by providing support to the Iranian energy sector; and

(4) that the actions of the Islamic Republic of Iran to finance and facilitate the participation of foreign terrorist organizations in ongoing conflicts and illicit activities is detrimental to the national security interests of the United States.

SEC. _____. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to a foreign person that the President determines knowingly engaged, on or after such date of enactment, in an activity described in paragraph (2).

(2) ACTIVITIES DESCRIBED.—A foreign person engages in an activity described in this paragraph if the foreign person—

(A) owns or operates a foreign port that, on or after the date of the enactment of this Act, permitted to dock at such foreign port a vessel—

(i) that is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury for transporting Iranian crude oil; or

(ii) of which the operator or owner of such vessel otherwise knowingly engages in a significant transaction to transport, offload, or deal in condensate, refined, or unrefined petroleum products, or other petrochemical products originating from the Islamic Republic of Iran;

(B) owns or operates a vessel that conducts a sea-to-sea transfer involving a significant transaction of any petroleum product originating from the Islamic Republic of Iran;

(C) owns or operates a refinery that engages in a significant transaction to process, refine, or otherwise deal in any petroleum product originating from the Islamic Republic of Iran;

(D) is a family member of a foreign person described in subparagraph (A), (B), or (C);

(E) is owned or controlled by a foreign person described in subparagraph (A), (B), (C), or (D); or

(F) engages in a significant transaction with, or provides material support to, a foreign person described in subparagraph (A), (B), (C), (D), or (E).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) SANCTIONS ON FOREIGN VESSELS.—Subject to such regulations as the President may prescribe, the President may prohibit a vessel described in subsection (a)(2)(A) or (a)(2)(B) from landing at any port in the United States—

(A) with respect to a vessel described in subsection (a)(2)(A), for a period of not more than 2 years beginning on the date on which the President imposes sanctions with respect to a related foreign port described in subsection (a)(2)(A); and

(B) with respect to a vessel described in subsection (a)(2)(B), for a period of not more than 2 years.

(2) PROPERTY BLOCKING.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(3) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien is—

(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.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subparagraph (A) shall be revoked, regardless of when such visa or other entry documentation was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately;

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession; and

(III) be implemented in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)).

(4) IMPLEMENTATION; PENALTIES.—

(A) IMPLEMENTATION.—The President—

(i) may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section; and

(ii) not later than 180 days after the date of the enactment of this Act, shall prescribe such regulations as necessary to carry out this subtitle.

(B) NOTIFICATION TO CONGRESS.—Not later than 10 days before the effective date of any regulation prescribed under subparagraph (A)(ii), the President shall brief the appropriate congressional committees on the proposed regulations and the provisions of this Act relating to such regulations.

(C) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(c) EXCEPTIONS.—

(1) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—A requirement to block and prohibit all transactions in all property and interests in property under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (b)(3) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(3) EXCEPTION TO COMPLY WITH INTELLIGENCE, LAW ENFORCEMENT, AND OTHER NATIONAL SECURITY ACTIVITIES.—Sanctions under subsection (b) shall not apply with respect to a foreign person if such foreign person is a subject or target of, or otherwise involved in, an intelligence, law enforcement, or national security activity of the United States, as determined by the President.

(d) WAIVERS.—

(1) IN GENERAL.—The President may waive the application of sanctions under this section with respect to a foreign person for a period not to exceed 180 days if the President—

(A) determines that such a waiver is vital to the national interests of the United States; and

(B) not less than 15 days before the granting of the waiver, submits to the appropriate congressional committees a notice of and justification for the waiver.

(2) SPECIAL RULE.—

(A) IN GENERAL.—The President may waive the application of sanctions under this section with respect to a foreign person if the President certifies in writing to the appropriate congressional committees that—

(i) the foreign person—

(I) has ceased engaging in activities described in subsection (b); or

(II) has taken and is continuing to take significant verifiable steps toward ceasing such activities; and

(ii) the President has received reliable assurances from the government of the foreign country that such foreign person will not resume engaging in any activity described in subsection (b).

(B) SUNSET.—The authority to grant a waiver under this paragraph shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. _____. REPORT ON PETROLEUM AND PETROLEUM PRODUCT EXPORTS FROM IRAN.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Energy Information Administration shall submit to the appropriate congressional committees a report on the increase exports of petroleum and petroleum products by the Islamic Republic of Iran.

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

(1) An analysis of the export and sale of petroleum and petroleum products by the Islamic Republic of Iran since 2018, including—

(A) an estimate of the annual revenue of the export and sale of petroleum by the Islamic Republic of Iran, disaggregated by year;

(B) an estimate of the annual revenue of the export and sale of petroleum to the People's Republic of China by the Islamic Republic of Iran, disaggregated by year;

(C) the number of petroleum and crude oil barrels annually exported by the Islamic Republic of Iran, disaggregated by year;

(D) the number of petroleum and crude oil barrels annually exported to the People's Republic of China by the Islamic Republic of Iran, disaggregated by year;

(E) the number of petroleum and crude oil barrels annually exported to countries other than the People's Republic of China by the Islamic Republic of Iran, disaggregated by year;

(F) the average price per petroleum and crude oil barrel annually exported by the Islamic Republic of Iran, disaggregated by year; and

(G) the average price per petroleum and crude oil barrel annually exported to the People's Republic of China by the Islamic Republic of Iran, disaggregated by year.

(2) An analysis of the labeling practices of the Islamic Republic of Iran with respect to exported petroleum and petroleum products.

(3) A description of persons involved in the export and sale of petroleum and petroleum products from the Islamic Republic of Iran.

(4) A description of vessels involved in the export and sale of petroleum and petroleum products from the Islamic Republic of Iran.

(5) A description of foreign ports involved in the export and sale of petroleum and petroleum products from the Islamic Republic of Iran.

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

(d) PUBLICATION.—The unclassified portion of the report required by subsection (a) shall be posted on a publicly available website of the Energy Information Administration.

SA 885. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10_____. NATURAL GAS EXPORTS TO ALLIES AND STRATEGIC PARTNERS.

(a) FINDING.—Congress finds that expediting the approval of natural gas export applications for projects intended to increase the capacity of the United States to export natural gas to allies and strategic partners will—

(1) empower United States natural gas exporters to better assist the strategic and national security interests of the United States and allies and strategic partners of the United States; and

(2) lead to job growth, economic development, and energy security.

(b) NATURAL GAS EXPORTS.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) DEFINITION OF COVERED NATION.—

''(A) IN GENERAL.—In this subsection, the term 'covered nation'—

''(i) means an ally described in section 3(b)(2) of the Arms Export Control Act (22 U.S.C. 2753(b)(2)); and

''(ii) during the period described in subparagraph (B), includes Cyprus, Moldova, Sweden, Taiwan, and Ukraine.

''(B) PERIOD DESCRIBED.—The period described in this subparagraph is the period—

''(i) beginning on the date of enactment of the National Defense Authorization Act for Fiscal Year 2024; and

''(ii) ending on December 31, 2030, or such later date as the President determines is in the interest of national defense (as defined in section 702 of the Defense Production Act of 1950 (50 U.S.C. 4552)) or is otherwise in the interests of the United States.

''(2) EXPEDITED APPROVAL.—Except as provided in paragraph (3), for purposes'';

(2) in paragraph (2) (as so designated), by inserting ''the exportation of natural gas to a covered nation,'' before ''or the exportation''; and

(3) by adding at the end the following:

''(3) EXCLUSIONS.—

''(A) NATIONS SUBJECT TO SANCTIONS.—The Commission shall not grant expedited approval under paragraph (2) of an application for exportation of natural gas to any nation that is subject to sanctions or trade restrictions imposed by the United States.

''(B) NATIONS DESIGNATED BY CONGRESS.—The Commission shall not grant expedited approval under paragraph (2) of an application for exportation of natural gas to any nation designated by an Act of Congress as excluded from such expedited approval for reasons of national security.''.

(c) EFFECT.—The amendments made by subsection (b) shall not affect any Federal authorization to export natural gas from the United States to a foreign nation or to import natural gas into the United States from a foreign nation that is in effect on the date of enactment of this Act.

SA 886. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. PROHIBITION ON IMPORTATION OF CRUDE OIL, PETROLEUM, PETROLEUM PRODUCTS, AND LIQUEFIED NATURAL GAS FROM VENEZUELA AND IRAN.

(a) FINDINGS.—Congress makes the following findings:

(1) Article XXI of the General Agreement on Tariffs and Trade provides for security exceptions to the rules of the World Trade Organization to allow a member of the World Trade Organization to take actions ''necessary for the protection of its essential security interests'' during ''time of war or other emergency in international relations'' or ''to prevent any contracting party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security''.

(2) The actions of the Bolivarian Republic of Venezuela and the Islamic Republic of Iran to finance and facilitate the participation of foreign terrorist organizations in ongoing conflicts and illicit activities, in a manner that is detrimental to the security interests of the United States, warrants taking action under that Article.

(b) PROHIBITION.—The importation of crude oil, petroleum, petroleum products, and liquefied natural gas from Venezuela and Iran is prohibited.

(c) EXCEPTION.—The prohibition under subsection (b) does not apply with respect to crude oil, petroleum, petroleum products, or liquefied natural gas seized by the United States Government for violations of sanctions imposed by the United States.

(d) EFFECTIVE DATE.—The prohibition under subsection (b) applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of the enactment of this Act.

SA 887. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 31_____. PROHIBITION ON EXPORT OF CRUDE AND REFINED OIL AND CERTAIN PETROLEUM PRODUCTS TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended by inserting after section 101 the following:

''SEC. 102. PROHIBITION ON EXPORT OF CERTAIN PETROLEUM PRODUCTS TO THE PEOPLE'S REPUBLIC OF CHINA.

''(a) IN GENERAL.—Notwithstanding any other provision of law, no petroleum product described in subsection (b) that is produced in the United States may be exported from the United States to the People's Republic of China.

''(b) PETROLEUM PRODUCT DESCRIBED.—A petroleum product referred to in subsection (a) is—

''(1) crude oil;

''(2) refined oil or a refined oil product;

''(3) residual fuel oil; or

''(4) any other petroleum product (other than natural gas or any natural gas liquid product).

''(c) APPLICABILITY.—

''(1) PETROLEUM PRODUCTS IN TRANSPORT.—Subsection (a) shall not apply to any petroleum product described in subsection (b) that is in the process of being transported from the United States to the People's Republic of China as of the date on which the prohibition under that subsection takes effect pursuant to subsection (d).

''(2) NATURAL GAS.—Subsection (a) does not apply to natural gas or any natural gas liquid product.

''(d) EFFECTIVE DATE.—The prohibition described in subsection (a) shall take effect on the date that is 10 days after the date of enactment of the China Oil Export Prohibition Act of 2023.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 89 Stat. 871; 114 Stat. 2034) is amended by inserting after the item relating to section 101 the following:

''Sec. 102. Prohibition on export of certain petroleum products to the People's Republic of China.''.

(c) CONFORMING AMENDMENT.—Section 101(b) of division O of the Consolidated Appropriations Act, 2016 (42 U.S.C. 6212a(b)) is amended by inserting ''and section 102 of the Energy Policy and Conservation Act'' after ''subsections (c) and (d)''.

SA 888. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—FAIR TRADE WITH CHINA ENFORCEMENT ACT

SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Fair Trade with China Enforcement Act''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

Sec. 6001. Short title; table of contents.
Sec. 6002. Sense of Congress.
Sec. 6003. Statement of policy.
TITLE I—SAFEGUARDS AGAINST FOREIGN INFLUENCE IN UNITED STATES NATIONAL AND ECONOMIC SECURITY BY THE PEOPLE'S REPUBLIC OF CHINA
Sec. 6011. Establishment of list of certain products receiving support from Government of People's Republic of China pursuant to Made in China 2025 policy.
Sec. 6012. Prohibition on export to People's Republic of China of national security sensitive technology and intellectual property.
Sec. 6013. Imposition of shareholder cap on Chinese investors in United States entities.
Sec. 6014. Prohibition on use of certain telecommunications services or equipment.
TITLE II—FAIR TRADE ENFORCEMENT ACTIONS WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA
Sec. 6021. Countervailing duties with respect to certain industries in the People's Republic of China.
Sec. 6022. Repeal of reduced withholding rates for residents of China.
Sec. 6023. Taxation of obligations of the United States held by the Government of the People's Republic of China.

SEC. 6002. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) since joining the World Trade Organization in 2001, the People's Republic of China has offered the United States a contradictory bargain, which promised openness in the global trade order, but through state mercantilism delivered a severely imbalanced trading relationship;

(2) it was erroneous for the United States Government to have ignored the contradictions and risks of free trade with the People's Republic of China on the assumption that the People's Republic of China would liberalize economically and politically;

(3) benefiting enormously from a more open global economy to drive its own industries, the Government of the People's Republic of China and the Communist Party of the People's Republic of China have only tightened their grip on power, brutally suppressing dissent at home and pursuing policies abroad that are a far cry from being a responsible global stakeholder;

(4) malevolent economic behavior by persons in the People's Republic of China is made clear by the theft of intellectual property from the United States, as Chinese theft of United States intellectual property alone costs the United States nearly $600,000,000,000 annually, according to the United States Trade Representative;

(5) stealing United States intellectual property advances the Made in China 2025 initiative of the Government of the People's Republic of China to eventually dominate global exports in 10 critical sectors, namely artificial intelligence and next-generation information technology, robotics, new-energy vehicles, biotechnology, energy and power generation, aerospace, high-tech shipping, advanced railway, new materials, and agricultural machinery, among others;

(6) the targets of the Made in China 2025 initiative reveal the goal of the People's Republic of China for the near-total displacement of advanced manufacturing in the United States; and

(7) the United States Government should act to strengthen the position of the United States in its policy toward the People's Republic of China in order to create a more balanced economic relationship by safeguarding strategic assets from Chinese influence, reducing Chinese involvement in the United States economy, and encouraging United States companies to produce domestically, instead of in the People's Republic of China.

SEC. 6003. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to impose restrictions on Chinese investment in the United States in strategic industries targeted by the Made in China 2025 initiative set forth by the Government of the People's Republic of China;

(2) to tax Chinese investment in the United States due to its negative effect on the United States trade deficit and wages of workers in the United States;

(3) to increase the cost of transnational production operations in the People's Republic of China in a manner consistent with the economic cost of the risk of loss of unique access by the United States to intellectual property, technology, and industrial base; and

(4) to support democratization in and the human rights of the people of Hong Kong, including the findings and declarations set forth under section 2 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701).

TITLE I—SAFEGUARDS AGAINST FOREIGN INFLUENCE IN UNITED STATES NATIONAL AND ECONOMIC SECURITY BY THE PEOPLE'S REPUBLIC OF CHINA

SEC. 6011. ESTABLISHMENT OF LIST OF CERTAIN PRODUCTS RECEIVING SUPPORT FROM GOVERNMENT OF PEOPLE'S REPUBLIC OF CHINA PURSUANT TO MADE IN CHINA 2025 POLICY.

(a) IN GENERAL.—Chapter 8 of title I of the Trade Act of 1974 (19 U.S.C. 2241 et seq.) is amended by adding at the end the following:

''SEC. 183. LIST OF CERTAIN PRODUCTS RECEIVING SUPPORT FROM GOVERNMENT OF PEOPLE'S REPUBLIC OF CHINA.

''(a) IN GENERAL.—Not later than 120 days after the date of the enactment of the Fair Trade with China Enforcement Act, and every year thereafter, the United States Trade Representative shall set forth a list of products manufactured or produced in, or exported from, the People's Republic of China that are determined by the Trade Representative to receive support from the Government of the People's Republic of China pursuant to the Made in China 2025 industrial policy of that Government.

''(b) CRITERIA FOR LIST.—

''(1) IN GENERAL.—The Trade Representative shall include in the list required by subsection (a) the following products:

''(A) Any product specified in the following documents set forth by the Government of the People's Republic of China:

''(i) Notice on Issuing Made in China 2025.

''(ii) China Manufacturing 2025.

''(iii) Notice on Issuing the 13th Five-year National Strategic Emerging Industries Development Plan.

''(iv) Guiding Opinion on Promoting International Industrial Capacity and Equipment Manufacturing Cooperation.

''(v) Any other document that expresses a national strategy or stated goal in connection with the Made in China 2025 industrial policy set forth by the Government of the People's Republic of China, the Communist Party of China, or another entity or individual capable of impacting the national strategy of the People's Republic of China.

''(B) Any product receiving support from the Government of the People's Republic of China that has or will in the future displace net exports of like products by the United States, as determined by the Trade Representative.

''(2) INCLUDED PRODUCTS.—In addition to such products as the Trade Representative shall include pursuant to paragraph (1) in the list required by subsection (a), the Trade Representative shall include products in the following industries:

''(A) Civil aircraft.
''(B) Motor car and vehicle.
''(C) Advanced medical equipment.
''(D) Advanced construction equipment.
''(E) Agricultural machinery.
''(F) Railway equipment.
''(G) Diesel locomotive.
''(H) Moving freight.
''(I) Semiconductor.
''(J) Lithium battery manufacturing.
''(K) Artificial intelligence.
''(L) High-capacity computing.
''(M) Quantum computing.
''(N) Robotics.
''(O) Biotechnology.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 182 the following:

''Sec. 183. List of certain products receiving support from Government of People's Republic of China.''.

SEC. 6012. PROHIBITION ON EXPORT TO PEOPLE'S REPUBLIC OF CHINA OF NATIONAL SECURITY SENSITIVE TECHNOLOGY AND INTELLECTUAL PROPERTY.

(a) IN GENERAL.—The Secretary of Commerce shall prohibit the export to the People's Republic of China of any national security sensitive technology or intellectual property subject to the jurisdiction of the United States or exported by any person subject to the jurisdiction of the United States.

(b) DEFINITIONS.—In this section:

(1) INTELLECTUAL PROPERTY.—The term ''intellectual property'' includes patents, copyrights, trademarks, or trade secrets.

(2) NATIONAL SECURITY SENSITIVE TECHNOLOGY OR INTELLECTUAL PROPERTY.—The term ''national security sensitive technology or intellectual property'' includes the following:

(A) Technology or intellectual property that would make a significant contribution to the military potential of the People's Republic of China that would prove detrimental to the national security of the United States.

(B) Technology or intellectual property necessary to protect the economy of the United States from the excessive drain of scarce materials and to reduce the serious inflationary impact of demand from the People's Republic of China.

(C) Technology or intellectual property that is a component of the production of products included in the most recent list required under section 183 of the Trade Act of 1974, as added by section 6011(a), determined in consultation with the United States Trade Representative.

(3) TECHNOLOGY.—The term ''technology'' includes goods or services relating to information systems, internet-based services, production-enhancing logistics, robotics, artificial intelligence, biotechnology, or computing.

SEC. 6013. IMPOSITION OF SHAREHOLDER CAP ON CHINESE INVESTORS IN UNITED STATES ENTITIES.

Section 13(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(d)) is amended by adding at the end the following:

''(7)(A) In this paragraph, the term 'covered issuer' means any issuer—

''(i) that produces components that—

''(I) may be used in the production of goods manufactured or produced in, or exported from, the People's Republic of China; and

''(II) are included in the most recent list required under section 183 of the Trade Act of 1974, determined in consultation with the United States Trade Representative; and

''(ii)(I) that is incorporated under the laws of a State; or

''(II) the principal place of business of which is in a State.

''(B) Notwithstanding any other provision of this subsection, no person, the principal place of business of which is in the People's Republic of China, may be the beneficial owner, directly or indirectly, of more than 50 per centum of any class of equity security of a covered issuer that is registered pursuant to section 12.

''(C) The prohibition in subparagraph (B) shall apply to any acquisition on or after the date of enactment of this paragraph.''.

SEC. 6014. PROHIBITION ON USE OF CERTAIN TELECOMMUNICATIONS SERVICES OR EQUIPMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) In its 2011 ''Annual Report to Congress on Military and Security Developments Involving the People's Republic of China'', the Department of Defense stated, ''China's defense industry has benefited from integration with a rapidly expanding civilian economy and science and technology sector, particularly elements that have access to foreign technology. Progress within individual defense sectors appears linked to the relative integration of each, through China's civilian economy, into the global production and R&D chain . . . Information technology companies in particular, including Huawei, Datang, and Zhongxing, maintain close ties to the PLA.''.

(2) In a 2011 report titled ''The National Security Implications of Investments and Products from the People's Republic of China in the Telecommunications Sector'', the United States China Economic and Security Review Commission stated that ''[n]ational security concerns have accompanied the dramatic growth of China's telecom sector. . . . Additionally, large Chinese companies—particularly those 'national champions' prominent in China's 'going out' strategy of overseas expansion—are directly subject to direction by the Chinese Communist Party, to include support for PRC state policies and goals.''.

(3) The Commission further stated in its report that ''[f]rom this point of view, the clear economic benefits of foreign investment in the U.S. must be weighed against the potential security concerns related to infrastructure components coming under the control of foreign entities. This seems particularly applicable in the telecommunications industry, as Chinese companies continue systematically to acquire significant holdings in prominent global and U.S. telecommunications and information technology companies.''.

(4) In its 2011 Annual Report to Congress, the United States China Economic and Security Review Commission stated that ''[t]he extent of the state's control of the Chinese economy is difficult to quantify. . . . There is also a category of companies that, though claiming to be private, are subject to state influence. Such companies are often in new markets with no established SOE leaders and enjoy favorable government policies that support their development while posing obstacles to foreign competition. Examples include Chinese telecoms giant Huawei and such automotive companies as battery maker BYD and vehicle manufacturers Geely and Chery.''.

(5) In the bipartisan ''Investigative Report on the United States National Security Issues Posed by Chinese Telecommunication Companies Huawei and ZTE'' released in 2012 by the Permanent Select Committee on Intelligence of the House of Representatives, it was recommended that ''U.S. government systems, particularly sensitive systems, should not include Huawei or ZTE equipment, including in component parts. Similarly, government contractors—particularly those working on contracts for sensitive U.S. programs—should exclude ZTE or Huawei equipment in their systems.''.

(6) General Michael Hayden, who served as Director of the Central Intelligence Agency and Director of the National Security Agency, stated in July 2013 that Huawei had ''shared with the Chinese state intimate and extensive knowledge of foreign telecommunications systems it is involved with''.

(7) The Federal Bureau of Investigation, in a February 2015 Counterintelligence Strategy Partnership Intelligence Note, stated that, ''[w]ith the expanded use of Huawei Technologies Inc. equipment and services in U.S. telecommunications service provider networks, the Chinese Government's potential access to U.S. business communications is dramatically increasing. Chinese Government-supported telecommunications equipment on U.S. networks may be exploited through Chinese cyber activity, with China's intelligence services operating as an advanced persistent threat to U.S. networks.''.

(8) The Federal Bureau of Investigation further stated in its February 2015 counterintelligence note that ''China makes no secret that its cyber warfare strategy is predicated on controlling global communications network infrastructure''.

(9) At a hearing before the Committee on Armed Services of the House of Representatives on September 30, 2015, Deputy Secretary of Defense Robert Work, responding to a question about the use of Huawei telecommunications equipment, stated, ''In the Office of the Secretary of Defense, absolutely not. And I know of no other—I don't believe we operate in the Pentagon, any [Huawei] systems in the Pentagon.''.

(10) At that hearing, the Commander of the United States Cyber Command, Admiral Mike Rogers, responding to a question about why such Huawei telecommunications equipment is not used, stated, ''As we look at supply chain and we look at potential vulnerabilities within the system, that it is a risk we felt was unacceptable.''.

(11) In March 2017, ZTE Corporation pled guilty to conspiring to violate the International Emergency Economic Powers Act by illegally shipping United States-origin items to Iran, paying the United States Government a penalty of $892,360,064 for activity between January 2010 and January 2016.

(12) The Office of Foreign Assets Control of the Department of the Treasury issued a subpoena to Huawei as part of a Federal investigation of alleged violations of trade restrictions on Cuba, Iran, and Sudan.

(b) PROHIBITION ON AGENCY USE OR PROCUREMENT.—The head of an agency may not procure or obtain, may not extend or renew a contract to procure or obtain, and may not enter into a contract (or extend or renew a contract) with an entity that uses, or contracts with any other entity that uses, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Commerce, in consultation with the Secretary of Defense and the United States Trade Representative, shall submit to Congress a report on sales by the Government of the People's Republic of China of covered telecommunications equipment or services through partial ownership or any other methods.

(d) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(2) COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES.—The term ''covered telecommunications equipment or services'' means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation, or any other Chinese telecom entity identified by the Director of National Intelligence, the Secretary of Defense, or the Director of the Federal Bureau of Investigation as a security concern (or any subsidiary or affiliate of any such entity).

(B) Telecommunications services provided by such entities or using such equipment.

(C) Telecommunications equipment or services produced or provided by an entity that the head of the relevant agency reasonably believes to be an entity owned or controlled by, or otherwise connected to, the Government of the People's Republic of China.

TITLE II—FAIR TRADE ENFORCEMENT ACTIONS WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA

SEC. 6021. COUNTERVAILING DUTIES WITH RESPECT TO CERTAIN INDUSTRIES IN THE PEOPLE'S REPUBLIC OF CHINA.

(a) POLICY.—It is the policy of the United States—

(1) to reduce the import of finished goods from the People's Republic of China relating to the Made in China 2025 plan set forth by the Government of the People's Republic of China; and

(2) to encourage allies of the United States to reduce the import of finished goods from the People's Republic of China relating to the Made in China 2025 plan.

(b) INCLUSION OF MADE IN CHINA 2025 PRODUCTS IN DEFINITION OF COUNTERVAILABLE SUBSIDY.—Paragraph (5) of section 771 of the Tariff Act of 1930 (19 U.S.C. 1677) is amended by adding at the end the following:

''(G) TREATMENT OF CERTAIN CHINESE MERCHANDISE.—Notwithstanding any other provision of this title, if a person presents evidence in a petition filed under section 702(b) that merchandise covered by the petition is manufactured or produced in, or exported from, the People's Republic of China and included in the most recent list required under section 183 of the Trade Act of 1974, determined in consultation with the United States Trade Representative, the administrating authority shall determine that a countervailable subsidy is being provided with respect to that merchandise.''.

(c) INCLUSION OF MADE IN CHINA 2025 PRODUCTS IN DEFINITION OF MATERIAL INJURY.—Paragraph (7)(F) of such section is amended by adding at the end the following:

''(iv) TREATMENT OF CERTAIN CHINESE MERCHANDISE.—Notwithstanding any other provision of this title, if a petition filed under section 702(b) alleges that an industry in the United States is materially injured or threatened with material injury or that the establishment of an industry in the United States is materially retarded by reason of imports of merchandise manufactured or produced in, or exported from, the People's Republic of China and included in the most recent list required under section 183 of the Trade Act of 1974, determined in consultation with the United States Trade Representative, the Commission shall determine that material injury or such a threat exists.''.

SEC. 6022. REPEAL OF REDUCED WITHHOLDING RATES FOR RESIDENTS OF CHINA.

(a) IN GENERAL.—Section 894 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''The provisions of'' in subsection (a)(1) and inserting ''Except as otherwise provided in this section, the provisions of''; and

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

''(d) EXCEPTION FOR PEOPLE'S REPUBLIC OF CHINA.—

''(1) IN GENERAL.—The rates of tax imposed under sections 871 and 881, and the rates of withholding tax imposed under chapter 3, with respect to any resident of the People's Republic of China shall be determined without regard to any provision of the Agreement between the Government of the United States of America and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Tax Evasion with Respect to Taxes on Income, signed at Beijing on April 30, 1984.

''(2) REGULATIONS.—The Secretary shall promulgate regulations to prevent the avoidance of the purposes of this subsection through the use of foreign entities.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to income received after the date of the enactment of this Act.

SEC. 6023. TAXATION OF OBLIGATIONS OF THE UNITED STATES HELD BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Section 892 of the Internal Revenue Code of 1986 is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

''(c) EXCEPTION.—This section shall not apply to the Government of the People's Republic of China.''.

(b) CENTRAL BANK.—Section 895 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Income'' and inserting the following:

''(a) IN GENERAL.—Income''; and

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

''(b) EXCEPTION.—This section shall not apply to the any central bank of the People's Republic of China.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to income received or derived after the date of the enactment of this Act.

SA 889. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X of division A, add the following:

Subtitle H—National Development Strategy and Coordination Act of 2023

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''National Development Strategy and Coordination Act of 2023''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term ''appropriate congressional committee'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Financial Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COUNTRY OF CONCERN.—The term ''country of concern'' means—

(A) the People's Republic of China and any other foreign government or foreign non-government person determined to be a foreign adversary under section 7.4 of title 15, Code of Federal Regulations, or any successor regulation; or

(B) any country determined by the Secretary of Commerce, in consultation with the United States Trade Representative, the Secretary of Defense, and the Director of National Intelligence, to have inadequate safeguards in place to protect United States funds (or intellectual property developed using such funds) from theft or transfer to a foreign government or foreign non-government person described in subparagraph (A).

(3) ENTITY OF CONCERN.—The term ''entity of concern'' means—

(A) an entity headquartered in a country of concern;

(B) an entity that is more than 25-percent owned by individuals or entities in countries of concern;

(C) an entity on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly referred to as the ''SDN list'');

(D) an entity on the Non-SDN Chinese Military-Industrial Complex Companies List—

(i) established pursuant to Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of the enactment of this Act; and

(ii) maintained by the Office of Foreign Assets Control;

(E) a Chinese military company on the list required by section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note);

(F) an entity on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations, or any successor regulation;

(G) an entity that produces equipment or services on the list of communications equipment and services that pose an unacceptable risk to the national security of the United States or the security and safety of United States persons maintained by the Federal Communications Commission under section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601); or

(H) any entity that is majority owned or controlled by, or under common ownership or control with, an entity described in any of subparagraphs (A) through (G).

SEC. 1093. ESTABLISHMENT OF THE INTERAGENCY COMMITTEE FOR THE COORDINATION OF NATIONAL DEVELOPMENT FINANCING PROGRAMS.

(a) ESTABLISHMENT.—There is established in the Executive Office of the President a Committee to be known as the Interagency Committee for the Coordination of National Development Financing Programs (referred to in this subtitle as the ''Committee'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall consist of the following members:

(A) The Secretary of Transportation or a designee of the Secretary.

(B) The Secretary of Energy or a designee of the Secretary.

(C) The Secretary of Commerce or a designee of the Secretary.

(D) The Secretary of Labor or a designee of the Secretary.

(E) The Secretary of the Treasury or a designee of the Secretary.

(F) The Administrator of the Small Business Administration or a designee of the Administrator.

(G) The Secretary of Defense or a designee of the Secretary.

(H) The Director of National Intelligence or a designee of the Director.

(I) The Secretary of Agriculture or a designee of the Secretary.

(J) The United States Trade Representative or their designee.

(K) The Chair of the Board of Governors of the Federal Reserve or a designee of the Chair, who shall serve as a nonvoting member.

(L) The Secretary of the Treasury or a designee of the Secretary, who shall serve as the chair of the Committee.

(2) TIE VOTE.—In the event of a tie vote, the vote of the chair of the Committee shall serve as the tie-breaker.

(c) DUTIES.—The Committee—

(1) shall submit to Congress the National Development Strategy described in subsection (d);

(A) not later than 1 year after the date of enactment of this Act; and

(B) not later than 1 year after January 20, 2025, and every 4 years thereafter, and in each such year not earlier than the latest date on which the budget of the President may be submitted to Congress under section 1105(a) of title 31, United States Code, submit to Congress the National Development Strategy described in subsection (d); and

(2) shall identify economic sectors of the United States, regions of the United States, and, as necessary and supported by substantial evidence, projects or partnerships that advance the goals of the National Development Strategy described in subsection (d), to which financing assistance should be prioritized by member agencies of the Committee and should be provided or supported by the Federal Financing Bank.

(d) NATIONAL DEVELOPMENT STRATEGY.—The Committee shall develop a publicly available (except for an allowable classified annex) National Development Strategy, which shall—

(1) identify and address vulnerabilities in United States supply chains in industries critical to national security;

(2) identify and address vulnerabilities and shortfalls in domestic manufacturing capabilities that threaten the ability of the United States to maintain a global advantage in innovation and manufacturing;

(3) identify weaknesses and discuss opportunities to strengthen the broad industrial base of the United States, which may include—

(A) strengthening supply chain resiliency;

(B) supporting industries critical for the national security;

(C) developing technologies that provide scientific or commercial value to the United States;

(D) supporting job growth and development of critical manufacturing capabilities within the United States workforce;

(E) supporting the development and adoption of innovative resource extraction technologies, including for renewable energy; and

(F) supporting job growth and economic development in critical industries in communities designated as qualified opportunity zones under section 1400Z–1 of the Internal Revenue Code of 1986;

(4) identify industries and regions in the United States that require assistance in order to address vulnerabilities and advance the goals described in paragraphs (1), (2), and (3); and

(5) outline a strategic plan to promote investment in the industries described in paragraph (4), which shall include—

(A) an estimate of the amount and nature of public financing needed to achieve the goals and address vulnerabilities described in paragraphs (1), (2), and (3);

(B) an inventory of all Federal programs in existence as of the date of the National Development Strategy that are capable of providing the financing described in subparagraph (A), the level of investment from each such Federal program in the preceding 5-year period, and a detailed description of how each such program is advancing development goals in the United States;

(C) recommendations as to how Federal agencies may, under existing Federal authorities, leverage and attract private investment to accomplish the goals described in this subsection;

(D) recommendations, if applicable, on any changes to Federal financing programs, including changes to how financing decisions are prioritized or creation of new financing programs, that may be needed to advance the goals of the National Development Strategy;

(E) directives to the Federal Financing Bank to accomplish the goals of the National Development Strategy; and

(F) performance metrics to evaluate and monitor projects supported by the Federal Financing Bank in alignment with the National Development Strategy.

(e) ADVICE AND INPUT.—The Committee shall seek the advice and input of industry partners, manufacturing policy experts, State and local development officials, and manufacturing worker interests when preparing the National Development Strategy described in subsection (d), including by—

(1) holding not less than 4 public hearings per year, either virtually or in-person, during which industry representatives, worker groups, and regional representatives can provide insight into strategic development prioritization; and

(2) establishing an Industry Advisory Board of not more than 10 members appointed by the President, which shall include—

(A) an expert in industry competitiveness and national security;

(B) a manufacturing trade association representative;

(C) a representative of small business government contractors;

(D) a manufacturing worker representative;

(E) a representative from a private investment firm investing in critical industries and frontier technology; and

(F) such other representatives as the President may appoint.

(f) ASSESSMENT OF NATIONAL DEVELOPMENT STRATEGY.—In January of each year in which the Committee does not submit a new National Development Strategy as required under subsection (d), the Committee shall submit to the appropriate congressional committees an assessment of the most recently published National Development Strategy, which shall include—

(1) an accounting of any new investments made by the Federal Financing Bank or member agencies of the Committee in the preceding year, including ZIP Code, North American Industry Classification System code, and financing stage;

(2) the performance of such investments, in accordance with performance metrics established by the Committee;

(3) an assessment of the implementation of the National Development Strategy, including an assessment by each agency represented on the Committee, supported by sufficient evidence, of steps taken to align such agencies' financing, research, and development activities with the goals of the National Development Strategy; and

(4) a determination on whether or not an update is needed to the National Development Strategy as a result of a change in assumptions, geopolitical dynamics, or other factors.

(g) MEMORANDUM OF COORDINATION WITH FEDERAL AGENCIES ENGAGED IN INVESTMENT AND FINANCING ACTIVITIES.—Not later than 1 year after the date of enactment of this Act, the Committee shall negotiate a memorandum of understanding among the Federal agencies represented on the Committee, which shall—

(1) establish procedures for—

(A) aligning their respective investment and financing authorities to ensure maximum efficiency and comply with the goals of the National Development Strategy;

(B) resolving conflicts in cases of overlapping jurisdiction between their respective agencies; and

(C) avoiding conflicting or duplicative operation of services.

(2) be reviewed and updated annually in coordination with the submission of the assessment outlined in subsection (f).

(h) MEETINGS.—The Committee shall meet regularly and as required by the President, but not less frequently than annually.

(i) STRATEGIC ALIGNMENT.—Each Federal agency represented on the Committee shall—

(1) consult on a regular basis the most recently published National Development Strategy described in subsection (d); and

(2) to the extent practicable, give priority consideration to projects that align with the goals of the National Development Strategy when engaged in financing, research, and development activities.

SEC. 1094. REQUIREMENTS OF THE FEDERAL FINANCING BANK RELATING TO THE NATIONAL DEVELOPMENT STRATEGY.

(a) IN GENERAL.—The Federal Financing Bank Act of 1973 (12 U.S.C. 2281 et seq.) is amended by adding at the end the following:

''SEC. 21. FUNCTIONS WITH RESPECT TO THE COMMITTEE.

''(a) IN GENERAL.—The Bank shall carry out any directives made to the Bank by the Interagency Committee for the Coordination of National Development Financing Programs pursuant to subsections (c)(2) and (d)(5)(E) of section 3 of the National Development Strategy and Coordination Act of 2023.

''(b) ACTIVITIES.—Pursuant to subsection (a), the Bank is authorized, upon direction by the Interagency Committee for the Coordination of National Development Financing Programs, to—

''(1) issue securities that are backed by financing assistance through any member agency of the Committee;

''(2) purchase from the private market loans or other debt or equity instruments guaranteed in whole or in part by any member agency of the Committee; and

''(3) participate in agency loans or loan guarantees in an amount less than 100 percent of the principal amount of financing.

''(c) PURCHASE NOT FOR RESALE.—As directed by the Interagency Committee for the Coordination of National Development Financing Programs in accordance with the National Development Strategy established under section 3(d) of the National Development Strategy and Coordination Act of 2023, the Bank may, as necessary, purchase not for resale to the private market any loans or other debt or equity instruments described in subsection (b)(2).

''SEC. 22. SECONDARY MARKET OPERATIONS.

''Except as otherwise provided in the National Development Strategy and Coordination Act of 2023, obligations purchased by the Bank may be resold in the secondary market in a similar manner to secondary market sales of Treasury notes.

''SEC. 23. OMBUDSMAN.

''The Board of Directors of the Bank shall designate an official as the Ombudsman who shall—

''(1) review investments made by the Bank on projects or partnerships identified by the Interagency Committee for the Coordination of National Development Financing Programs;

''(2) review the risk profiles and performance of any such projects or partnerships;

''(3) provide oversight relating to any such projects or partnerships; and

''(4) provide annually to the appropriate congressional committees a report detailing investments made by the Bank in projects or partnerships identified by the Committee described in paragraph (1), the performance of such investments, and any new or existing investments that may present cause for concern regarding the potential of repayment or lack of alignment with strategic directives.''.

(b) FEDERAL CREDIT REFORM ACT.—If the Committee determines that a project or partnership receiving financial assistance through any member agency is investing in frontier technologies for which no reasonable market comparison exists, obligations purchased in connection with such project or partnership by the Federal Financing Bank under section 21 of the Federal Financing Bank Act of 1973, as added by subsection (a) of this section, shall not be subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 1095. AUTHORIZATION OF APPROPRIATIONS FOR THE FEDERAL FINANCING BANK.

(a) IN GENERAL.—There is authorized to be appropriated to the Federal Financing Bank, to remain available for 10 years after the date of distribution, to carry out projects and partnerships selected by the National Development Strategy established under section 1093(d) of this subtitle—

(1) for fiscal year 2024, $5,000,000,000;

(2) for fiscal year 2025, $5,000,000,000;

(3) for fiscal year 2026, $5,000,000,000; and

(4) for fiscal year 2027, $5,000,000,000;

(b) SET ASIDE.—Not more than 2 percent of funds appropriated under this section shall be utilized for administrative costs, including the hiring of new staff to oversee and accomplish the functions of the Federal Financing Bank.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Federal Financing Bank should use amounts appropriated under this section as soon as possible.

SEC. 1096. PROHIBITIONS AND POLICY.

(a) PROHIBITION.—No funding or authorities provided under this subtitle may be used to support projects or partnerships with any entity of concern.

(b) POLICIES.—Not later than 180 days after the date of enactment of this Act, the Committee shall establish policies to ensure that any support to projects or partnerships provided by the Federal Financing Bank in accordance with this subtitle—

(1) includes assurances that no support provided in such project or partnership shall be used to expand operations in a country of concern;

(2) includes protections to ensure against transfer of intellectual property to countries of concern; and

(3) includes requirements that any firm participating in a project or partnership

funded by this subtitle disclose any affiliate, parent company, or subsidiary located in a country of concern.

SA 890. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AMERICAN FINANCIAL MARKETS INTEGRITY AND SECURITY.

(a) SHORT TITLE.—This section may be cited as the ''American Financial Markets Integrity and Security Act''.

(b) PROHIBITIONS RELATING TO CERTAIN COMMUNIST CHINESE MILITARY COMPANIES.—

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term ''Commission'' means the Securities and Exchange Commission.

(B) CONTROL; INSURANCE COMPANY.—The terms ''control'' and ''insurance company'' have the meanings given the terms in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)).

(C) COVERED ENTITY.—

(i) IN GENERAL.—The term ''covered entity'' means any of the following:

(I) An entity on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly referred to as the ''SDN list'').

(II) An entity on the Non-SDN Chinese Military-Industrial Complex Companies List—

(aa) established pursuant to Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of enactment of this Act; and

(bb) maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(III) A Chinese military company on the list required under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

(IV) An entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(V) Any entity that is a parent, subsidiary, or affiliate of, or an entity controlled by, an entity described in any of clauses (i) through (iv).

(ii) GRACE PERIOD.—For the purposes of this section and the amendments made by this section, an entity shall be considered to be a covered entity beginning on the date that is 1 year after the date on which the entity first qualifies under the applicable provision of clause (i).

(D) EXCHANGE; SECURITY.—The terms ''exchange'' and ''security'' have the meanings given those terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(2) PROHIBITIONS.—

(A) LISTING ON EXCHANGE.—Beginning on the date that is 1 year after the date of enactment of this Act, the Commission shall prohibit a covered entity from offering to sell or selling on an exchange (or through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the ''over-the-counter'' trading of securities) securities issued by the covered entity, including pursuant to an exemption to section 5 of the Securities Act of 1933 (15 U.S.C. 77e).

(B) INVESTMENTS; LIMITATION ON ACTIONS.—

(i) IN GENERAL.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(I) in section 12(d) (15 U.S.C. 80a–12(d)), by adding at the end the following:

''(4)(A) It shall be unlawful for any investment company, or any person that would be an investment company but for the application of paragraph (1) or (7) of section 3(c), to invest in a covered entity.

''(B) In this paragraph, the term 'covered entity' has the meaning given the term in subsection (b)(1) of the American Financial Markets Integrity and Security Act.''; and

(II) in section 13(c)(1) (15 U.S.C. 80a–13(c)(1))—

(aa) in subparagraph (A), by striking ''or'' at the end;

(bb) in subparagraph (B), by striking the period at the end and inserting ''or''; and

(cc) by adding at the end the following:

''(C) are covered entities, as that term is defined in section 12(d)(4)(B).''.

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall take effect on the date that is 1 year after the date of enactment of this Act.

(C) FEDERAL FUNDS.—

(i) IN GENERAL.—Except as provided in clause (ii), on and after the date that is 180 days after the date of enactment of this Act, no Federal funds may be used to enter into, extend, or renew a contract or purchasing agreement with a covered entity.

(ii) WAIVER.—The head of a Federal agency may issue a national security waiver to the prohibition in clause (i) for a period of not more than 2 years with respect to a covered entity if the agency head submits to Congress a notification that includes—

(I) a written justification for the waiver; and

(II) a plan for a phase-out of the goods or services provided by the covered entity.

(D) INVESTMENTS BY INSURANCE COMPANIES.—

(i) IN GENERAL.—On and after the date of enactment of this Act, an insurance company may not invest in a covered entity.

(ii) CERTIFICATION OF COMPLIANCE.—

(I) IN GENERAL.—Each insurance company shall, on an annual basis, submit to the Secretary of the Treasury a certification of compliance with clause (i).

(II) RESPONSIBILITIES OF THE SECRETARY.—The Secretary of the Treasury shall create a form for the submission required under subclause (I) in such a manner that minimizes the reporting burden on an insurance company making the submission.

(iii) SHARING INFORMATION.—The Secretary of the Treasury, acting through the Federal Insurance Office, shall share the information received under clause (ii) and coordinate verification of compliance with State insurance offices.

(3) QUALIFIED TRUSTS, ETC.—

(A) IN GENERAL.—Subsection (a) of section 401 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (39) the following new paragraph:

''(40) PROHIBITED INVESTMENTS.—A trust which is part of a plan shall not be treated as a qualified trust under this subsection unless the plan provides that no part of the plan's assets will be invested in any covered entity (as defined in section 12(d)(4)(B) of the Investment Company Act of 1940).''.

(B) IRAS.—Paragraph (3) of section 408(a) of such Code is amended by striking ''contracts'' and inserting ''contracts or in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940)''.

(C) FIDUCIARY DUTY.—Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following new subsection:

''(f) PROHIBITED INVESTMENTS.—No fiduciary shall cause any assets of a plan to be invested in any covered entity (as defined in section 12(d)(4)(B) of the Investment Company Act of 1940 (15 U.S.C. 80a–12(d)(4)(B))).''.

(D) EFFECTIVE DATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the amendments made by this paragraph shall apply to plan years beginning after the date which is 180 days after the date of the enactment of this Act.

(ii) PLAN AMENDMENTS.—If clause (iii) applies to any retirement plan or contract amendment—

(I) such plan or contract shall not fail to be treated as being operated in accordance with the terms of the plan during the period described in clause (iii)(II) solely because the plan operates in accordance with the amendments made by this subsection, and

(II) except as provided by the Secretary of the Treasury (or the Secretary's delegate), such plan or contract shall not fail to meet the requirements of the Internal Revenue Code of 1986 or the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(iii) AMENDMENTS TO WHICH CLAUSE APPLIES.—

(I) IN GENERAL.—This clause shall apply to any amendment to any plan or annuity contract which—

(aa) is made pursuant to the provisions of this paragraph, and

(bb) is made on or before the last day of the first plan year beginning on or after the date which is 2 years after the date of the enactment of this Act (4 years after such date of enactment, in the case of a governmental plan).

(II) CONDITIONS.—This clause shall not apply to any amendment unless—

(aa) during the period beginning on the date which is 180 days after the date of the enactment of this Act, and ending on the date described in subclause (I)(bb) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(bb) such plan or contract amendment applies retroactively for such period.

(iv) SUBSEQUENT AMENDMENTS.—Rules similar to the rules of clauses (ii) and (iii) shall apply in the case of any amendment to any plan or annuity contract made pursuant to any update of the list of Communist Chinese military companies required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note) which is made after the effective date of the amendments made by this paragraph.

(c) MODIFICATION OF REQUIREMENTS FOR LIST OF COMMUNIST CHINESE MILITARY COMPANIES.—Section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) REVISIONS TO THE LIST.—

''(A) ADDITIONS.—The Secretary of Defense, the Secretary of Commerce, or the Director of National Intelligence may add a person to the list required by paragraph (1) at any time.

''(B) REMOVALS.—A person may be removed from the list required by paragraph (1) if the

Secretary of Defense, the Secretary of Commerce, and the Director of National Intelligence agree to remove the person from the list.

''(C) SUBMISSION OF UPDATES TO CONGRESS.—Not later than February 1 of each year, the Secretary of Defense shall submit a version of the list required in paragraph (1), updated to include any additions or removals under this paragraph, to the committees and officers specified in paragraph (1).'';

(2) by striking paragraph (3) and inserting the following:

''(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Secretary of Defense, the Secretary of Commerce, and the Director of National Intelligence shall consult with each other, the Attorney General, and the Director of the Federal Bureau of Investigation.''; and

(3) in paragraph (4), in the matter preceding subparagraph (A), by striking ''making the determination required by paragraph (1) and of carrying out paragraph (2)'' and inserting ''this section''.

(d) ANALYSIS OF FINANCIAL AMBITIONS OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) ANALYSIS REQUIRED.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall conduct an analysis of—

(A) the strategic importance to the Government of the People's Republic of China of inflows of United States dollars through capital markets to the People's Republic of China;

(B) the methods by which that Government seeks to manage such inflows;

(C) how the inclusion of the securities of Chinese entities in stock or bond indexes affects such inflows and serves the financial ambitions of that Government; and

(D) how the listing of the securities of Chinese entities on exchanges in the United States assists in—

(i) meeting the strategic goals of that Government, including defense, surveillance, and intelligence goals; and

(ii) the fusion of the civilian and military components of that Government.

(2) SUBMISSION TO CONGRESS.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall submit to Congress a report—

(A) setting forth the results of the analysis conducted under paragraph (1); and

(B) based on that analysis, making recommendations for best practices to mitigate any national security and economic risks to the United States relating to the financial ambitions of the Government of the People's Republic of China.

SA 891. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COUNTERING CORPORATE CORRUPTION IN THE PEOPLE'S REPUBLIC OF CHINA.

(a) FINDINGS.—Congress finds the following:

(1) In section 1 of the National Security Study Memorandum issued on June 3, 2021 (relating to establishing the fight against corruption as a core United States national security interest), President Joseph R. Biden, Jr., established countering corruption as a core United States national security interest.

(2) The practices of the Chinese Communist Party, the Government of the People's Republic of China, and instrumentalities of the Government of the People's Republic of China pose a unique challenge to the enforcement of section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1) and sections 104 and 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2, 78dd–3) (referred to collectively in this subsection as the ''corporate anti-corruption laws'').

(3) The Chinese Communist Party, the Government of the People's Republic of China, and instrumentalities of the Government of the People's Republic of China routinely frustrate the enforcement of the corporate anti-corruption laws by leveraging access to the markets of the People's Republic of China to cause companies that are subject to the corporate anti-corruption laws to improperly provide valuable benefits to those entities in the form of principally nonmonetary actions (referred to collectively in this subsection as ''corporate actions currying favor with the Chinese Communist Party''), which include—

(A) the hiring, promotion, or retention of Chinese Communist Party officials and children of those officials, such as the unlawful practices admitted to by certain entities subject to the corporate anti-corruption laws in what are commonly known as the ''princelings'' settlements;

(B) political advocacy on behalf of the goals and policies of the Chinese Communist Party in the People's Republic of China, the United States, and the rest of the world, including by—

(i) assisting in the denial, obfuscation, or excusal of—

(I) genocide and other atrocities committed by the Chinese Communist Party, the Government of the People's Republic of China, and instrumentalities of the Government of the People's Republic of China;

(II) the extrajudicial detainment, subjection to forced labor, torture, and political indoctrination of, and other severe human rights abuses with respect to, Uyghurs, Kazakhs, Kyrgyz, and members of other predominantly Muslim ethnic groups by the Government of the People's Republic of China in the Xinjiang Uyghur Autonomous Region of China (or comparable treatment of members of other ethnic, religious, and political groups who reside elsewhere in the People's Republic of China);

(III) censorship or other activities with respect to Hong Kong that—

(aa) prohibit, limit, or penalize the exercise of freedom of expression or assembly by the citizens of Hong Kong; or

(bb) limit access to free and independent print, online, or broadcast media; and

(IV) the extrajudicial rendition, arbitrary detention, or torture of any individual in Hong Kong or other gross violations of internationally recognized human rights in Hong Kong; and

(ii) supporting, legitimizing, or recognizing the unlawful territorial claims of the Government of the People's Republic of China in Taiwan, Tibet, Korea, the South China Sea, the East China Sea, and other locations in which such claims are contested; and

(C) investments without reasonable business purposes in industries targeted for support by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China, including by entering into a joint venture with such an instrumentality or an entity affiliated with such an instrumentality.

(4) Corporate actions currying favor with the Chinese Communist Party are valuable to officials of the Chinese Communist Party, the Government of the People's Republic of China, and instrumentalities of the Government of the People's Republic of China, and constitute payments of value for the purposes of subsection (a) of each of the corporate anti-corruption laws, because those actions are—

(A) directly or indirectly financially valuable to those officials due to—

(i) the extent of corruption in the People's Republic of China;

(ii) the reliance of the economy of the People's Republic of China on state-owned enterprises; and

(iii) the integration of the party-state with business enterprises in the People's Republic of China; and

(B) valuable to the interests of the Chinese Communist Party, and officials of that Party, in a manner that is distinct from any independent economic or public interest rationale for those actions.

(5) Corporate actions currying favor with the Chinese Communist Party are taken corruptly for the purposes of each of the corporate anti-corruption laws because those actions—

(A) have no reasonable business purpose unrelated to obtaining or retaining business within the People's Republic of China and instead relate to—

(i) accessing markets within the jurisdiction of the People's Republic of China; or

(ii) avoiding injury threatened by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China; and

(B) are morally wrongful to the extent that those actions contribute to denying, obfuscating, or excusing—

(i) genocide and other atrocities; and

(ii) the extrajudicial detainment, subjection to forced labor, torture, and political indoctrination of, and other severe human rights abuses with respect to, individuals by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China.

(6) Despite the public and prominent undertaking of corporate actions currying favor with the Chinese Communist Party by individuals and entities that are subject to the corporate anti-corruption laws, the Federal Government has undertaken little enforcement with respect to those corporate actions due to an apparent difficulty in demonstrating that the actions are corrupt, or of value to a foreign official, because of the principally nonmonetary nature of those actions.

(7) In addition to undermining the public interest in the enforcement of the corporate anti-corruption laws in the manner described in paragraphs (2) through (6), corporate actions currying favor with the Chinese Communist Party undermine the public interest in the enforcement of the laws of the United States, including—

(A) sections 4 and 5 of the Act entitled ''An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes'', approved December 23, 2021 (Public Law 117–78; 135 Stat. 1525) (referred to in this subsection as the ''Uyghur Forced Labor Prevention Act'') (including the amendment made by section 5 of that Act), by—

(i) reducing the awareness of entities subject to, or potentially subject to, that Act regarding the application of that Act to activities in the Xinjiang Autonomous Region

of the People's Republic of China or elsewhere in the People's Republic of China;

(ii) aiding and abetting violations of that Act; and

(iii) reducing the information available to law enforcement officials in the United States regarding the activities described in clause (i); and

(B) United States sanctions laws with respect to persons and entities in the People's Republic of China (collectively referred to in this subsection as the ''sanctions laws of the United States'')—

(i) including—

(I) section 1237 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note);

(II) sections 4 and 5 of the Uyghur Forced Labor Prevention Act (including the amendment made by section 5 of that Act);

(III) the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note);

(IV) Executive Order 13818 (50 U.S.C. 1701 note; relating to blocking the property of persons involved in serious human rights abuse or corruption), as amended on or after the date of enactment of this Act;

(V) Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of enactment of this Act and as superseded in part before, on, or after the date of enactment of this Act; and

(VI) Executive Order 14032 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance certain companies of the People's Republic of China), as amended before, on, or after the date of enactment of this Act; and

(ii) by facilitating investment in, or transactions with, entities in which investment is, or with which transactions are, prohibited under the sanctions laws of the United States by—

(I) providing principally nonmonetary benefits of value to those entities, which, in turn, become financially valuable to those entities in a manner that is directly traceable to those benefits, such as with respect to raising capital from international capital markets;

(II) investing in, or transacting with, entities not subject to the sanctions laws of the United States under circumstances that suggest that those entities will, in turn, invest in or transact with other entities that are subject to the sanctions laws of the United States; and

(III) reducing the information available to law enforcement officials in the United States for the purpose of enforcing the sanctions laws of the United States.

(8) The requirements of this section, and the amendments made by this section, are justified by—

(A) the public interest in mitigating the threats to the enforcement of the corporate anti-corruption laws, and the sanctions laws of the United States, that are posed by the Chinese Communist Party, the Government of the People's Republic of China, and instrumentalities of the Government of the People's Republic of China;

(B) the foreign policy interests achieved by this section and the amendments made by this section; and

(C) the fact that those requirements—

(i) are confined to the specific conduct of entities and persons subject to the corporate anti-corruption laws based on observable patterns of behavior demonstrated by those entities and persons; and

(ii) do not subject any entity or person described in clause (i) to any criminal penalty.

(b) AMENDMENTS REGARDING PROHIBITED FOREIGN TRADE PRACTICES.—

(1) ISSUERS.—

(A) IN GENERAL.—Section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1) is amended—

(i) in subsection (f), by adding at the end the following:

''(4) The term 'covered investment'—

''(A) means any direct or indirect contribution or commitment of assets, including any—

''(i) acquisition of an equity interest or convertible equity interest; or

''(ii) loan or other debt interest; and

''(B) does not include a transaction in goods or services, or any related party transaction, with a wholly owned subsidiary of an entity—

''(i) that is incorporated in a jurisdiction of the United States; or

''(ii) the principal place of business of which is in the United States.''; and

(ii) by adding at the end the following:

''(h) APPLICATION.—For the purposes of this section—

''(1) an action that is taken corruptly includes an action that serves to—

''(A) deny, obfuscate, or excuse that a third party has committed, or assist a third party in committing—

''(i) the extrajudicial detainment, subjection to forced labor, torture, and political indoctrination of, and other severe human rights abuses with respect to, Uyghurs, Kazakhs, Kyrgyz, and members of other predominantly Muslim ethnic groups by the Government of the People's Republic of China in the Xinjiang Uyghur Autonomous Region of China (or comparable treatment of members of other ethnic, religious, and political groups who reside elsewhere in the People's Republic of China);

''(ii) censorship, or another activity, by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China with respect to Hong Kong that—

''(I) prohibits, limits, or penalizes the exercise of freedom of expression or assembly by citizens of Hong Kong; or

''(II) limits access to free and independent print, online, or broadcast media; or

''(iii) the extrajudicial rendition, arbitrary detention, or torture of any individual in Hong Kong or other gross violations of internationally recognized human rights in Hong Kong;

''(B) support, legitimize, or recognize the territorial claims of the Government of the People's Republic of China in Taiwan, Tibet, Korea, the South China Sea, the East China Sea, or another location in which such a claim is contested;

''(C) express political advocacy in favor of the Chinese Communist Party, the system of governance of that Party, or any official of that Party; or

''(D) make a covered investment—

''(i) in partnership with the Belt and Road Initiative of the Government of the People's Republic of China; or

''(ii) in any entity (including a parent, subsidiary, or affiliate of, or another entity controlled by an entity) that is—

''(I)(aa) affiliated with the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China; and

''(bb) involved in the development, production, or sale of emerging or foundational technology identified pursuant to section 1758 of the Export Controls Act of 2018 (50 U.S.C. 4817); or

''(II) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations; and

''(2) an action described in paragraph (1) is made with respect to a foreign official, or any foreign political party or official thereof, if, among other reasons, the action is taken in response to—

''(A) a request of any foreign official, or any foreign political party or official thereof, as applicable;

''(B) an injury or threat of injury, by means of economic coercion, to the applicable issuer, or to an officer, director, employee, or agent of the applicable issuer, made by any foreign official or any foreign political party or official thereof; or

''(C) a material action or announcement, including with respect to policy, by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China from which the action would rationally follow.

''(i) SPECIAL RULES.—Notwithstanding any other provision of this section, with respect to a violation of subsection (a) or (g) that is based on an action taken corruptly as described in any of subparagraphs (A) through (D) of subsection (h)(1)—

''(1) the affirmative defenses under subsection (c) shall not be available;

''(2) it shall be an affirmative defense to actions under subsection (a) or (g) that the payment, gift, offer, or promise of anything of value that was made, as of the date on which it was made, had a reasonable business purpose, which does not include a purpose relating to—

''(A) advertising, marketing, or public relations; or

''(B) entering into or obtaining any agreement, license, permit, or other arrangement with respect to market access to a jurisdiction of a government;

''(3) notwithstanding section 32—

''(A) only a penalty described in subsection (c)(1)(B) or (c)(2)(B) of that section may apply with respect to the violation; and

''(B) the minimum amount of the civil penalty assessed for the violation shall be 3 times the amount of the penalty described in subsection (c)(1)(B) or (c)(2)(B) of that section, as applicable; and

''(4) in an action brought with respect to the violation, evidence that the action taken by the applicable issuer (or the officer, director, employee, or agent of the issuer, or stockholder acting on behalf of such issuer) was directly or indirectly inconsistent with the policies of the issuer, including any representation to the Federal Government by the issuer, shall be admissible to prove that the action taken by the issuer (or officer, director, employee, agent, or stockholder) was taken corruptly for the purposes of subsection (a) or (g), as applicable.''.

(B) RULE OF CONSTRUCTION.—Nothing in subsection (h) of section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1), as added by subparagraph (A) of this paragraph, may be construed to expand the meaning of the term ''corruptly'', ''to any foreign official'', or ''to any foreign political party or official thereof'' for the purposes of such section 30A, except for the clarification that the term includes an action that is taken as described in paragraph (1) or (2) of such subsection (h), as applicable.

(2) DOMESTIC CONCERNS.—

(A) IN GENERAL.—Section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2) is amended—

(i) in subsection (h), by adding at the end the following:

''(6) The term 'covered investment'—

''(A) means any direct or indirect contribution or commitment of assets, including any—

''(i) acquisition of an equity interest or convertible equity interest; or

''(ii) loan or other debt interest; and

''(B) does not include a transaction in goods or services, or any related party transaction, with a wholly owned subsidiary of an entity—

''(i) that is incorporated in a jurisdiction of the United States; or

''(ii) the principal place of business of which is in the United States.''; and

(ii) by adding at the end the following:

''(j) APPLICATION.—For the purposes of this section—

''(1) an action that is taken corruptly includes an action that serves to—

''(A) deny, obfuscate, or excuse that a third party has committed, or assist a third party in committing—

''(i) the extrajudicial detainment, subjection to forced labor, torture, and political indoctrination of, and other severe human rights abuses with respect to, Uyghurs, Kazakhs, Kyrgyz, and members of other predominantly Muslim ethnic groups by the Government of the People's Republic of China in the Xinjiang Uyghur Autonomous Region of China (or comparable treatment of members of other ethnic, religious, and political groups who reside elsewhere in the People's Republic of China);

''(ii) censorship, or another activity, by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China with respect to Hong Kong that—

''(I) prohibits, limits, or penalizes the exercise of freedom of expression or assembly by citizens of Hong Kong; or

''(II) limits access to free and independent print, online, or broadcast media; or

''(iii) the extrajudicial rendition, arbitrary detention, or torture of any individual in Hong Kong or other gross violations of internationally recognized human rights in Hong Kong;

''(B) support, legitimize, or recognize the territorial claims of the Government of the People's Republic of China in Taiwan, Tibet, Korea, the South China Sea, the East China Sea, or another location in which such a claim is contested;

''(C) express political advocacy in favor of the Chinese Communist Party, the system of governance of that Party, or any official of that Party; or

''(D) make a covered investment—

''(i) in partnership with the Belt and Road Initiative of the Government of the People's Republic of China; or

''(ii) in any entity (including a parent, subsidiary, or affiliate of, or another entity controlled by an entity) that is—

''(I)(aa) affiliated with the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China; and

''(bb) involved in the development, production, or sale of emerging or foundational technology identified pursuant to section 1758 of the Export Controls Act of 2018 (50 U.S.C. 4817); or

''(II) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations; and

''(2) an action described in paragraph (1) is made with respect to a foreign official, or any foreign political party or official thereof, if, among other reasons, the action is taken in response to—

''(A) a request of any foreign official, or any foreign political party or official thereof, as applicable;

''(B) an injury or threat of injury, by means of economic coercion, to the applicable domestic concern, or to an officer, director, employee, or agent of the applicable domestic concern, made by any foreign official or any foreign political party or official thereof; or

''(C) a material action or announcement, including with respect to policy, by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China from which the action would rationally follow.

''(k) SPECIAL RULES.—Notwithstanding any other provision of this section, with respect to a violation of subsection (a) or (i) that is based on an action taken corruptly as described in any of subparagraphs (A) through (D) of subsection (j)(1)—

''(1) the affirmative defenses under subsection (c) shall not be available;

''(2) it shall be an affirmative defense to actions under subsection (a) or (i) that the payment, gift, offer, or promise of anything of value that was made, as of the date on which it was made, had a reasonable business purpose, which does not include a purpose relating to—

''(A) advertising, marketing, or public relations; or

''(B) entering into or obtaining any agreement, license, permit, or other arrangement with respect to market access to a jurisdiction of a government;

''(3) notwithstanding any provision of subsection (g)—

''(A) only a penalty described in paragraph (1)(B) or (2)(B) of that subsection may apply with respect to the violation; and

''(B) the minimum amount of the civil penalty assessed for the violation shall be 3 times the amount of the penalty described in paragraph (1)(B) or (2)(B) of that subsection, as applicable; and

''(4) in an action brought with respect to the violation, evidence that the action taken by the applicable domestic concern (or the officer, director, employee, or agent of the domestic concern, or stockholder acting on behalf of such domestic concern) was directly or indirectly inconsistent with the policies of the domestic concern, including any representation to the Federal Government by the domestic concern, shall be admissible to prove that the action taken by the domestic concern (or officer, director, employee, agent, or stockholder) was taken corruptly for the purposes of subsection (a) or (i), as applicable.''.

(B) RULE OF CONSTRUCTION.—Nothing in subsection (j) of section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2), as added by subparagraph (A) of this paragraph, may be construed to expand the meaning of the term ''corruptly'', ''to any foreign official'', or ''to any foreign political party or official thereof'' for the purposes of such section 104, except for the clarification that the term includes an action that is taken as described in paragraph (1) or (2) of such subsection (j), as applicable.

(3) PERSONS OTHER THAN ISSUERS OR DOMESTIC CONCERNS.—

(A) IN GENERAL.—Section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–3) is amended—

(i) in subsection (f), by adding at the end the following:

''(6) The term 'covered investment'—

''(A) means any direct or indirect contribution or commitment of assets, including any—

''(i) acquisition of an equity interest or convertible equity interest; or

''(ii) loan or other debt interest; and

''(B) does not include a transaction in goods or services, or any related party transaction, with a wholly owned subsidiary of an entity—

''(i) that is incorporated in a jurisdiction of the United States; or

''(ii) the principal place of business of which is in the United States.''; and

(ii) by adding at the end the following:

''(g) APPLICATION.—For the purposes of this section—

''(1) an action that is taken corruptly includes an action that serves to—

''(A) deny, obfuscate, or excuse that a third party has committed, or assist a third party in committing—

''(i) the extrajudicial detainment, subjection to forced labor, torture, and political indoctrination of, and other severe human rights abuses with respect to, Uyghurs, Kazakhs, Kyrgyz, and members of other predominantly Muslim ethnic groups by the Government of the People's Republic of China in the Xinjiang Uyghur Autonomous Region of China (or comparable treatment of members of other ethnic, religious, and political groups who reside elsewhere in the People's Republic of China);

''(ii) censorship, or another activity, by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China with respect to Hong Kong that—

''(I) prohibits, limits, or penalizes the exercise of freedom of expression or assembly by citizens of Hong Kong; or

''(II) limits access to free and independent print, online, or broadcast media; or

''(iii) the extrajudicial rendition, arbitrary detention, or torture of any individual in Hong Kong or other gross violations of internationally recognized human rights in Hong Kong;

''(B) support, legitimize, or recognize the territorial claims of the Government of the People's Republic of China in Taiwan, Tibet, Korea, the South China Sea, the East China Sea, or another location in which such a claim is contested;

''(C) express political advocacy in favor of the Chinese Communist Party, the system of governance of that Party, or any official of that Party; or

''(D) make a covered investment—

''(i) in partnership with the Belt and Road Initiative of the Government of the People's Republic of China; or

''(ii) in any entity (including a parent, subsidiary, or affiliate of, or another entity controlled by an entity) that is—

''(I)(aa) affiliated with the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China; and

''(bb) involved in the development, production, or sale of emerging or foundational technology identified pursuant to section 1758 of the Export Controls Act of 2018 (50 U.S.C. 4817); or

''(II) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations; and

''(2) an action described in paragraph (1) is made with respect to a foreign official, or any foreign political party or official thereof, if, among other reasons, the action is taken in response to—

''(A) a request of any foreign official, or any foreign political party or official thereof, as applicable;

''(B) an injury or threat of injury, by means of economic coercion, to the applicable person, or to an officer, director, employee, or agent of the applicable person, made by any foreign official or any foreign political party or official thereof; or

''(C) a material action or announcement, including with respect to policy, by the Chinese Communist Party, the Government of the People's Republic of China, or instrumentalities of the Government of the People's Republic of China from which the action would rationally follow.

''(h) SPECIAL RULES.—Notwithstanding any other provision of this section, with respect to a violation of subsection (a) that is based on an action taken corruptly as described in any of subparagraphs (A) through (D) of subsection (g)(1)—

''(1) the affirmative defenses under subsection (c) shall not be available;

''(2) it shall be an affirmative defense to actions under subsection (a) that the payment, gift, offer, or promise of anything of value that was made, as of the date on which it was made, had a reasonable business purpose, which does not include a purpose relating to—

''(A) advertising, marketing, or public relations; or

''(B) entering into or obtaining any agreement, license, permit, or other arrangement with respect to market access to a jurisdiction of a government;

''(3) notwithstanding any provision of subsection (e)—

''(A) only a penalty described in paragraph (1)(B) or (2)(B) of that subsection may apply with respect to the violation; and

''(B) the minimum amount of the civil penalty assessed for the violation shall be 3 times the amount of the penalty described in paragraph (1)(B) or (2)(B) of that subsection, as applicable; and

''(4) in an action brought with respect to the violation, evidence that the action taken by the applicable person was directly or indirectly inconsistent with the policies of the person, including any representation to the Federal Government by the person, shall be admissible to prove that the action taken by the person was taken corruptly for the purposes of subsection (a).''.

(B) RULE OF CONSTRUCTION.—Nothing in subsection (g) of section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–3), as added by subparagraph (A) of this paragraph, may be construed to expand the meaning of the term ''corruptly'', ''to any foreign official'', or ''to any foreign political party or official thereof'' for the purposes of such section 104A, except for the clarification that the term includes an action that is taken as described in paragraph (1) or (2) of such subsection (g), as applicable.

SA 892. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. FEDERAL OVERSIGHT OF FOREIGN FUNDING IN EDUCATION.

(a) IN GENERAL.—Section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f) is amended—

(1) in subsection (a), by inserting '', including a member of the faculty, professional staff, or other staff engaged in research and development,'' after ''Whenever any institution'';

(2) by redesignating subsections (b) through (g), and subsection (h), as subsections (c) through (h), and subsection (k), respectively;

(3) by inserting after subsection (a) the following:

''(b) DISCLOSURES OF GIFTS AND CONTRACTS FROM DESIGNATED FOREIGN ADVERSARY SOURCES.—

''(1) IN GENERAL.—Notwithstanding subsection (a), whenever any institution, including a member of the faculty, professional staff, or other staff engaged in research and development, receives a gift from or enters into a contract with a designated foreign adversary source, the value of which is $50,000 or more, considered alone or in combination with all other gifts from or contracts with that designated foreign adversary source within a calendar year, the institution shall file a disclosure report with the Secretary not later than 30 days after the date of the receipt of the gift or entry into the contract.

''(2) LIST OF DESIGNATED FOREIGN ADVERSARY SOURCES.—In consultation with Congress, the Secretary of State may add countries to the list of adversarial foreign governments in subsection (k) but may not remove countries from that list.'';

(4) in subsection (d) (as redesignated), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(5) in subsection (e) (as redesignated), by striking ''subsection (a)'' each place it appears and inserting ''subsection (a) or (b)'';

(6) in subsection (k) (as redesignated)—

(A) by redesignating paragraph (1) and paragraphs (2) through (5) as paragraph (2) and paragraphs (4) through (7), respectively;

(B) by inserting before paragraph (2) (as redesignated) the following:

''(1) the term 'adversarial foreign government' means—

''(A) the People's Republic of China;

''(B) the Russian Federation;

''(C) the Democratic People's Republic of Korea;

''(D) the Islamic Republic of Iran;

''(E) the Republic of Cuba;

''(F) the Syrian Arab Republic;

''(G) the regime of Nicolás Maduro in Venezuela; and

''(H) the government of any other country designated as an adversarial foreign government for purposes of this section by the Secretary of State, in accordance with subsection (b)(2);''; and

(C) by inserting after paragraph (2) (as redesignated) the following:

''(3) the term 'designated foreign adversary source' means—

''(A) an adversarial foreign government, including an agency of an adversarial foreign government;

''(B) a legal entity, governmental or otherwise, organized solely under the laws of a country described in paragraph (1);

''(C) an individual who is a citizen or national of such a country; and

''(D) an agent, including a subsidiary or affiliate of a legal entity of an adversarial foreign government, acting on behalf of an adversarial foreign government;''; and

(7) by inserting after subsection (h) (as redesignated) the following:

''(i) PUBLICATION OF FOREIGN GIFT DISCLOSURES.—

''(1) DISCLOSURE OF GIFTS OR CONTRACTS FROM FOREIGN SOURCES.—Not later than 30 days after the deadline for submission of a disclosure report under subsection (a), the Secretary shall make the contents of the disclosure report available online.

''(2) DISCLOSURE OF GIFTS OR CONTRACTS FROM DESIGNATED FOREIGN ADVERSARY SOURCES.—Not later than 30 days after receipt of a disclosure report submitted under subsection (b), the Secretary shall make the contents of the disclosure report available online.

''(j) AGENCY COORDINATION.—The Secretary shall coordinate with other Federal agencies, as appropriate, to ensure that other Federal agencies have access to disclosure reports submitted under this section and any information or documentation relating to disclosure reports submitted under this section.''.

(b) ENSURING COMPLIANCE WITH REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Each Federal agency shall ensure that no Federal funds under the jurisdiction of that agency are distributed to an institution that is knowingly or willfully in violation of section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f), as determined by the head of the relevant agency.

(2) DEPARTMENT OF EDUCATION.—An institution that is knowingly or willfully in violation of section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f), as determined by the Secretary of Education, shall not be eligible to receive Federal funds distributed by the Department of Education, except funds provided under title IV of the Higher Education Act of 1965.

(3) DEFINITION OF INSTITUTION.—In this subsection, the term ''institution'' has the meaning given that term in section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f).

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect on June 30 of the year following the year of enactment of this section.

SA 893. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. PRESUMPTION OF DENIAL FOR LICENSES FOR EXPORT, REEXPORT, OR IN-COUNTRY TRANSFER OF TECHNOLOGY TO END USERS IN THE PEOPLE'S REPUBLIC OF CHINA OR THE RUSSIAN FEDERATION.

Section 1756 of the Export Control Reform Act of 2018 (50 U.S.C. 4815) is amended by adding at the end the following:

''(e) PRESUMPTION OF DENIAL FOR LICENSES FOR EXPORT, REEXPORT, OR IN-COUNTRY TRANSFER OF TECHNOLOGY TO END USERS IN THE PEOPLE'S REPUBLIC OF CHINA OR THE RUSSIAN FEDERATION.—

''(1) IN GENERAL.—Except as provided by paragraph (2), the Secretary shall deny an application for a license or other authorization for the export, reexport, or in-country transfer of technology if the end user of the technology is a covered person.

''(2) CONGRESSIONAL NOTIFICATION AND REVIEW PROCESS.—

''(A) IN GENERAL.—Before approving an application for a license or other authorization described in paragraph (1), the Secretary shall submit to the appropriate congressional committees a report—

''(i) specifying the intended end user of the technology that is the subject of the application;

''(ii) specifying the dollar value of the technology;

''(iii) describing the technology;

''(iv) describing the proposed end use of the technology;

''(v) describing how authorizing the export, reexport, or in-country transfer of the technology to the specific end user advances the national security interests of the United States; and

''(vi) describing how authorizing the export, reexport, or in-country transfer of the technology to the specific user does not advance the national security interests of a covered country, including—

''(I) the Made in China 2025 industrial strategy of the People's Republic of China;

''(II) the military-civil fusion national strategy of the People's Republic of China, including transfer of technology to any entity identified as part of that strategy, including—

''(aa) any college or university known as one of the 'Seven Sons of National Defense';

''(bb) any college or university that receives funding from—

''(AA) the People's Liberation Army; or

''(BB) the Equipment Development Department, or the Science and Technology Commission, of the Central Military Commission of the People's Republic of China;

''(cc) any college or university in the People's Republic of China involved in military training and education, including any such college or university in partnership with the People's Liberation Army;

''(dd) any college or university in the People's Republic of China that conducts military research or hosts dedicated military initiatives or laboratories, including such a college or university designated under the 'double first-class university plan';

''(ee) any college or university in the People's Republic of China that is designated by the State Administration for Science, Technology, and Industry for the National Defense to host 'joint construction' programs;

''(ff) any college or university in the People's Republic of China that has launched a platform for military-civil fusion or created national defense laboratories;

''(gg) any college or university in the People's Republic of China that conducts research or hosts dedicated initiatives or laboratories for any other related security entity beyond the People's Liberation Army, including the People's Armed Police, the Ministry of Public Security, and the Ministry of State Security;

''(hh) any enterprise for which the majority shareholder or ultimate parent entity is the Government of the People's Republic of China at any level of that government;

''(ii) any privately owned company in the People's Republic of China that—

''(AA) has received a military production license, such as the Weapons and Equipment Research and Production Certificate, the Equipment Manufacturing Unit Qualification, the Weapons and Equipment Quality Management System Certificate, or the Weapons and Equipment Research and Production Unit Classified Qualification Permit;

''(BB) is otherwise known to materially support the military initiatives of the People's Republic of China;

''(CC) has a history of subcontracting for the People's Liberation Army or its affiliates;

''(DD) is participating in, or receiving benefits under, a military-civil fusion demonstration base; or

''(EE) has an owner, director, or a senior management official who has served as a delegate to the National People's Congress, a member of the Chinese People's Political Consultative Conference, or a member of the Central Committee of the Chinese Communist Party; or

''(III) the Science and Technology Foresight 2030 policy of the Russian Federation, including transfer of technology to any entity identified as part of that strategy, including—

''(aa) the Advanced Research Foundation;

''(bb) the Era Military Innovation Technopolis;

''(cc) any college or university that receives funding from the Ministry of Defense of the Russian Federation;

''(dd) any entity for which the majority shareholder or ultimate parent entity is the Government of the Russian Federation at any level of that government; or

''(ee) any privately owned company in the Russian Federation that—

''(AA) is otherwise known to materially support the military initiatives of the Russian Federation; or

''(BB) has subcontracted for the Ministry of Defense of the Russian Federation or its affiliates.

''(B) LIMITATION ON APPROVAL DURING REVIEW PERIOD.—The Secretary may not approve an application for a license or other authorization described in paragraph (1) during the 30-day period beginning on the date on which the appropriate congressional committees receive the report required by subparagraph (A) unless the Secretary, in the report—

''(i) states that the Secretary has determined that a pressing national security imperative exists, such that the national security interests of the United States necessitate the immediate approval of the license or other authorization; and

''(ii) provides a detailed justification for that determination, including—

''(I) a description of the emergency circumstances that necessitate the immediate approval of the license or other authorization; and

''(II) a discussion of the national security interests involved.

''(C) PROHIBITION ON APPROVAL IF JOINT RESOLUTION OF DISAPPROVAL ENACTED.—The Secretary may not approve an application for a license or other authorization described in paragraph (1) if, during the 30-day period described in subparagraph (B), there is enacted into law a joint resolution prohibiting the approval of the application.

''(D) CONSIDERATION OF JOINT RESOLUTION.—

''(i) SENATE.—Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765).

''(ii) HOUSE OF REPRESENTATIVES.—For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

''(iii) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subparagraph is enacted by Congress—

''(I) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

''(II) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''(3) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(i) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on Financial Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

''(B) COVERED COUNTRY.—The term 'covered country' means—

''(i) the People's Republic of China (including the Hong Kong Special Administrative Region and the Macau Special Administrative Region); and

''(ii) the Russian Federation.

''(C) COVERED PERSON.—The term 'covered person' means—

''(i) an individual who is a citizen or national of a covered country; or

''(ii) an entity organized under the laws of a covered country or otherwise subject to the jurisdiction of the government of a covered country.''.

SEC. 1084. EXPORT CONTROL TREATMENT OF SUBSIDIARIES OF ENTITIES ON THE ENTITY LIST.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Commerce shall revise part 744 of title 15, Code of Federal Regulations, to ensure that the same requirements and restrictions that apply to an entity on the Entity List apply to an entity owned or controlled by an entity on the Entity List, including an entity—

(1) 50 percent or more of the ownership interest in which is held in the aggregate, directly or indirectly, by one or more entities on the Entity List; or

(2) that the Secretary of Commerce considers to have an interest in all property and interests in property of an entity in which 50 percent or more of the ownership interest is held in the aggregate, directly or indirectly, by one or more entities on the Entity List.

(b) ENTITY LIST DEFINED.—In this section, the term ''Entity List'' means the list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

SA 894. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. LIMITING EXEMPTION FROM FOREIGN AGENT REGISTRATION REQUIREMENT; DISCLOSURES OF FOREIGN GIFTS AND AGREEMENTS.

(a) LIMITING EXEMPTION FROM FOREIGN AGENT REGISTRATION REQUIREMENT FOR PERSONS ENGAGING IN ACTIVITIES IN FURTHERANCE OF CERTAIN PURSUITS TO ACTIVITIES NOT PROMOTING POLITICAL AGENDA OF FOREIGN GOVERNMENTS.—

(1) LIMITATION ON EXEMPTION.—Section 3(e) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 613(e)) is amended by striking the semicolon at the end and inserting the following: '', but only if the activities do not promote the political agenda of a government of a foreign country;''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to activities carried out on or after the date of the enactment of this section.

(b) DISCLOSURES OF FOREIGN GIFTS AND AGREEMENTS.—

(1) IN GENERAL.—Section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f) is amended—

(A) in the section heading, by adding ''**AND AGREEMENTS**'' at the end;

(B) in subsection (a), by striking ''$250,000'' and inserting ''$50,000'';

(C) in subsection (b)—

(i) in paragraph (1), in the first sentence, by inserting before the period at the end the following: '', including the content of each such contract''; and

(ii) in paragraph (2), by inserting before the period the following: '', including the content of each such contract'';

(D) in subsection (e), by inserting '', including the contents of any contracts,'' after ''reports'';

(E) by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i), respectively;

(F) by inserting after subsection (d) the following:

''(e) CONFUCIUS INSTITUTE AGREEMENTS.—

''(1) DEFINED TERM.—In this subsection, the term 'Confucius Institute' means a cultural institute directly or indirectly funded by the Government of the People's Republic of China.

''(2) DISCLOSURE REQUIREMENT.—Any institution that has entered into an agreement with a Confucius Institute shall immediately make the full text of such agreement available—

''(A) on the publicly accessible website of the institution;

''(B) to the Department of Education;

''(C) to the Committee on Health, Education, Labor, and Pensions of the Senate; and

''(D) to the Committee on Education and Labor of the House of Representatives.''; and

(G) in subsection (i), as redesignated—

(i) in paragraph (2), by amending subparagraph (A) to read as follows:

''(A) a foreign government, including—

''(i) any agency of a foreign government, and any other unit of foreign governmental authority, including any foreign national, State, local, and municipal government;

''(ii) any international or multinational organization whose membership is composed of any unit of foreign government described in clause (i); and

''(iii) any agent or representative of any such unit or such organization, while acting as such;''; and

(ii) in paragraph (3), by inserting before the semicolon at the end the following: '', or the fair market value of an in-kind gift''.

(2) EFFECT OF NONCOMPLIANCE WITH DISCLOSURE REQUIREMENT.—Any institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that is not in compliance with the disclosure requirements set forth in section 117 of such Act (20 U.S.C. 1011f) shall be ineligible to enroll foreign students under the Student and Exchange Visitor Program.

(3) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply with respect to gifts received or contracts or agreements entered into, or other activities carried out, on or after the date of the enactment of this section.

SA 895. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. PROHIBITION AGAINST UNITED STATES CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS THAT ADVOCATE FOR SEXUAL ACTIVITY AMONG MINORS.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 113 the following:

''SEC. 114. PROHIBITION AGAINST UNITED STATES CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS THAT ADVOCATE FOR SEXUAL ACTIVITY AMONG MINORS.

''Notwithstanding any other provision of law, no assistance may be provided under this part to—

''(1) any international organization that supports, advocates for, or seeks to decriminalize sexual relations or sexual conduct by persons who are younger than the minimum age of consent (as defined by the national government of the country in which such persons reside), or condemns laws prohibiting such behavior; or

''(2) any entity or organization that—

''(A) supports or advocates for the belief that sexual activity involving persons below the domestically prescribed minimum age of consent to sex may be consensual in fact even when it is not consensual under law; or

''(B) opposes any statute that recognizes that persons below the prescribed age of consent do not have the capacity to engage in consensual sex under any circumstance.''.

SA 896. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. MODIFICATION OF LIMITATION ON MILITARY-TO-MILITARY EXCHANGES AND CONTACTS WITH CHINESE PEOPLE'S LIBERATION ARMY.

Section 1201 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 168 note) is amended—

(1) in subsection (b)(4), by striking ''Advanced logistical operations'' and inserting ''Logistical operations''; and

(2) by striking subsection (c).

SA 897. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _. COUNTERING THE MILITARY-CIVIL FUSION STRATEGY OF THE CHINESE COMMUNIST PARTY.

(a) DEFINITIONS.—In this section:

(1) CHINESE ENTITY OF CONCERN.—The term ''Chinese entity of concern'' means—

(A) any college or university in the People's Republic of China that is determined by the Secretary of Defense to be involved in the implementation of the military-civil fusion strategy, including—

(i) any college or university known as the ''Seven Sons of National Defense'';

(ii) any college or university that receives funding from—

(I) the People's Liberation Army; or

(II) the Equipment Development Department, or the Science and Technology Commission, of the Central Military Commission;

(iii) any college or university in the People's Republic of China involved in military training and education, including any such college or university in partnership with the People's Liberation Army;

(iv) any college or university in the People's Republic of China that conducts military research or hosts dedicated military initiatives or laboratories, including such a college or university designated under the ''double first-class university plan'';

(v) any college or university in the People's Republic of China that is designated by the State Administration for Science, Technology, and Industry for the National Defense to host ''joint construction'' programs;

(vi) any college or university in the People's Republic of China that has launched a platform for military-civil fusion or created national defense laboratories; and

(vii) any college or university in the People's Republic of China that conducts research or hosts dedicated initiatives or laboratories for any other related security entity beyond the People's Liberation Army, including the People's Armed Police, the Ministry of Public Security, and the Ministry of State Security;

(B) any enterprise for which the majority shareholder or ultimate parent entity is the Government of the People's Republic of China at any level of that government;

(C) any privately owned company in the People's Republic of China—

(i) that has received a military production license, such as the Weapons and Equipment Research and Production Certificate, the Equipment Manufacturing Unit Qualification, the Weapons and Equipment Quality Management System Certificate, or the Weapons and Equipment Research and Production Unit Classified Qualification Permit;

(ii) that is otherwise known to have set up mechanisms for engaging in activity in support of military initiatives;

(iii) that has a history of subcontracting for the People's Liberation Army or its affiliates;

(iv) that is participating in, or receiving benefits under, a military-civil fusion demonstration base; or

(v) that has an owner, director, or a senior management official who has served as a delegate to the National People's Congress, a member of the Chinese People's Political Consultative Conference, or a member of the Central Committee of the Chinese Communist Party; and

(D) any entity that—

(i) is identified by the Secretary of Defense under section 1260H(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese military company; and

(ii) is included in the Non-SDN Chinese Military-Industrial Complex Companies List published by the Department of the Treasury.

(2) COVERED ENTITY.—The term ''covered entity'' means—

(A) any Federal agency that engages in research or provides funding for research, including the National Science Foundation and the National Institutes of Health;

(B) any institution of higher education, or any other private research institution, that

receives any Federal financial assistance; and

(C) any private company headquartered in the United States that receives Federal financial assistance.

(3) FEDERAL FINANCIAL ASSISTANCE.—The term ''Federal financial assistance'' has the meaning given the term in section 200.1 of title 2, Code of Federal Regulations (or successor regulations).

(4) MILITARY-CIVIL FUSION STRATEGY.—The term ''military-civil fusion strategy'' means the strategy of the Chinese Communist Party aiming to mobilize non-military resources and expertise for military application, including the development of technology, improvements in logistics, and other uses by the People's Liberation Army.

(b) PROHIBITIONS.—

(1) IN GENERAL.—No covered entity may engage with a Chinese entity of concern in any scientific research or technical exchange that has a direct bearing on, or the potential for dual use in, the development of technologies that the Chinese Communist Party has identified as a priority of its national strategy of military-civil fusion and that are listed on the website under subsection (c)(1)(A).

(2) PRIVATE PARTNERSHIPS.—No covered entity described in subsection (a)(2)(C) may form a partnership or joint venture with another such covered entity for the purpose of engaging in any scientific research or technical exchange described in paragraph (1).

(c) WEBSITE.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Energy, the Secretary of Education, the Secretary of the Treasury, and the Secretary of Commerce, shall establish, and periodically update not less than twice a year, a website that includes—

(A) a list of the specific areas of scientific research or technical exchange for which the prohibitions under subsection (b) apply, which shall initially include some or all aspects of the fields of quantum computing, photonics and lasers, robotics, big data analytics, semiconductors, new and advanced materials, biotechnology (including synthetic biology and genetic engineering), 5G and all future generations of telecommunications, advanced nuclear technology (including nuclear power and energy storage), aerospace technology, and artificial intelligence; and

(B) to the extent practicable, a list of all Chinese entities of concern.

(2) LIST OF SPECIFIC AREAS.—In developing the list under paragraph (1)(A), the Secretary of Defense shall monitor and consider the fields identified by the State Administration for Science, Technology, and Industry for the National Defense of the People's Republic of China as defense-relevant and consider, including the more than 280 fields of study designated as of the date of enactment of this Act, and any others designated thereafter, as disciplines with national defense characteristics that have the potential to support military-civil fusion.

(3) RESOURCES.—In establishing the website under paragraph (1), the Secretary of Defense may use as a model any existing resources, such as the China Defense Universities Tracker maintained by the Australian Strategic Policy Institute, subject to any other laws applicable to such resources.

(d) EXCEPTION.—The prohibitions under subsection (b) shall not apply to any collaborative study or research project in fields involving information that would not contribute substantially to the goals of the military-civil fusion strategy, as determined by regulations issued by the Secretary of Defense.

(e) ANNUAL REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and December 31 of each year thereafter, each covered entity shall submit to the Secretary of Defense a report that discloses—

(A) any research relationships the covered entity has with a Chinese entity of concern or has had during the previous year;

(B) any research relationships the covered entity has considered with a Chinese entity of concern during the previous year and declined; and

(C) any research relationships the covered entity has terminated with a Chinese entity of concern during the previous year because the relationship violates subsection (b) or as a result of related concerns.

(2) AUDIT.—The Secretary of Defense may enter into a contract with an independent entity to conduct an audit of any report submitted under paragraph (1) to ensure compliance with the requirements of such paragraph.

(f) ENFORCEMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a covered entity described in subparagraph (B) or (C) of subsection (a)(2) that violates a prohibition under subsection (b), or violates subsection (e), on or after the date of enactment of this Act shall be precluded from receiving any Federal financial assistance on or after the date of such violation.

(2) REGULATIONS.—The Secretary of Defense, in consultation with the Secretary of State, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Energy, the Secretary of Education, the Secretary of the Treasury, and the Secretary of Commerce, shall—

(A) promulgate regulations to enforce the prohibitions under subsection (b), the auditing requirements under subsection (e), and the requirement under paragraph (1); and

(B) coordinate with the heads of other Federal agencies to ensure the enforcement of such prohibitions and requirements.

SA 898. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Taiwan Peace Through Strength Act of 2023

SEC. 1299O. SHORT TITLE.

This subtitle may be cited as the ''Taiwan Peace through Strength Act of 2023''.

SEC. 1299P. ANTICIPATORY POLICY PLANNING AND ANNUAL REVIEW OF UNITED STATES WAR PLANS TO DEFEND TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall conduct a classified review of United States war plans to defend Taiwan and share the results of the review with the Chairman and Ranking Member of the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(b) ELEMENTS.—The review conducted under subsection (a) shall include the following elements:

(1) An assessment of Taiwan's current and near-term capabilities and United State force readiness and the adequacy of United States conflict contingency plans.

(2) A comprehensive assessment of risks to the United States and United States interests, including readiness shortfalls that pose strategic risk.

(3) A review of indicators of the near-term likelihood of the use of force by the People's Liberation Army against Taiwan.

(4) The compilation of a pre-approved list of military capabilities, including both asymmetric and traditional capabilities selected to suit the operational environment and to allow Taiwan to respond effectively to a variety of contingencies across all phases of conflict involving the People's Liberation Army, that the Secretary of Defense has precleared for Taiwan to acquire, and that would reduce the threat of conflict, thwart an invasion, and mitigate other risks to the United States and Taiwan.

SEC. 1299Q. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense and in conjunction with relevant coordinating entities, such as the National Disclosure Policy Committee and the Arms Transfer and Technology Release Senior Steering Group, shall—

(A) compile and submit to the relevant congressional committees a list of available and emerging military platforms, technologies, and equipment; and

(B) upon listing such platforms, technologies, and equipment, pre-clear and prioritize for sale and release to Taiwan through the Foreign Military Sales program such platforms, technologies, and equipment.

(2) SELECTION OF ITEMS.—The items precleared for sale pursuant to paragraph (1)—

(A) shall represent a full-range of asymmetric capabilities as well as the conventional capabilities informed by United States readiness and risk assessments and determined by Taiwan to be required for various wartime scenarios and peacetime duties; and

(B) shall include each item on the list of approved items compiled by the Secretary of Defense pursuant to section 1299P(b)(4).

(3) EXCEPTION.—The Secretary of State may exclude an item from the list described in paragraph (1)(A) if the Secretary of State submits to the appropriate congressional committees a determination that the costs of providing such items, including the potential costs of technology slippage, exceeds the costs to the United States of failing to arm Taiwan with such items, including the likelihood of being drawn into conflict with the People's Republic of China.

(4) RULE OF CONSTRUCTION.—The list compiled pursuant to section 1299P(b)(4) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(5) FINAL DETERMINATION OF DISPUTES.—The Department of Defense shall serve as the lead Federal agency for purposes of making final determinations when disputes arise between agencies about the appropriateness of specific items for sale to Taiwan.

(b) PRIORITIZED PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—

(1) REQUIREMENT.—The Secretary of Defense and the Secretary of State shall

prioritize and expedite the processing of requests from Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of Defense determines and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the threat to Taiwan has significantly abated.

(3) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 10 years, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing steps taken to implement the requirement under paragraph (1).

(c) PRIORITY PRODUCTION.—

(1) REQUIREMENT.—The Secretary of Defense shall require that contractors awarded Department of Defense contracts to provide items for sale to Taiwan under the Foreign Military Sales program shall, as a condition of receiving such contracts, expedite and prioritize the production of such items above the production of other Foreign Military Sales items regardless of the order in which contracts were signed.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of Defense determines and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the threat to Taiwan has significantly abated.

(3) ANNUAL REPORT.—Contractors covered under paragraph (1) shall be required to report annually to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on efforts to expedite and prioritize production as required under such paragraph.

(d) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the preclearance and prioritization provisions of this section.

SEC. 1299R. AMENDMENTS TO TAIWAN RELATIONS ACT.

(a) POLICY.—Section 2(b)(5) of the Taiwan Relations Act (22 U.S.C. 3301(b)(5)) is amended by striking ''arms of a defensive character'' and inserting ''arms conducive to the deterrence of acts of aggression by the People's Liberation Army''.

(b) PROVISION OF DEFENSE ARTICLES AND SERVICES.—Section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)) is amended by striking ''such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability'' and inserting ''such defense articles and defense services in such quantity as may be necessary to enable Taiwan to implement a strategy to deter acts of aggression by the People's Liberation Army and to deny an invasion of Taiwan by the People's Liberation Army''.

(c) RULE OF CONSTRUCTION.—Section 4 of the Taiwan Relations Act (22 U.S.C. 3303) is amended by adding at the end the following new subsection:

''(e) SECURITY COOPERATION AND DETERRENCE OF USE OF FORCE BY PEOPLE'S LIBERATION ARMY.—Nothing in this Act, nor the facts of the President's action in extending diplomatic recognition to the People's Republic of China, the absence of diplomatic relations between the people of Taiwan and the United States, or the lack of formal recognition by the United States, and attendant circumstances thereto, shall be construed to constitute a legal or practical obstacle to any otherwise lawful action of the President or of any United States Government agency that is needed to advance or protect United States interests pertaining to Taiwan, including actions intended to strengthen security cooperation between the United States and Taiwan or to otherwise deter the use of force against Taiwan by the People's Liberation Army.''.

SEC. 1299S. MILITARY PLANNING MECHANISM.

The Secretary of Defense shall establish a high-level military planning mechanism between the United States and Taiwan to oversee a Joint and Combined Exercise Program and coordinate International Military Education and Training assistance and professional exchanges aimed at determining and coordinating the acquisition of capabilities for both United States and Taiwan military forces to address the needs of currently anticipated and future contingencies. The mechanism may be modeled after the Joint United States Military Advisory Group Thailand, or any such similar existing arrangement, as determined by the Secretary of Defense.

SEC. 1299T. PROHIBITION ON DOING BUSINESS IN CHINA.

(a) REQUIREMENT.—The Secretary of Defense shall require any contractor awarded a Department of Defense contract, as a condition of receiving such contract, not to conduct any business in the People's Republic of China with any entity that is owned by or controlled by the Government of the People's Republic of China or the Chinese Communist Party, or any subsidiary of such a company.

(b) DETERMINATION OF NONCOMPLIANCE.—If the Secretary of Defense determines that a Department of Defense contractor is noncompliant with the requirement in subsection (a)—

(1) such noncompliance shall be considered grounds for termination of the contract; and

(2) the Secretary of Defense shall terminate the contract.

SEC. 1299U. TAIWAN 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 ''Taiwan 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 necessary for a denial defense are available to allies and partners of the United States in advance of a potential operation to defend the autonomy and territory of Taiwan; and

(2) to finance the acquisition of critical munitions necessary for a denial defense in advance of the transfer of such munitions to foreign countries for such a potential operation.

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

(1) to keep on continuous order munitions that the Secretary of Defense considers critical due to a reduction in current stocks as a result of the drawdown of stocks provided to the government of one or more foreign countries; or

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

(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(m)).

(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 $2,000,000,000 may be transferred to the Fund for any fiscal year, in accordance with subsection (e), from amounts authorized to be appropriated for the Department of Defense in such amounts as the Secretary of Defense determines necessary to carry out the purposes of this section, which shall remain available until expended. The transfer authority provided under this subparagraph is in addition to any other transfer authority available to the Secretary of Defense.

(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 Taiwan Critical Munitions Acquisition Fund and shall be available for use as authorized under subsection (b).

(B) LIMITATION.—The Secretary of Defense 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 of Defense accepts any contribution under this paragraph, the Secretary shall notify the appropriate committees of Congress. The 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 of Defense submits to the appropriate committees of Congress—

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

(B) in the case of an authorization pursuant to subsection (f)(1)(A), a description of the manner in which the use of critical munitions is necessary to meet national defense requirements.

(2) AMMUNITION PURCHASES.—No amounts in the Fund may be used to purchase ammunition, as authorized by this section, until the date that is 15 days after the date on which the Secretary of Defense notifies the appropriate committees of Congress 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 of Defense notifies the appropriate committees of Congress 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 bears 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 appropriate committees of Congress 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 for the certification, which may be included in a classified annex, if necessary.

(B) NONDELEGATION.—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, 2040.

(h) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

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

SEC. 1299V. INCREASING PRODUCTION CAPACITY FOR WEAPONS FOR UNITED STATES STOCKPILES.

(a) REPORT REQUIREMENT RELATING TO INCREASE IN CONTRACTED ENTITIES.—Section 222c(e) of title 10, United States Code, as amended by section 1701(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by adding at the end the following new paragraph:

''(4) Steps taken to increase the number of entities contracted to supply each class of weapons described in section 1705(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) in order to produce redundancy in the supply of such weapons.''.

(b) MODIFICATION TO QUARTERLY BRIEFINGS ON REPLENISHMENT AND REVITALIZATION OF WEAPONS PROVIDED TO UKRAINE AND TAIWAN.—Section 1703 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in the section heading, by inserting ''**AND TAIWAN**'' after ''**UKRAINE**'';

(2) in subsection (a), by inserting '', the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives'' after ''congressional defense committees'';

(3) in subsection (d)(2), by inserting ''or Taiwan'' after ''Ukraine'';

(4) in subsection (e), by striking ''December 31, 2026'' and inserting ''December 31, 2040''; and

(5) by striking subsection (f) and inserting the following:

''(f) COVERED SYSTEM.—In this section, the term 'covered system' means—

''(1) any system provided to the Government of Ukraine or the Government of Taiwan pursuant to—

''(A) section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318); or

''(B) section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364);

''(2) any system provided to the Government of Ukraine pursuant to the Ukraine Security Assistance Initiative established under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), including as amended by this Act, if such system was provided to Ukraine after February 24, 2022; or

''(3) any system provided to the Government of Taiwan—

''(A) pursuant to section 5502(b) of this Act; or

''(B) that is necessary for a denial defense of Taiwan.''.

(c) ASSESSMENT ON EXPANDING NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 222d(b) of title 10, United States Code, as added by section 1701(d)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended by adding at the end the following new paragraph:

''(13) An assessment of the feasibility and advisability of expanding the national technology and industrial base (as defined in section 4801 of this title) to include entities outside of the United States, Canada, the United Kingdom, New Zealand, Israel, and Australia in order to increase the number of suppliers of weapons described in section 1705(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), with particular attention to member states of the North Atlantic Treaty Organization, treaty allies of the United States in the Indo-Pacific, and members of the Quadrilateral Security Dialogue.''.

(d) MINIMUM ANNUAL PRODUCTION LEVELS.—The Secretary of Defense shall include minimum annual production levels for weapons described in section 1705(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) in any contract for the procurement of such weapons entered into on or after the date of the enactment of this Act.

SA 899. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. ASSISTANCE FOR COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL.—

''(1) DEFINED TERM.—In this section, the term 'covered organization' means any foreign terrorist organization or non-state armed group that—

''(A) promotes elicit economies;

''(B) employs violence to protect its interests;

''(C) has a military type structure, tactics, and weapons that provide it the ability to carry out large-scale violence;

''(D) challenges the security response capacity of Colombia; and

''(E) has the capability to control territory.

''(2) LIMITATION.—None of the funding authorized to be expended under subsection (a) may be provided to a current or former member of—

''(A) a covered organization;

''(B) the Revolutionary Armed Forces of Colombia (FARC); or

''(C) any affiliates of, or successor organizations to, FARC.''; and

(2) by adding at the end the following:

''(i) CERTIFICATION OF COLOMBIAN COOPERATION FOR A UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, and quarterly thereafter, the Secretary of Defense, in consultation with the Secretary of State and the Attorney General, shall certify to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that the Government of Colombia—

''(1) is in full compliance with Treaty of Extradition Between the United States of America and the Republic of Colombia, done at Washington September 14, 1979, with regard to members of covered organizations;

''(2) is not undertaking joint exercises with, or hosting military facilities of, the People's Liberation Army; and

''(3) is not allowing officials or agents of the Chinese Communist Party or the People's Republic of China to establish overseas police stations.

''(j) EFFECT OF NON-CERTIFICATION.—Not later than 30 days after the Secretary of Defense fails to submit a timely certification to Congress in accordance with subsection (i), the Secretary shall terminate all assistance authorized under subsection (a).''.

SA 900. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10_____. MORATORIUM ON ENERGY DEVELOPMENT IN CERTAIN AREAS OF GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) MILITARY MISSION LINE.—The term ''Military Mission Line'' has the meaning given the term in section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) MORATORIUM.—Effective during the period beginning on the date of enactment of this Act and ending on June 30, 2032, the Secretary shall not offer for leasing, preleasing, or any related activity for energy development of any kind—

(1) any area east of the Military Mission Line in the Gulf of Mexico; or

(2) any area of the outer Continental Shelf described in subparagraph (A), (B), or (C) of paragraph (2) of subsection (d), if oil, gas, wind, or any other form of energy exploration, leasing, or development in that area has been identified in a report under that subsection as having any adverse effect on the national security of the United States or the military readiness or testing capabilities of the Department of Defense.

(c) ENVIRONMENTAL EXCEPTIONS.—Notwithstanding subsection (b), the Secretary may issue leases in areas described in that subsection for environmental conservation purposes, including the purposes of shore protection, beach nourishment and restoration, wetlands restoration, and habitat protection.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and not later than June 30, 2031, the Secretary of Defense shall submit to the Committees on Appropriations and Armed Services of the Senate and the Committees on Appropriations and Armed Services of the House of Representatives a report that describes the impact of oil, gas, wind, and any other form of energy exploration, leasing, or development in areas of the outer Continental Shelf described in paragraph (2) on the national security of the United States and the military readiness and testing capabilities of the Department of Defense.

(2) AREAS DESCRIBED.—The areas of the outer Continental Shelf referred to in paragraph (1) are the following:

(A) Any area west of the Military Mission Line in the Eastern Gulf of Mexico Planning Area.

(B) The South Atlantic Planning Area.

(C) The Straits of Florida Planning Area.

SA 901. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 910. ELIMINATION OF THE CHIEF DIVERSITY OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—

(1) REPEAL OF POSITION.—

(A) IN GENERAL.—Section 147 of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 147.

(2) CONFORMING REPEAL.—Section 913 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3802) is repealed.

(b) PROHIBITION ON ESTABLISHMENT OF SIMILAR POSITIONS.—No Federal funds may be obligated or expended to establish a position within the Department of Defense that is the same as or substantially similar to—

(1) the position of Chief Diversity Officer, as described in section 147 of title 10, United States Code, as such section was in effect on the day before the date of the enactment of this Act; or

(2) the position of Senior Advisor for Diversity and Inclusion, as described in section 913(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3803), as such section was in effect on the day before the date of the enactment of this Act.

SA 902. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

Subtitle J—Ensuring Military Readiness Act of 2023

SEC. 595. SHORT TITLE.

This subtitle may be cited as the ''Ensuring Military Readiness Act of 2023''.

SEC. 596. LIMITATIONS ON MILITARY SERVICE BY INDIVIDUALS WHO IDENTIFY AS TRANSGENDER.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations regarding service of individuals who identify as transgender as follows:

(1) Persons who identify as transgender with a history of diagnosis of gender dysphoria are disqualified from military service except under the following limited circumstances:

(A) Individuals may serve in the Armed Forces if they have been stable for 36 consecutive months in their biological sex prior to accession.

(B) Members of the Armed Forces diagnosed with gender dysphoria after entering into service may be retained if they do not undergo gender transition procedures and remain deployable within applicable retention standards for their biological sex.

(C) Members of the Armed Forces serving as of the date of the enactment of this Act who have been diagnosed with gender dysphoria may continue to serve only in their biological sex, irrespective of any changes previously made to their gender marker in the Defense Enrollment Eligibility Reporting System (DEERS), and receive medically necessary treatment for gender dysphoria. Such treatment may not include gender transition procedures.

(2) Persons who identify as transgender who seek or have undergone gender transition are disqualified from military service.

(3) Persons who identify as transgender without a history or diagnosis of gender dysphoria, who are otherwise qualified for service and meet all physical and mental requirements, may serve in the Armed Forces in their biological sex.

SEC. 597. REVISED REGULATIONS REGARDING GENDER MARKINGS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations updating the Defense Enrollment Eligibility Reporting System (DEERS) to require the gender markers for members of the Armed Forces to match their biological sex, irrespective of any previous changes allowed.

SEC. 598. DEFINITIONS.

In this subtitle:

(1) CROSS-SEX HORMONES.—The term ''cross-sex hormones'' means testosterone or other androgens given to biological females at doses that are profoundly larger or more potent than would normally occur naturally in healthy biological females, or estrogen given to biological males at doses that are profoundly larger or more potent than would normally occur naturally in healthy biological males.

(2) GENDER.—The term ''gender'' means the psychological, behavioral, social, and cultural aspects of being male or female.

(3) GENDER DYSPHORIA.—The term ''gender dysphoria'' means a marked incongruence between one's experienced or expressed gender and biological sex.

(4) GENDER TRANSITION.—The term ''gender transition'' means the process by which a person goes from identifying with and living as a gender that corresponds to his or her biological sex to identifying with and living as a gender different from his or her biological sex, and may involve social, legal, or physical changes.

(5) GENDER TRANSITION PROCEDURES.—The term ''gender transition procedures''—

(A) means—

(i) any medical or surgical intervention, including physician's services, inpatient and outpatient hospital services, or prescribed drugs related to gender transition, that seeks to alter or remove physical or anatomical characteristics or features that are typical for the individual's biological sex or to instill or create physiological or anatomical characteristics that resemble a sex different from the individual's birth sex, including medical services that provide puberty-blocking drugs, cross-sex hormones, or other mechanisms to promote the development of feminizing or masculinizing features (in the opposite sex); and

(ii) genital or non-genital gender transition surgery performed for the purpose of assisting an individual with a gender transition; and

(B) does not include—

(i) services to those born with a medically verifiable disorder of sex development, including a person with external biological sex characteristics that are irresolvably ambiguous, such as those born with 46 XX chromosomes with virilization, 46 XY chromosomes with undervirilization, or having both ovarian and testicular tissue;

(ii) services provided when a physician has otherwise diagnosed a disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the person does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a biological male or biological female; or

(iii) the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of gender transition procedures, whether or not the gender transition procedure was performed in accordance with State and Federal law or whether or not funding for the gender transition procedure is permissible.

(6) GENDER TRANSITION SURGERY.—The term ''gender transition surgery'' means any medical or surgical service that seeks to surgically alter or remove healthy physical or anatomical characteristics or features that are typical for the individual's biological sex in order to instill or create physiological or anatomical characteristics that resemble a sex different from the individual's birth sex, including genital or non-genital gender reassignment surgery performed for the purpose of assisting an individual with a gender transition.

(7) GENITAL GENDER TRANSITION SURGERY.—The term ''genital gender transition surgery'' includes surgical procedures such as penectomy, orchiectomy, vaginoplasty, clitoroplasty, or vulvoplasty for biologically male patients or hysterectomy, ovariectomy, reconstruction of the fixed part of the urethra with or without a metoidioplasty or a phalloplasty, vaginectomy, scrotoplasty, or implantation of erection or testicular prostheses for biologically

female patients, when performed for the purpose of assisting an individual with a gender transition.

(8) NON-GENITAL GENDER TRANSITION SURGERY.—The term ''non-genital gender transition surgery''—

(A) includes, when performed for the purpose of assisting an individual with a gender transition—

(i) surgical procedures such as augmentation mammoplasty, facial feminization surgery, liposuction, lipofilling, voice surgery, thyroid cartilage reduction, gluteal augmentation (implants or lipofilling), hair reconstruction, or various aesthetic procedures for biologically male patients; or

(ii) subcutaneous mastectomy, voice surgery, liposuction, lipofilling, pectoral implants or various aesthetic procedures for biologically female patients; and

(B) does not include any procedure undertaken because the individual suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the individual in imminent danger of death or impairment of major bodily function unless surgery is performed, unless the procedure is for the purpose of a gender transition.

(9) PUBERTY-BLOCKING DRUGS.—The term ''puberty-blocking drugs'' means, when used to delay or suppress pubertal development in children for the purpose of assisting an individual with a gender transition—

(A) Gonadotropin-releasing hormone (GnRH) analogues or other synthetic drugs used in biological males to stop luteinizing hormone secretion and therefore testosterone secretion; and

(B) synthetic drugs used in biological females that stop the production of estrogen and progesterone.

(10) SEX; BIRTH SEX; BIOLOGICAL SEX.—The terms ''sex'', ''birth sex,'' and ''biological sex'' refer to the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads, and non-ambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.

SA 903. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVIII—UYGHUR GENOCIDE ACCOUNTABILITY AND SANCTIONS ACT OF 2023

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Uyghur Genocide Accountability and Sanctions Act of 2023''.

SEC. 1802. EXPANSION OF SANCTIONS UNDER UYGHUR HUMAN RIGHTS POLICY ACT OF 2020.

(a) IN GENERAL.—Section 6 of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''persons in Xinjiang Uyghur Autonomous Region'' and inserting ''persons residing in the Xinjiang Uyghur Autonomous Region or members of those groups in countries outside of the People's Republic of China'';

(ii) by inserting after subparagraph (F) the following:

''(G) Systematic rape, coercive abortion, forced sterilization, or involuntary contraceptive implantation policies and practices.

''(H) Human trafficking for the purpose of organ removal.

''(I) Forced separation of children from their parents to be placed in boarding schools.

''(J) Forced deportation or refoulement to the People's Republic of China.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) ADDITIONAL MATTERS TO BE INCLUDED.—The President shall include in the report required by paragraph (1) an identification of—

''(A) each foreign person that knowingly provides significant goods, services, or technology to or for a person identified in the report; and

''(B) each foreign person that knowingly engages in a significant transaction relating to any of the acts described in subparagraphs (A) through (J) of paragraph (1).'';

(2) in subsection (b), by striking ''subsection (a)(1)'' and inserting ''subsection (a)''; and

(3) by amending subsection (d) to read as follows:

''(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

''(1) IMPLEMENTATION.—The President may exercise all authorities provided under section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) to carry out this section.

''(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as necessary to carry out this section.''.

(b) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section—

(1) take effect on the date of the enactment of this Act; and

(2) apply with respect to the first report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 submitted after such date of enactment.

SEC. 1803. SENSE OF CONGRESS ON APPLICATION OF SANCTIONS UNDER UYGHUR HUMAN RIGHTS POLICY ACT OF 2020.

(a) FINDING.—Congress finds that, as of the date of the enactment of this Act—

(1) the report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note) has not been submitted to Congress; and

(2) the sanctions provided for under that Act have not been employed.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should employ the sanctions provided for under the Uyghur Human Rights Policy Act of 2020—

(1) to address ongoing atrocities, in particular the use of forced labor, in the Xinjiang Uyghur Autonomous Region of the People's Republic of China; and

(2) to hold officials of the People's Republic of China accountable for those ongoing atrocities.

SEC. 1804. DENIAL OF UNITED STATES ENTRY FOR INDIVIDUALS COMPLICIT IN FORCED ABORTIONS OR FORCED STERILIZATIONS.

Section 801 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (Public Law 106–113; 8 U.S.C. 1182e) is amended—

(1) in subsection (a), by striking ''may not'' each place it appears and inserting ''shall not'';

(2) by striking subsection (c) and inserting the following:

''(c) WAIVER.—The Secretary of State may waive the prohibitions in subsection (a) with respect to a foreign national if the Secretary—

''(1) determines that—

''(A) the foreign national is not directly complicit in atrocities, specifically the oversight of programs or policies the intent of which is to destroy, in whole or in part, a national, ethnic, racial, or religious group through the use of forced sterilization, forced abortion, or other egregious population control policies;

''(B) admitting or paroling the foreign national into the United States is necessary—

''(i) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on 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; or

''(ii) to carry out or assist law enforcement activity of the United States; and

''(C) it is important to the national security interest of the United States to admit or parole the foreign national into the United States; and

''(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

''(d) NOTICE.—The Secretary of State shall make a public announcement whenever the prohibitions under subsection (a) are imposed under this section.

''(e) INFORMATION REQUESTED BY CONGRESS.—The Secretary of State, upon the request of a Member of Congress, shall provide—

''(1) information about the use of the prohibitions under subsection (a), including the number of times such prohibitions were imposed, disaggregated by country and by year; or

''(2) a classified briefing that includes information about the individuals subject to such prohibitions or subject to sanctions under any other Act authorizing the imposition of sanctions with respect to the conduct of such individuals.''.

SEC. 1805. PHYSICAL AND PSYCHOLOGICAL SUPPORT FOR UYGHURS, KAZAKHS, AND OTHER ETHNIC GROUPS.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Using funds appropriated to the Department of State in annual appropriations bills under the heading ''DEVELOPMENT ASSISTANCE'', the Secretary of State, in conjunction and in consultation with the Administrator of the United States Agency for International Development, is authorized, subject to the requirements under chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and section 634A of such Act (22 U.S.C. 2394–1)—

(A) to provide the assistance described in paragraph (2) to individuals who—

(i) belong to the Uyghur, Kazakh, Kyrgyz, or another oppressed ethnic group in the People's Republic of China;

(ii) experienced torture, forced sterilization, rape, forced abortion, forced labor, or other atrocities in the People's Republic of China; and

(iii) are residing outside of the People's Republic of China; and

(B) to build local capacity for the care described in subparagraph (A) through—

(i) grants to treatment centers and programs in foreign countries in accordance with section 130(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152(b)); and

(ii) research and training to health care providers outside of such treatment centers or programs in accordance with section 130(c)(2) of such Act.

(2) AUTHORIZED ASSISTANCE.—The assistance described in this paragraph is—

(A) medical care;

(B) physical therapy; and

(C) psychological support.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that describes—

(1) the direct care or services provided in foreign countries for individuals described in subsection (a)(1)(A); and

(2) any projects started or supported in foreign countries to provide the care or services described in paragraph (1).

(c) FEDERAL SHARE.—Not more than 50 percent of the costs of providing the assistance authorized under subsection (a) may be paid by the United States Government.

SEC. 1806. PRESERVATION OF CULTURAL AND LINGUISTIC HERITAGE OF ETHNIC GROUPS OPPRESSED BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) FINDING.—Congress finds that the genocide perpetrated by officials of the Government of the People's Republic of China in the Xinjiang Uyghur Autonomous Region aims to erase the distinct cultural and linguistic heritage of oppressed ethnic groups.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should use its diplomatic, development, and cultural activities to promote the preservation of cultural and linguistic heritages of ethnic groups in the People's Republic of China threatened by the Chinese Communist Party.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that assesses the feasibility of establishing a grant program to assist communities facing threats to their cultural and linguistic heritage from officials of the Government of the People's Republic of China.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for each of fiscal years 2024 through 2027, to support the establishment of a Repressed Cultures Preservation Initiative within the Smithsonian Institution to pool Institution-wide efforts toward research, exhibitions, and education related to the cultural and linguistic heritage of ethnic and religious groups the cultures of which are threatened by repressive regimes, including the Chinese Communist Party.

SEC. 1807. DETERMINATION OF WHETHER ACTIONS OF CERTAIN CHINESE ENTITIES MEET CRITERIA FOR IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, shall—

(1) determine whether any entity specified in subsection (b)—

(A) is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuses against Uyghurs or other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region of the People's Republic of China; or

(B) meets the criteria for the imposition of sanctions under—

(i) the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.);

(ii) section 6 of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note);

(iii) section 105, 105A, 105B, or 105C of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514, 8514a, 8514b, and 8514c);

(iv) Executive Order 13818 (50 U.S.C. 1701 note; relating to blocking the property of persons involved in serious human rights abuse or corruption), as amended on or after the date of the enactment of this Act; or

(v) Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran and taking certain other actions), as amended on or after the date of the enactment of this Act;

(2) if the Secretary of the Treasury determines under paragraph (1) that an entity is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuses described in subparagraph (A) of that paragraph or meets the criteria for the imposition of sanctions described in subparagraph (B) of that paragraph, include the entity on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control; and

(3) submit to Congress a report on that determination that includes the reasons for the determination.

(b) ENTITIES SPECIFIED.—An entity specified in this subsection is any of the following:

(1) Hangzhou Hikvision Digital Technology Co., Ltd.

(2) Shenzhen Huada Gene Technology Co., Ltd. (BGI Group).

(3) Tiandy Technologies Co., Ltd.

(4) Zhejiang Dahua Technology Co., Ltd.

(5) China Electronics Technology Group Co.

(6) Zhejiang Uniview Technologies Co., Ltd.

(7) ByteDance Ltd.

(c) FORM OF REPORT.—The report required by subsection (a)(3) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1808. COUNTERING PROPAGANDA FROM THE PEOPLE'S REPUBLIC OF CHINA ABOUT GENOCIDE.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State, in conjunction with the United States Agency for Global Media, shall submit a strategy to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives for countering propaganda and other messaging from news and information sources associated with the Government of the People's Republic of China or entities associated with the Chinese Communist Party or influenced by the Chinese Communist Party or the Government of the People's Republic of China that—

(1) deny the genocide, crimes against humanity, and other egregious human rights abuses experienced by Uyghurs and other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region;

(2) spread propaganda regarding the role of the United States Government in imposing economic and reputational costs on the Chinese Communist Party or the Government of the People's Republic of China for its ongoing genocide;

(3) target Uyghurs and other people who publicly oppose the Government of the People's Republic of China's genocidal policies and forced labor practices, including the detention and intimidation of their family members; or

(4) increase pressure on member countries of the United Nations to deny or defend genocide or other egregious violations of internationally recognized human rights in the People's Republic of China within international organizations and multilateral fora, including at the United Nations Human Rights Council.

(b) STRATEGY ELEMENTS.—The strategy required under subsection (a) shall include—

(1) existing messaging strategies and specific broadcasting efforts to counter the propaganda described in paragraphs (1) and (2) of subsection (a) and the reach of such strategies and efforts to audiences targeted by such propaganda;

(2) specific metrics used for determining the success or failure of the messaging strategies and broadcasting efforts described in paragraph (1) and an analysis of the impact of such strategies and efforts;

(3) a description of any new or pilot messaging strategies and broadcasting efforts expected to be implemented during the 12-month period beginning on the date of the enactment of this Act and an explanation of the need for such strategies and efforts;

(4) measurable goals to be completed during the 12-month period beginning on the date of the enactment of this Act and tangible outcomes for expanding broadcasting efforts and countering propaganda; and

(5) estimates of additional funding needed to counter the propaganda described in paragraphs (1) and (2) of subsection (a).

(c) FUNDING.—The Secretary of State is authorized to use amounts made available for the Countering PRC Influence Fund under section 7043(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022 (division K of Public Law 117–103) to develop and carry out the strategy required under subsection (a).

SEC. 1809. DOCUMENTING ATROCITIES IN THE XINJIANG UYGHUR AUTONOMOUS REGION.

The Secretary of State and the Administrator of the United States Agency for International Development may provide assistance, including financial and technical assistance, as necessary and appropriate, to support the efforts of entities, including nongovernmental organizations with expertise in international criminal investigations and law, to address genocide, crimes against humanity, and their constituent crimes by the Government of the People's Republic of China by—

(1) collecting, documenting, and archiving evidence, including the testimonies of victims and visuals from social media, and preserving the chain of custody for such evidence;

(2) identifying suspected perpetrators of genocide and crimes against humanity;

(3) conducting criminal investigations of atrocity crimes, including by developing indigenous investigative and judicial skills through partnerships, direct mentoring, and providing the necessary equipment and infrastructure to effectively adjudicate cases for use in prosecutions in domestic courts, hybrid courts, and internationalized domestic courts;

(4) supporting investigations conducted by foreign countries, civil society groups, and multilateral organizations, such as the United Nations; and

(5) supporting and protecting witnesses participating in such investigations.

SEC. 1810. PROHIBITION ON CERTAIN UNITED STATES GOVERNMENT AGENCY CONTRACTS.

(a) PROHIBITION.—The head of an executive agency may not enter into a contract for the procurement of goods or services with or for any of the following:

(1) Any person identified in the report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 22 U.S.C. 6901 note).

(2) Any person that mined, produced, or manufactured goods, wares, articles, and merchandise detained and denied entry into

the United States by U.S. Customs and Border Protection pursuant to section 3 of the Act entitled ''An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes'', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note) (commonly referred to as the ''Uyghur Forced Labor Prevention Act'').

(3) Any person that the head of the executive agency determines, with the concurrence of the Secretary of State, facilitates the genocide and human rights abuses occurring in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.

(4) Any person, program, project, or activity that—

(A) contributes to forced labor, particularly through the procurement of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly, or in part, in the Xinjiang Uyghur Autonomous Region or by the forced labor of ethnic Uyghurs or other persecuted individuals or groups in the People's Republic of China; or

(B) violates internationally recognized labor rights of individuals or groups in the People's Republic of China.

(b) CONSULTATIONS.—The head of each executive agency shall consult with the Forced Labor Enforcement Task Force, established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681), with respect to the implementation of subsection (a)(2).

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall submit a report on the implementation of this section to—

(1) the Committee on Finance, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Foreign Affairs, and the Committee on Oversight and Accountability of the House of Representatives.

(d) EXECUTIVE AGENCY DEFINED.—In this section, the term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

SEC. 1811. DISCLOSURES TO SECURITIES AND EXCHANGE COMMISSION OF CERTAIN ACTIVITIES RELATED TO XINJIANG UYGHUR AUTONOMOUS REGION.

(a) AMENDMENT OF REQUIREMENTS FOR APPLICATIONS TO REGISTER ON NATIONAL SECURITIES EXCHANGES.—Section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) is amended by adding at the end the following:

''(m) REPORTING OF CERTAIN ACTIVITIES RELATING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

''(1) DEFINITION.—In this subsection, the term 'covered entity' means any entity that is—

''(A) engaged in providing technology or other assistance to create mass-population surveillance systems in the Xinjiang Uyghur Autonomous Region of the People's Republic of China;

''(B) an entity operating in the People's Republic of China that is on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

''(C) an individual residing in the People's Republic of China or an entity operating in the People's Republic of China that is on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury;

''(D) constructing or operating detention facilities for Uyghurs in the Xinjiang Uyghur Autonomous Region;

''(E) a foreign person identified in the report submitted under section 5(c) of the Act entitled 'An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note) (commonly referred to, and referred to in this subsection, as the 'Uyghur Forced Labor Prevention Act');

''(F) engaged in the 'pairing assistance' program that subsidizes the establishment of manufacturing facilities in the Xinjiang Uyghur Autonomous Region;

''(G) the Xinjiang Production and Construction Corps;

''(H) operating in the People's Republic of China and producing goods subject to a withhold release order issued by U.S. Customs and Border Protection pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307);

''(I) on a list required by clause (i), (ii), (iv), or (v) of section 2(d)(2)(B) of the Uyghur Forced Labor Prevention Act;

''(J) any person the property and interests in property of which have been blocked, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law, for actions relating to the detention or abuse of Uyghurs and other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region;

''(K) an individual residing in the People's Republic of China, or an entity operating in the People's Republic of China, the property and interests in property of which have been blocked pursuant to section 1263 of the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10102);

''(L) any person responsible for, or complicit in, the commission of atrocities in the Xinjiang Uyghur Autonomous Region; or

''(M) an affiliate of an entity described in any of subparagraphs (A) through (L).

''(2) ISSUANCE OF RULES.—Not later than 180 days after the date of enactment of this subsection, the Commission shall issue rules—

''(A) to require an issuer filing an application to register a security with a national securities exchange—

''(i) to include in the application the documentation described in paragraph (3); and

''(ii) to file the application and documentation with the Commission;

''(B) to require an issuer to file a report with the Commission containing the documentation described in paragraph (3) if the securities of the issuer are not listed on a national securities exchange and merges with another issuer, the securities of which are listed on such an exchange; and

''(C) to require an issuer filing a registration statement under subsection (g) to include with that statement the documentation described in paragraph (3).

''(3) DOCUMENTATION REQUIRED.—

''(A) SIGNIFICANT TRANSACTIONS.—With respect to an issuer, the documentation described in this paragraph is documentation showing that neither the issuer nor any affiliate of the issuer, directly or indirectly, has engaged in a significant transaction with a covered entity.

''(B) TRANSPARENT DOCUMENTATION OF SUPPLY CHAIN LINKS.—In issuing rules under paragraph (2), in addition to the documentation required under subparagraph (A), the Commission shall also require an issuer to which those rules apply to document the name (in English and in the most commonly spoken language of the country in which the issuer is incorporated, if other than English) and address of, and sourcing quantities from, each smelter, refinery, farm, or manufacturing facility (as appropriate)—

''(i) with which the issuer has a business relationship; and

''(ii) that is owned or operated by—

''(I) a person located in the Xinjiang Uyghur Autonomous Region; or

''(II) a person working with the government of the Xinjiang Uyghur Autonomous Region to recruit, transport, transfer, harbor, or receive labor of Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted groups out of the Xinjiang Uyghur Autonomous Region.

''(4) INDEPENDENT VERIFICATION OF DOCUMENTATION.—In issuing rules under paragraph (1), the Commission shall—

''(A) require an issuer to obtain independent verification of the documentation described in paragraph (3) by a third-party auditor approved by the Commission, before the filing of an application, report, or registration statement containing the documentation; and

''(B) require that the identity of the third-party auditor described in subparagraph (A) remain confidential.

''(5) PUBLIC AVAILABILITY OF DOCUMENTATION.—The Commission shall make all documentation received under this subsection available to the public.

''(6) PENALTY.—With respect to an application or report described in paragraph (2), if an issuer fails to comply with the requirements of this subsection (including any misrepresentation of the information described in paragraph (3))—

''(A) in the case of an application described in paragraph (2)(A)—

''(i) the applicable national securities exchange may not approve the application; and

''(ii) the issuer may not refile the application for 1 year; and

''(B) in the case of a report described in paragraph (1)(B) or a registration statement described in paragraph (1)(C)—

''(i) the President shall—

''(I) make a determination with respect to whether—

''(aa) the Secretary of the Treasury should initiate an investigation with respect to the imposition of sanctions under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.); or

''(bb) the Attorney General should initiate an investigation under any provision of law intended to hold accountable individuals or entities involved in the importation of goods produced using forced labor, including section 545, 1589, or 1761 of title 18, United States Code; and

''(II) not later than 180 days after initiating an investigation described in subclause (I), make a determination with respect to whether—

''(aa) to impose sanctions under the Global Magnitsky Human Rights Accountability Act with respect to the issuer or affiliate of the issuer (as the case may be); or

''(bb) to refer the case to the Department of Justice or another relevant Federal agency for further investigation.

''(7) REPORTS.—

''(A) ANNUAL REPORT TO CONGRESS.—The Commission shall—

''(i) conduct an annual assessment of the compliance of issuers with the requirements of this subsection; and

''(ii) submit to Congress a report containing the results of each assessment conducted under clause (i).

''(B) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—The Comptroller General of the United States shall periodically evaluate and report to Congress on the effectiveness of the oversight by the Commission of the requirements of this subsection.

''(8) SUNSET.—The provisions of this subsection shall terminate on the date that is 30 days after the date on which the President

submits the determination described in section 6(2) of the Uyghur Forced Labor Prevention Act.''.

(b) AMENDMENTS OF PERIODICAL REPORTING REQUIREMENTS FOR ISSUERS ON NATIONAL SECURITIES EXCHANGES.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

''(t) DISCLOSURE OF CERTAIN ACTIVITIES RELATING TO XINJIANG UYGHUR AUTONOMOUS REGION OF THE PEOPLE'S REPUBLIC OF CHINA.—

''(1) IN GENERAL.—Each issuer required to file an annual or quarterly report under subsection (a) shall disclose in that report the information required by paragraph (2) if, during the period covered by the report, the issuer or any affiliate of the issuer engaged, directly or indirectly, in an activity (including through a business relationship, ownership interest, or other financial or personal interest) with a covered entity, as defined in section 12(m).

''(2) INFORMATION REQUIRED.—If an issuer or an affiliate of an issuer has engaged, directly or indirectly, in any activity described in paragraph (1), the issuer shall disclose a detailed description of each such activity, including—

''(A) the nature and extent of the activity;

''(B) the gross revenues and net profits, if any, attributable to the activity; and

''(C) whether the issuer or the affiliate of the issuer (as the case may be) intends to continue the activity.

''(3) NOTICE OF DISCLOSURES.—If an issuer reports under paragraph (1) that the issuer or an affiliate of the issuer has engaged in any activity described in that paragraph, the issuer shall separately file with the Commission, concurrently with the annual or quarterly report under subsection (a), a notice that the disclosure of that activity has been included in that annual or quarterly report that identifies the issuer and contains the information required under paragraph (2).

''(4) PUBLIC DISCLOSURE OF INFORMATION.—Upon receiving a notice under paragraph (3) that an annual or quarterly report includes a disclosure of an activity described in paragraph (1), the Commission shall promptly—

''(A) transmit the report to—

''(i) the President;

''(ii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

''(iii) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

''(B) make the information provided in the disclosure and the notice available to the public by posting the information on the internet website of the Commission.

''(5) INVESTIGATIONS.—Upon receiving a report under paragraph (4) that includes a disclosure of an activity described in paragraph (1) by an issuer or an affiliate of the issuer, the President shall—

''(A) make a determination with respect to whether—

''(i) the Secretary of the Treasury should initiate an investigation with respect to the imposition of sanctions under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.); or

''(ii) the Attorney General should initiate an investigation under any provision of law intended to hold accountable individuals or entities involved in the importation of goods produced using forced labor, including section 545, 1589, or 1761 of title 18, United States Code; and

''(B) not later than 180 days after initiating such an investigation, make a determination with respect to whether—

''(i) to impose sanctions under the Global Magnitsky Human Rights Accountability Act with respect to the issuer or affiliate of the issuer (as the case may be); or

''(ii) to refer the case to the Department of Justice or another relevant Federal agency for further investigation.

''(6) SUNSET.—The provisions of this subsection shall terminate on the date that is 30 days after the date on which the President submits the determination described in section 6(2) of the Act entitled 'An Act to ensure that goods made with forced labor in the Xinjiang Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes', approved December 23, 2021 (Public Law 117–78; 22 U.S.C. 6901 note).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take apply with respect to any application, registration statement, or report required to be filed with the Securities and Exchange Commission after the date that is 180 days after the date of enactment of this Act.

SA 904. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. PROTECTING AMERICANS FROM SOCIAL MEDIA COMPANIES CONTROLLED BY COUNTRIES OF CONCERN.

(a) PROHIBITED COMMERCIAL TRANSACTIONS.—On and after the date that is 30 days after the date of the enactment of this Act, the President shall exercise all the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et. seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a social media company described in subsection (b) if such property and interests in property—

(1) are in the United States or come within the United States; or

(2) to the extent necessary to prevent commercial operation of the social media company in the United States, are or come within the possession or control of a United States person.

(b) SOCIAL MEDIA COMPANY DESCRIBED.—

(1) IN GENERAL.—A social media company described in this subsection is a social media company that meets one or more of the following conditions:

(A) The company is domiciled in, headquartered in, has its principal place of business in, or is organized under the laws of a country of concern.

(B) A country of concern, entity of concern, or some combination thereof, directly or indirectly owns, controls with the ability to decide important matters, or holds with power to vote, 20 percent or more of the outstanding voting stock or shares of the company.

(C) The company employs software or algorithms controlled or whose export is restricted by a country of concern or entity of concern.

(D) The company is subject to substantial influence, directly or indirectly, from a country of concern or entity of concern owing to which—

(i) the company shares or could be compelled to share data on United States citizens with a country of concern or entity of concern; or

(ii) the content moderation practices of the company are subject to substantial influence from a country of concern or entity of concern.

(2) DEEMED COMPANIES.—The following companies shall be deemed to be social media companies described in this subsection as of the date of the enactment of this Act unless and until the date on which the President certifies to Congress that the company no longer meets any of the conditions described in paragraph (1):

(A) Bytedance, Ltd.

(B) TikTok.

(C) A subsidiary of or a successor company to a company listed in subparagraph (A) or (B).

(D) A company owned or controlled directly or indirectly by a company listed in subparagraph (A) or (B).

(c) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions under this section shall not include the authority or requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(d) IMPLEMENTATION, PENALTIES, AND INAPPLICABILITY OF CERTAIN PROVISIONS.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) INAPPLICABILITY OF CERTAIN PROVISIONS.—The requirements under section 202 and the limitations under section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1701 and 1702(b)) shall not apply for purposes of this section.

(e) SEVERABILITY.—If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section that can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

(f) DEFINITIONS.—In this section:

(1) COUNTRY OF CONCERN.—The term ''country of concern''—

(A) has the meaning given the term ''foreign adversary'' in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

(B) includes the People's Republic of China (including the Special Administrative Regions of China, including Hong Kong and Macau), Russia, Iran, North Korea, Cuba, and Venezuela.

(2) ENTITY OF CONCERN.—The term ''entity of concern'' means—

(A) a governmental body at any level in a country of concern;

(B) the Armed Forces of a country of concern;

(C) the leading political party of a country of concern;

(D) an individual who is—

(i) a national of a country of concern;

(ii) domiciled and living in a country of concern; and

(iii) subject to substantial influence, directly or indirectly, from an entity specified under any of subparagraphs (A) through (C); or

(E) a private business or a state-owned enterprise that is—

(i) domiciled in a country of concern or owned or controlled by a private business or State-owned enterprise domiciled in a country of concern; and

(ii) subject to substantial influence, directly or indirectly, from an entity specified under any of subparagraphs (A) through (C).

(3) SOCIAL MEDIA COMPANY.—The term ''social media company''—

(A) means any entity that operates, directly or indirectly, including through its parent company, subsidiaries, or affiliates, a website, desktop application, or mobile application that—

(i) permits an individual or entity to create an account or profile for the purpose of generating, sharing, and viewing user-generated content through such account or profile;

(ii) sells digital advertising space;

(iii) has more than 1,000,000 monthly active users for a majority of months during the preceding 12 months;

(iv) enables one or more users to generate content that can be viewed by other users of the website, desktop application, or mobile application; and

(v) enables users to view content generated by other users of the website, desktop application, or mobile application; and

(B) does not include an entity if the entity does not operate a website, desktop application, or mobile application except for a website, desktop application, or mobile application the primary purpose of which is—

(i) to allow users to post product reviews, business reviews, or travel information and reviews; or

(ii) to provide emergency alert services.

SA 905. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO FEDERAL FUNDS FOR DEPARTMENT OF JUSTICE RULE ON STABILIZING BRACES.

No Federal funds may be used to implement, administer, or enforce the rule of the Department of Justice entitled ''Factoring Criteria for Firearms with Attached 'Stabilizing Braces' ''.

SA 906. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SENSE OF SENATE ON PROCUREMENT OF OUTSTANDING F/A–18 SUPER HORNET PLATFORMS.

(a) FINDINGS.—Congress finds that Congress appropriated funds for twelve F/A–18 Super Hornet platforms in fiscal year 2022 and eight F/A–18 Super Hornet platforms in fiscal year 2023, but the Navy has yet to enter into any contracts for the procurement of such platforms.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Secretary of the Navy and the contractor team should expeditiously enter into contractual agreements to procure the twenty F/A–18 Super Hornet platforms for which funds have been appropriated; and

(2) the Senate urges the Secretary of the Navy and the contractor team to comply with congressional intent and applicable law with appropriate expediency to bolster the Navy's fleet of strike fighter aircraft and avoid further disruption to the defense industrial base.

SA 907. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SECTION 12___. ESTABLISHMENT OF UNITED STATES-ISRAEL ARTIFICIAL INTELLIGENCE CENTER.

(a) SHORT TITLE.—This section may be cited as the ''United States–Israel Artificial Intelligence Center Act''.

(b) DEFINED TERM.—In this section, the term ''foreign country of concern'' means—

(1) the People's Republic of China;

(2) the Democratic People's Republic of Korea;

(3) the Russian Federation;

(4) the Islamic Republic of Iran; and

(5) any other country that the Secretary of State determines to be a country of concern.

(c) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce and the heads of other relevant Federal agencies, shall establish the United States–Israel Artificial Intelligence Center (referred to in this section as the ''Center'') in the United States.

(d) PURPOSES.—The purposes of the Center shall be to leverage the experience, knowledge, and expertise of institutions of higher education and private sector entities in the United States and Israel to develop more robust commercially relevant technology development cooperation in the areas of—

(1) machine learning;

(2) image classification;

(3) object detection;

(4) speech recognition;

(5) natural language processing;

(6) data labeling;

(7) computer vision; and

(8) model explainability and interpretability.

(e) ARTIFICIAL INTELLIGENCE PRINCIPLES.—In carrying out the purposes set forth in subsection (d), the Center shall adhere to the principles for the use of artificial intelligence in the Federal Government set forth in section 3 of Executive Order 13960 (85 Fed. Reg. 78939; relating to promoting the use of trustworthy artificial intelligence in Government), including to ''design, develop, acquire, and use AI in a manner that exhibits due respect for our Nation's values and is consistent with the Constitution and all other applicable laws and policies, including those addressing privacy, civil rights, and civil liberties''.

(f) INTERNATIONAL PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary of State and the heads of other relevant Federal agencies, subject to the availability of appropriations, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the Department of State or such other agencies and the Government of Israel and its ministries, offices, and institutions.

(2) FEDERAL SHARE.—Not more than 50 percent of the costs of implementing the agreements entered into pursuant to paragraph (1) may be paid by the United States Government.

(g) MULTILATERAL PARTNERSHIP.—Not later than 1 year after establishing the Center pursuant to this section, the Secretary of State, in consultation with relevant Federal agencies, shall submit a report to Congress that describes opportunities for expanding the participation in the Center to include other United States partners and allies.

(h) LIMITATIONS.—All of the following individuals and entities are prohibited from investing in, partnering with, or receiving or participating in, any grant, award, contract, program, support, benefit or other activity of the Center:

(1) Any individual or entity on the list under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note).

(2) Any entity identified under section 1260h of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

(3) Any academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note) and any participants in a foreign talent recruitment program on the list developed under section 1286(c)(9) of such Act.

(4) Any malign foreign talent recruitment program (as defined under section 10638 of the CHIPS and Science Act of 2022 (Public Law 117–167).

(5) Any entity owned by, controlled by, or subject to the direction of with the Chinese Communist Party or the People's Republic of China, or in which the government of a foreign country of concern has an ownership interest.

(6) Any entity on the Entity List that is maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

(i) APPLICABILITY OF EXPORT CONTROLS TO CENTER.—All activities of the Center, including the development, production, or use of goods, technology, software, knowledge, or source code, are subject to the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.), the Export Administration Regulations (as defined in subsection (h)(3)(B)), the licensing policy described in subsection (j), the Arms Export Control Act (22 U.S.C. 2751 et seq.), and any other applicable Federal laws relating to export controls.

(j) DENIAL OF EXPORT LICENSES FOR UNITED STATES ARMS EMBARGOED COUNTRIES.—

(1) IN GENERAL.—The Secretary of Commerce shall deny a license for the export (including deemed export), reexport, or in-country transfer of any item subject to the Export Administration Regulations to or in a country listed in Country Group D:5 in Supplement No. 1 to part 740 of the Export Administration Regulations.

(2) MONTHLY CONGRESSIONAL NOTIFICATION.—Not less frequently than every 30 days, the Under Secretary of Commerce for Industry and Security shall notify the appropriate congressional committees of all applications for licenses described in paragraph (1) that were submitted during the 30-day period preceding the notification.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Relations of the Senate;

(ii) the Select Committee on Intelligence of the Senate;

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

(iv) the Permanent Select Committee on Intelligence of the House of Representatives.

(B) EXPORT; EXPORT ADMINISTRATION REGULATIONS; IN-COUNTRY TRANSFER; ITEM; REEXPORT.—The terms ''export'', ''Export Administration Regulations'', ''in-country transfer'', ''item'', and ''reexport'' have the meanings given such terms in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

(C) SUBJECT TO THE EXPORT ADMINISTRATION REGULATIONS.—The term ''subject to the Export Administration Regulations'', with respect to an item, has the meaning given the term ''subject to the EAR'' in section 734.3 of the Export Administration Regulations.

(k) CLASSIFICATION.—All activities of the Center shall not be considered fundamental research, open source, or standards-related activities.

(l) COUNTERINTELLIGENCE SCREENING.—Not later than 180 days after the date of the enactment of this Act, and not later than each December 31 thereafter, Director of National Intelligence, in collaboration with the Director of the National Counterintelligence and Security Center and the Director of the Federal Bureau of Investigation, shall—

(1) assess—

(A) whether the Center or its participant institutions pose a counterintelligence threat to the United States;

(B) what specific measures the Center has implemented to ensure that intellectual property developed with the assistance of the Center has sufficient protections in place to ensure adherence to the principles described in subsection (e) in the use of United States intellectual property, research and development, and innovation efforts; and

(C) other threats from a foreign country of concern and other entities; and

(2) submit a report to Congress containing the results of the assessment described in paragraph (1).

(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 for the Center for each of the fiscal years 2024 through 2028.

SA 908. Mr. OSSOFF (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCREASE IN GOVERNMENTWIDE GOAL FOR PARTICIPATION IN FEDERAL CONTRACTS BY SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Section 15(g)(1)(A)(ii) of the Small Business Act (15 U.S.C. 644(g)(1)(A)(ii)) is amended by striking ''3 percent'' and inserting ''5 percent''.

SA 909. Mr. OSSOFF (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28____. LIMITATION ON USE OF FUNDS FOR CLOSURE OF COMBAT READINESS TRAINING CENTERS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Air Force or the Air National Guard may be obligated or expended to close, or prepare to close, any combat readiness training center.

(b) WAIVER.—The Secretary of the Air Force may waive the limitation under subsection (a) with respect to a combat readiness training center if the Secretary submits to the congressional defense committees the following:

(1) A certification that—

(A) the closure of the center would not be in violation of section 2687 of title 10, United States Code; and

(B) the support capabilities provided by the center will not be diminished as a result of the closure of the center.

(2) A report that includes—

(A) a detailed business case analysis for the closure of the center; and

(B) an assessment of the effects the closure of the center would have on training units of the Armed Forces, including any active duty units that may use the center.

SA 910. Mr. PADILLA (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONDUCT OF WINTER SEASON RECONNAISSANCE OF ATMOSPHERIC RIVERS IN THE WESTERN UNITED STATES.

(a) CONDUCT OF RECONNAISSANCE.—

(1) IN GENERAL.—Subject to the availability of appropriations, the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the Administrator of the National Oceanic and Atmospheric Administration may use aircraft, personnel, and equipment necessary to meet the mission requirements of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the National Oceanic and Atmospheric Administration if those aircraft, personnel, and equipment are not otherwise needed for hurricane monitoring and response.

(2) ACTIVITIES.—In carrying out paragraph (1), the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and appropriate line offices of the National Oceanic and Atmospheric Administration, may—

(A) improve the accuracy and timeliness of observations to support the forecast and warning services of the National Weather Service for the coasts of the United States;

(B) collect data in data-sparse regions where conventional, upper-air observations are lacking;

(C) support water management decisions and flood forecasting through the execution of targeted airborne dropsonde, buoys, autonomous platform observations, satellite observations, remote sensing observations, and other observation platforms as appropriate, including enhanced assimilation of the data from those observations over the eastern, central, and western north Pacific Ocean, the Gulf of Mexico, and the western Atlantic Ocean to improve forecasts of large storms for civil authorities and military decision makers;

(D) participate in the research and operations partnership that guides flight planning and uses research methods to improve and expand the capabilities and effectiveness of weather reconnaissance over time; and

(E) undertake such other additional activities as the Administrator of the National Oceanic and Atmospheric Administration, in collaboration with the 53rd Weather Reconnaissance Squadron, considers appropriate to further prediction of dangerous weather events.

(b) REPORTS.—

(1) AIR FORCE.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the appropriate committees of Congress a comprehensive report on the resources necessary for the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command to continue to support, through December 31, 2035—

(i) the National Hurricane Operations Plan;

(ii) the National Winter Season Operations Plan; and

(iii) any other operational requirements relating to weather reconnaissance.

(B) APPROPRIATE COMMITTEES OF CONGRESS.—In this paragraph, the term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services of the Senate;

(ii) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(iii) the Committee on Commerce, Science, and Transportation of the Senate;

(iv) the Committee on Science, Space, and Technology of the House of Representatives;

(v) the Committee on Armed Services of the House of Representatives; and

(vi) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) COMMERCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and

Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a comprehensive report on the resources necessary for the National Oceanic and Atmospheric Administration to continue to support, through December 31, 2035—

(A) the National Hurricane Operations Plan;

(B) the National Winter Season Operations Plan; and

(C) any other operational requirements relating to weather reconnaissance.

SA 911. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. ___. FLIGHT EDUCATION ACCESS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Flight Education Access Act''.

(b) INCREASE IN FEDERAL STUDENT LOAN LIMITS FOR STUDENTS IN FLIGHT EDUCATION AND TRAINING PROGRAMS.—Section 455 of the Higher Education Act of 1965 (20 U.S.C. 1087e) is amended—

(1) in subsection (p)—

(A) by striking ''Each institution'' and inserting the following:

''(1) IN GENERAL.—Each institution''; and

(B) in paragraph (1) (as designated by subparagraph (A)), by inserting before the period at the end the following: ''and, shall, with respect to Federal Direct Unsubsidized Stafford Loans made after the date of enactment of the Flight Education Access Act to an eligible student (as defined in subsection (r)), comply with the requirements of paragraph (2)''; and

(C) by adding at the end the following:

''(2) ADDITIONAL DISCLOSURES.—At or prior to the disbursement of a Federal Direct Unsubsidized Stafford Loan after the date of enactment of the Flight Education Access Act to an eligible student (as defined in subsection (r)), the following shall be disclosed:

''(A) The principal amount of the loan, the stated interest rate on the loan, the number of required monthly payments to be made on the loan (which shall be based on a standard repayment plan), and the estimated number of months before the start of the repayment period for the loan (based on the expected date on which the repayment period is to begin or the deferment period is to end, as applicable).

''(B) The estimated balance to be owed by the borrower on such loan (including, if applicable, the estimated amount of interest to be capitalized) as of the scheduled date on which the repayment period is to begin or the deferment period is to end, as applicable, and an estimate of the projected monthly payment.

''(C) An estimate of the aggregate amount the borrower will pay for the loan, including the total amount of monthly payments made over the life of the loan plus the amount of any charges for the loan, such as an origination fee.''; and

(2) by adding at the end the following:

''(r) INCREASE IN LOAN LIMITS FOR STUDENTS IN FLIGHT EDUCATION AND TRAINING PROGRAMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, the loan limits for Federal Direct Unsubsidized Stafford Loans made after the date of enactment of the Flight Education Access Act with respect to eligible students shall be subject to this subsection.

''(2) DEFINITIONS.—In this section:

''(A) ELIGIBLE STUDENT.—The term 'eligible student' means a student who is enrolled in an eligible undergraduate flight education and training program.

''(B) ELIGIBLE UNDERGRADUATE FLIGHT EDUCATION AND TRAINING PROGRAM.—The term 'eligible undergraduate flight education and training program' means an undergraduate flight education and training program that offers training for applicants seeking a commercial pilot certificate and—

''(i) during the period beginning on the date of enactment of the Flight Education Access Act and ending on the date on which 3 years of data has been collected pursuant to paragraph (3)(C), that meets all the applicable requirements of this Act; and

''(ii) beginning on the date on which 3 years of data has been collected pursuant to paragraph (3)(C), that meets all the applicable requirements of this Act and has a completion rate averaged over a 3-year period, as calculated under paragraph (3)(C) that is equal to or greater than 70 percent.

''(C) UNDERGRADUATE FLIGHT EDUCATION AND TRAINING PROGRAM.—The term 'undergraduate flight education and training program'—

''(i) has the meaning given the term by the Secretary, in consultation with the Administrator of the Federal Aviation Administration;

''(ii) shall include a flight education and training program offered by an eligible institution that is accredited by an accrediting agency recognized by the Secretary, that—

''(I) awards undergraduate certificates or associate or bachelor degrees; and

''(II) provides pilot training in accordance with part 141 of title 14, Code of Federal Regulations, or any successor regulation; and

''(iii) shall not include a flight education and training program certified under part 61 of title 14, Code of Federal Regulations, or any successor regulation.

''(3) LOAN LIMITS FOR ELIGIBLE UNDERGRADUATE FLIGHT EDUCATION AND TRAINING PROGRAMS.—

''(A) LIMITS FOR ELIGIBLE STUDENTS WHO ARE DEPENDENT STUDENTS.—

''(i) ANNUAL LIMITS.—The maximum annual amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is a dependent student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be—

''(I) in the case of an eligible student at an eligible institution who has not successfully completed the first year of an eligible undergraduate flight education and training program—

''(aa) $13,500, if such student is enrolled in such a program whose length is at least one academic year in length; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(II) in the case of an eligible student at an eligible institution who has successfully completed the first year of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $15,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(III) in the case of a student at an eligible institution who has successfully completed the first year and second years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $16,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year; and

''(IV) in the case of a student at an eligible institution who has successfully completed the first, second, and third years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $15,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year.

''(ii) AGGREGATE LIMITS.—The maximum aggregate amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is a dependent student may borrow shall be $65,000.

''(B) LIMITS FOR ELIGIBLE STUDENTS WHO ARE INDEPENDENT STUDENTS.—

''(i) ANNUAL LIMITS.—The maximum annual amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is an independent student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be—

''(I) in the case of an eligible student at an eligible institution who has not successfully completed the first year of an eligible undergraduate flight education and training program—

''(aa) $21,500, if such student is enrolled in such a program whose length is at least one academic year in length; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(II) in the case of an eligible student at an eligible institution who has successfully completed the first year of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $25,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(III) in the case of a student at an eligible institution who has successfully completed the first year and second years of an eligible

undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $25,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year; and

''(IV) in the case of a student at an eligible institution who has successfully completed the first, second, and third years of an eligible undergraduate flight education and training program but has not yet successfully completed the remainder of such program—

''(aa) $22,500; or

''(bb) if such student is enrolled in such a program that is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in item (aa) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year.

''(ii) AGGREGATE LIMITS.—The maximum aggregate amount of Federal Direct Unsubsidized Stafford Loans an eligible student who is an independent student may borrow shall be $107,500.

''(C) DATA COLLECTION ON, AND CALCULATION OF, COMPLETION RATES.—

''(i) IN GENERAL.—The Secretary shall annually calculate the completion rate of each undergraduate flight education and training program at each eligible institution based on the information collected under clause (ii).

''(ii) COLLECTION OF INFORMATION.—The Secretary shall annually collect information, for each academic year, on—

''(I) the total number of students enrolled in an undergraduate flight education and training program at an eligible institution; and

''(II) those students who complete such program—

''(aa) who earn a private pilot's certificate for an airplane category rating with a single-engine class rating while enrolled in such program; or

''(bb) who at the time of enrollment, possess such a certificate.

''(iii) CALCULATION OF COMPLETION RATE.—To calculate the completion rate described in clause (i), the Secretary shall—

''(I) consider as having completed, those students who earn a private pilot's certificate for an airplane category rating with a single-engine class rating, or who at the time of enrollment possess such a certificate, and complete the undergraduate flight education and training program at an eligible institution—

''(aa) that predominantly awards associate degrees, within 200 percent of the normal time for completion;

''(bb) that predominantly awards bachelor degrees, within 150 percent of the normal time for completion; and

''(cc) that predominantly awards undergraduate certificates, within 200 percent of the normal time for completion;

''(II) consider as not having completed, those students who earn a private pilot's certificate for an airplane category rating with a single-engine class rating, or who at the time of enrollment possess such a certificate, and who transfer out of the undergraduate flight education and training program to another program at the eligible institution that is not an undergraduate flight education and training program or to a program that is not an undergraduate flight education and training program at another eligible institution; and

''(III) not include in the calculation, any student who—

''(aa) is a foreign national;

''(bb) earns a private pilot's certificate for an airplane category rating with a single-engine class rating and transfers out of the undergraduate flight education and training program to another undergraduate flight education and training program at a different eligible institution; or

''(cc) is enrolled in an undergraduate flight education and training program and never earns a private pilot's certificate for an airplane category rating with a single-engine class rating.

''(D) REPORTING REQUIREMENTS.—

''(i) IN GENERAL.—The Secretary shall require each undergraduate flight education and training program that enrolls students who receive assistance under this part to provide the data described in this subparagraph that is necessary for the completion of the reporting requirements described in this subparagraph.

''(ii) FORM OF DATA COLLECTION.—The Secretary shall prescribe the form and format of the data required to be provided under this subparagraph and include, at a minimum, the following data elements:

''(I) Student data elements necessary to calculate student enrollment, persistence, retention, transfer, and completion rates.

''(II) Information disaggregated by gender, race, ethnicity, and socioeconomic status.

''(iii) REPORT TO CONGRESS.—Not later than 9 months after the date of enactment of the Flight Education Access Act and biennially thereafter, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives, analyzing and assessing the data collected pursuant to this subparagraph and conforming to the requirements of this subparagraph that shall include the following:

''(I) An assessment of the effectiveness of the requirements under this subsection.

''(II) Information on enrollment, persistence, retention, transfer, completion, utilization of Federal financial aid, and unmet financial need, including information on applicable institutions.

''(III) Information on the gender, race, ethnicity, and socioeconomic status of students enrolled in an undergraduate flight education and training program.''.

(c) GAO REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) examine and review the implementation of this section and the amendments made by this section, which review shall include—

(A) the number of participating institutions offering undergraduate flight education and training programs (as defined in section 455(r) of the Higher Education Act of 1965 (20 U.S.C. 1087e(r)), as amended by this section);

(B) the number of students enrolled in such undergraduate flight education and training programs, and demographic data regarding such students;

(C) the level of such students' participation in the loan program under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.), including demographic data as appropriate; and

(D) feedback from participating institutions regarding the implementation of this section and the amendments made by this section;

(2) develop recommendations to the Department of Education on any changes that should be made to improve the implementation of this section and the amendments made by this section; and

(3) prepare and submit a report on the findings and recommendations under paragraphs (1) and (2) to—

(A) the Committee on Health, Education, Labor, and Pensions and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Education and the Workforce and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or an amendment made by this section, shall be construed to repeal, amend, supersede, or affect any pilot training or qualification provision under existing law.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Education, in addition to any amounts otherwise available, to carry out the amendments made by this section, $3,000,000 for each of fiscal years 2024 through 2033. Such funds shall be available until expended.

SEC. ___. REGIONAL AIR CARRIER PILOT TRAINING AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Subject to the availability of appropriations, not later than 90 days after the date of enactment of this section, the Secretary of Transportation (in this section referred to as the ''Secretary'') shall establish a pilot program to award grants to eligible applicants to support payment of costs—

(1) related to required flight education and training for aspiring pilots to become employed by a certificate holder under part 119 of title 14, Code of Federal Regulations, which conducts scheduled operations under part 135 or 121 of that title exclusively with aircraft having a seating capacity of not more than 80 passengers; and

(2) for the training and retention of pilots employed by a certificate holder that conducts operations described in paragraph (1).

(b) ELIGIBLE APPLICANTS.—An application for a grant under this section shall be submitted in such form as the Secretary may require, by an eligible applicant pursuing flight education or training, including flight training on regional aircraft, who demonstrates to the Secretary—

(1) documentation of enrollment in an eligible pilot development program described in subsection (g); and

(2) receipt of direct financial assistance from a certificate holder for costs described in subsection (a) relating to flight education and training to participate in such pilot development program.

(c) MATCHING FUNDS.—In carrying out the pilot program established under this section, the Secretary shall award grants to support the flight education and training of an eligible applicant by issuing matching funds for amounts equal to the amount of direct financial assistance provided by a certificate holder that conducts operations described in subsection (a)(1) for the purposes of participation in an eligible pilot development program, provided that an individual grant for an eligible applicant provided under this subsection does not exceed $30,000. An eligible applicant may receive no more than one grant under the pilot program. The Secretary may reserve up to 5 percent of the funds made available under subsection (j) per fiscal year to carry out this section and provide oversight of the program by the Secretary.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A grant awarded under this section shall be used to support the costs of an eligible applicant's—

(A) flight training services;

(B) program tuition;

(C) training materials;

(D) equipment; or

(E) any other cost associated with expenses incurred by an eligible applicant for purposes of receiving flight education and training, including aircraft type training on regional jet aircraft or simulation equipment, through an eligible pilot development program.

(2) RETURN OF GRANT FUNDS.—Any grant funds disbursed to an eligible applicant by the Secretary pursuant to subsection (c) that are used in violation of paragraph (1), or are not expended as of the earlier of the date of termination of the eligible applicant's participation in, or the expiration of, the pilot program established in subsection (a), shall be returned to the Secretary not later than 30 days after the Secretary issues a written determination to the eligible applicant stating the necessity for and compelling the return of such grant funds. The Secretary may investigate any eligible applicants who use grant funds in violation of paragraph (1).

(e) PREFERENCE FOR EMPLOYMENT WITH REGIONAL AIR CARRIERS.—In awarding grants under subsection (c) to an eligible applicant, the Secretary shall give preferential consideration to an eligible applicant who demonstrates a documented commitment, on a voluntary basis, to initiate or continue employment with a certificate holder that conducts operations described in subsection (a)(1) until such time as the eligible applicant attains the position of captain and serves in such position for at least 2 years.

(f) CONSIDERATIONS.—In carrying out the pilot program established under this section, the Secretary shall consider the following:

(1) Ensuring the issuance of awards reflects equal consideration of all eligible pilot development programs operated by certificate holders that conducts operations described in subsection (a)(1) from which eligible applicants could be enrolled in and receive direct financial assistance for flight education and training.

(2) Developing and issuing policies, in coordination with eligible pilot development programs described in subsection (g) that are operated by such certificate holders, to verify the use of awarded grant funds by eligible applicants to support costs related to flight education and training.

(g) ELIGIBLE PILOT DEVELOPMENT PROGRAM.—For purposes of the pilot program established under this section, an eligible pilot development program shall meet the following criteria:

(1) The program shall be operated in conjunction with an eligible institution that is accredited by an accrediting agency recognized by the Secretary that—

(A) awards undergraduate certificates or associate or bachelor's degrees; or

(B) provides pilot training in accordance with part 141 of title 14, Code of Federal Regulations, or any successor regulation.

(2) The program shall be able to facilitate an eligible applicant's ability to fulfill necessary flight education and training requirements, as determined by the Administrator of the Federal Aviation Administration, to obtain a restricted airline transport pilot certificate.

(3) The program provides direct financial assistance to an enrolled eligible applicant or reimburses an enrolled eligible applicant for costs associated with expenses incurred by an enrolled eligible applicant for purposes of receiving pilot training necessary to fulfill the certification described in paragraph (2).

(4) The program shall be operated by, affiliated with, or have an agreement with, a certificate holder that conducts operations described in subsection (a)(1) for the purposes of conducting flight education and training and developing pilots for employment with the certificate holder.

(h) CONSOLIDATION OF INFORMATION.—The Secretary shall provide, in a readily accessible web-based format, consolidated information on grants available under the pilot program established under this section.

(i) REPORT TO CONGRESS.—No later than 5 years after the establishment of the pilot program under this section, the Secretary shall submit 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 on the progress of the pilot program under this section, including—

(1) any detailed metrics associated with the implementation of the pilot program;

(2) the resulting impact on the domestic regional carrier pilot workforce; and

(3) any related recommendations for future action to improve the recruitment and retention of pilots at domestic regional carriers.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $21,000,000 for each of fiscal years 2024 through 2026, to remain available until expended.

SA 912. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. FOOD INSECURITY AMONG MEMBERS OF THE ARMED FORCES TRANSITIONING OUT OF ACTIVE DUTY SERVICE.

(a) STUDY; EDUCATION AND OUTREACH EFFORTS.—

(1) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Veterans Affairs and other Federal officials, as appropriate, conduct a study to identify the means by which members of the Armed Forces are provided information about the availability of Federal nutrition assistance programs as they transition out of active duty service.

(2) EDUCATION AND OUTREACH EFFORTS.—The Secretary of Defense, working with the Secretary of Veterans Affairs and other Federal officials, as appropriate, shall increase education and outreach efforts to members of the Armed Forces who are transitioning out of active duty service, particularly those members identified as being at-risk for food insecurity, to increase awareness of the availability of Federal nutrition assistance programs and eligibility for those programs.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(A) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under paragraph (1); and

(B) publish such report on the website of the Department of Defense.

(b) WORKING GROUP.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Agriculture, shall establish a working group to address, across the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture, coordination, data sharing, and evaluation efforts on underlying factors contributing to food insecurity among members of the Armed Forces transitioning out of active duty service, including estimates of future earnings of such members (in this subsection referred to as the ''working group'').

(2) MEMBERSHIP.—The working group be composed of—

(A) representatives from the Department of Defense, the Department of Veterans Affairs, the Department of Agriculture;

(B) other relevant Federal officials, including those connected to veteran transition programs; and

(C) other relevant stakeholders as determined by the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Agriculture.

(3) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the working group shall submit to each congressional committee with jurisdiction over the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture a report on the coordination, data sharing, and evaluation efforts described in paragraph (1).

(B) ELEMENTS.—The report required by paragraph (1) shall include the following:

(i) An accounting of the funding each department referred to in subparagraph (A) has obligated toward research relating to food insecurity among members of the Armed Forces or veterans.

(ii) An outline of methods of comparing programs and sharing best practices for addressing food insecurity by each such department.

(iii) An outline of—

(I) the plan each such department has to achieve greater government efficiency and cross-agency coordination, data sharing, and evaluation in addressing food insecurity among members transitioning out of the Armed Forces; and

(II) efforts that the departments can undertake to improve coordination to better address food insecurity as it impacts members during and after their active duty service.

(iv) An identification of—

(I) any legal, technological, or administrative barriers to increased coordination and data sharing in addressing food insecurity among members transitioning out of the Armed Forces; and

(II) any additional authorities needed to increase such coordination and data sharing.

(v) Any other information the Secretary of Defense, the Secretary of Veterans Affairs, or the Secretary of Agriculture determines to be appropriate.

SA 913. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2___. REVIEW OF ARTIFICIAL INTELLIGENCE INVESTMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) review the current investment into applications of artificial intelligence to the platforms, processes, and operations of the Department of Defense; and

(2) categorize the types of artificial intelligence investments by categories including but not limited to the following:

(A) Automation.

(B) Machine learning.

(C) Autonomy.

(D) Robotics.

(E) Deep learning and neural network.

(F) Natural language processing.

(b) REPORT TO CONGRESS.—Not later than 120 days after the completion of the review and categorization required by subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary with respect to the review and any action taken or proposed to be taken by the Secretary to address such findings; and

(2) an evaluation of how the findings of the Secretary align with stated strategies of the Department of Defense with regard to artificial intelligence and performance objectives established in the Department of Defense Data, Analytics, and Artificial Intelligence Adoption Strategy.

SA 914. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 565. PROMOTION OF CERTAIN FOOD AND NUTRITION ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Each Secretary concerned shall promote, to members of the Armed Forces under the jurisdiction of the Secretary, awareness of food and nutrition assistance programs administered by the Department of Defense.

(b) REPORTING.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report summarizing activities taken by the Secretary to carry out subsection (a).

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 10, United States Code.

SA 915. Mr. WARNER (for himself and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. RELEASE OF EDUCATION RECORDS TO FACILITATE THE AWARD OF A RECOGNIZED POSTSECONDARY CREDENTIAL.

Section 444(b)(1) of the General Education Provisions Act (20 U.S.C. 1232g(b)(1)) is amended—

(1) in subparagraph (K)(ii), by striking ''and'' after the semicolon;

(2) in subparagraph (L), by striking the period at the end and inserting ''; and'';

(3) by inserting after subparagraph (L) the following:

''(M) an institution of postsecondary education in which the student was previously enrolled, to which records of postsecondary coursework and credits completed by the student are disclosed for the purpose of applying such coursework and credits toward completion of a recognized postsecondary credential (as that term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)).''; and

(4) by adding at the end of the flush matter at the end the following: ''An institution of postsecondary education in which a student was previously enrolled may not use disclosed records as described in subparagraph (M) to issue a student a recognized postsecondary credential unless the student provides such institution with the student's prior written consent to issue the student such credential.''.

SA 916. Mr. MORAN (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ACCESS TO COMMISSARY AND EXCHANGE PRIVILEGES FOR REMARRIED SPOUSES.

(a) BENEFITS.—Section 1062 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(a) CERTAIN UNREMARRIED FORMER SPOUSES.—The Secretary of Defense'';

(2) by striking ''commissary and exchange privileges'' and inserting ''use commissary stores and MWR retail facilities'';

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

''(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as an unremarried surviving spouse of a member of the uniformed services.''; and

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

''(c) MWR RETAIL FACILITIES DEFINED.—In this section, the term 'MWR retail facilities' has the meaning given that term in section 1063(e) of this title.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1062 of title 10, United States Code, is amended to read as follows:

''§ 1062. Certain former spouses and surviving spouses''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by striking the item relating to section 1062 and inserting the following new item:

''1062. Certain former spouses and surviving spouses.''.

SA 917. Mr. GRAHAM (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XV, insert the following:

SEC. _____. MONITORING IRANIAN ENRICHMENT.

(a) SIGNIFICANT ENRICHMENT ACTIVITY DEFINED.—In this section, the term ''significant enrichment activity'' means—

(1) any enrichment of any amount of uranium–235 to a purity percentage that is 5 percent higher than the purity percentage indicated in the prior submission to Congress under subsection (b)(1); or

(2) any enrichment of uranium–235 in a quantity exceeding 10 kilograms.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 48 hours after the Director of National Intelligence assesses that the Islamic Republic of Iran has produced or possesses any amount of uranium–235 enriched to greater than 60 percent purity or has engaged in significant enrichment activity, the Director of National Intelligence shall submit to Congress such assessment, consistent with the protection of intelligence sources and methods.

(2) DUPLICATION.—For any submission required by this subsection, the Director of National Intelligence may rely upon existing products that reflect the current analytic judgment of the intelligence community, including reports or products produced in response to congressional mandate or requests from executive branch officials.

SA 918. Mr. OSSOFF (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 5___. PROVISION OF FOOD ASSISTANCE PROGRAM INFORMATION AS PART OF TRANSITION ASSISTANCE PROGRAM.

Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) Information, counseling, and application assistance, developed and provided in consultation with the Secretary of Agriculture, regarding Federal food and nutrition assistance programs, including the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and 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).''.

SA 919. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 560A. INCLUSION OF INSTRUCTION REGARDING PREPARATION FOR AGRICULTURE IN TRANSITION ASSISTANCE PROGRAM.

Section 1144(f)(1)(D) of title 10, United States Code, is amended—

(1) by redesignating clause (v) as clause (vi); and

(2) by inserting after clause (iv) the following new clause (v):

''(v) Preparation for agriculture.''.

SA 920. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 316. ADDITIONAL COST ANALYSIS REQUIRED RELATING TO LIMITATION ON REPLACEMENT OF NON-TACTICAL VEHICLE FLEET OF DEPARTMENT OF DEFENSE WITH CERTAIN ELECTRIC AND OTHER VEHICLES.

Section 328(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2520) is amended—

(1) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) a cost analysis of replacing vehicles that are fueled by gasoline in the non-tactical vehicle fleet of the Department with vehicles fueled by a blend of gasoline and ethanol (commonly referred to as 'flex-fuel' vehicles).''.

SA 921. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. REPORT ON DEFENSE SUPPORT FOR TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report containing an evaluation of the Foreign Military Sales (FMS) processes across all military services for the provision of defense articles, defense services, and training to Taiwan pursuant to the Taiwan Relations Act (22 U.S.C. 3301 et seq.).

(b) MATTERS TO BE INCLUDED.—Such report shall contain the following:

(1) A description of price and availability data with respect to the provision of defense articles, defense services, and training requested by Taiwan during the two-year period preceding the date on which the report is submitted.

(2) A description of timelines from price and availability data requested to price and availability data provided to Taiwan of articles, services, and training described in paragraph (1), including an identification of the specific service lead associated with the provision of such articles, services, and training.

(3) A description of when articles, services, and training described in paragraph (1) were provided to the Department of State for FMS authorization.

(4) An evaluation of military training activities conducted with Taiwan during the two-year period preceding the date on which the report is submitted report, including—

(A) the objectives of such training activities;

(B) funding authority, unless national funds were applied; and

(C) an evaluation of the effectiveness of such training activities, including the strengths and weaknesses in Taiwan's capacity to absorb the training provided.

(5) A description of the articles, services, and training described in paragraph (1) planned to be provided to Taiwan during the one-year period after the period covered by the report.

(6) A description of the timeframe from Department of State authorization to Taiwan signature on the Letter of Offer and Acceptance of articles, services, and training described in paragraph (1) and information on delays in concluding a Letter of Offer and Acceptance.

(7) A description of timelines the Department of Defense took to work with United States industry in entering into contracts associated articles, services, and training described in paragraph (1), including a description of the average timeframes for Letters of Offer and Acceptance.

(8) A description of the timeliness of Department of Defense components' reporting of deliveries articles, services, and training described in paragraph (1).

(9) A description on cooperation across agencies in identifying priority articles, services, and training described in paragraph (1) and cooperation with United States industry to address delivery delays.

(10) An update on the Department of Defense's efforts to work with industry and the Defense Advanced Research Projects Agency to introduce innovative technology to the Department of Defense to address delivery delays resulting from supply chain issues and long-lead manufacturing timelines for articles, services, and training described in paragraph (1).

(c) FORM.—The report required by subsection (a) may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

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

SA 922. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. WAR RESERVE STOCK PROGRAM FOR TAIWAN.

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may transfer to Taiwan any or all of the items described in subsection (b).

(b) ITEMS DESCRIBED.—The items referred to in subsection (a) are armor, artillery, automatic weapons ammunition, missiles, and other munitions that—

(1) are obsolete or surplus items;

(2) are in the inventory of the Department of Defense;

(3) are intended for use as reserve stocks for Taiwan; and

(4) are located in a stockpile in Taiwan.

(c) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before making a transfer under the authority of this section, the President shall transmit a notification of the proposed transfer to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives. The notification shall identify the items to be transferred and the concessions to be received.

SA 923. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. REPORT ON JOINT POLICE PATROL ACTIVITIES OF CHINA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the appropriate congressional committees a report that includes—

(1) a comprehensive assessment of government, military, security, and police entities directly or indirectly funded by the national or any subnational government of the People's Republic of China or the Chinese Communist Party that support or participate in any activities undertaken by illicit Overseas Chinese Service Centers;

(2) a list of all countries that conduct joint police patrols, host law enforcement training or exchanges, or have concluded binding internal security agreements with the national or any subnational government of the People's Republic of China or the Chinese Communist Party;

(3) an assessment of the risks such training, exchanges, agreements, initiatives, or centers pose to United States national security interests and personnel in those countries; and

(4) a description of United States Government policies and measures, including engagements with foreign governments on law enforcement training or exchanges, joint police patrols, or working with civil society organizations to identify illicit Overseas Chinese Service Centers, adopted to reduce such risks.

(b) FORM.—The report required by subsection (a)—

(1) shall be submitted in unclassified form but may contain a classified annex; and

(2) shall be made publicly available, other than the classified annex portion of the report.

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

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Homeland Security, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 924. Mr. RICKETTS submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1269. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Subparagraph (C) of section 1202(b)(3) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended to read as follows:

''(C) With respect to security and military matters, relations between—

''(i) the People's Republic of China and the Russian Federation, including—

''(I) lessons learned by the People's Republic of China from the Russian Federation with respect to security and military matters;

''(II) the People's Republic of China support for the invasion of Ukraine by the Russian Federation; and

''(III) any arms or related materiel or dual-use goods, services, or technology the People's Republic of China otherwise exports to the Russian Federation for use in weapons systems in Ukraine; and

''(ii) the People's Republic of China and Iran.''.

SA 925. Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. REVIEW OF AGRICULTURE-RELATED TRANSACTIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''; and'' and inserting a semicolon;

(II) in clause (ii), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(iii) any transaction described in clause (vi) or (vii) of subparagraph (B) proposed or pending on or after the date of the enactment of this clause.'';

(ii) in subparagraph (B), by adding at the end the following:

''(vi) Any other investment, subject to regulations prescribed under subparagraphs (D) and (E), by a foreign person in any unaffiliated United States business that is engaged in agriculture or biotechnology related to agriculture.

''(vii) Subject to subparagraphs (C) and (E), the purchase or lease by, or a concession to, a foreign person of private real estate that is—

''(I) located in the United States;

''(II) used in agriculture; and

''(III) more than 320 acres or valued in excess of $5,000,000.'';

(iii) in subparagraph (C)(i), by striking ''subparagraph (B)(ii)'' and inserting ''clause (ii) or (vii) of subparagraph (B)'';

(iv) in subparagraph (D)—

(I) in clause (i), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)'';

(II) in clause (iii)(I), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)'';

(III) in clause (iv)(I), by striking ''subparagraph (B)(iii)'' each place it appears and inserting ''clauses (iii) and (vi) of subparagraph (B)''; and

(IV) in clause (v), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)''; and

(v) in subparagraph (E), by striking ''clauses (ii) and (iii)'' and inserting ''clauses (ii), (iii), (iv), and (vii)''; and

(B) by adding at the end the following:

''(14) AGRICULTURE.—The term 'agriculture' has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).'';

(2) in subsection (k)(2)—

(A) by redesignating subparagraphs (H), (I), and (J), as subparagraphs (I), (J), and (K), respectively; and

(B) inserting after subparagraph (G) the following new subparagraph:

''(H) The Secretary of Agriculture (nonvoting, ex officio).''; and

(3) by adding at the end the following:

''(r) PROHIBITION WITH RESPECT TO AGRICULTURAL COMPANIES AND REAL ESTATE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, if the Committee, in conducting a review and investigation under this section, determines that a transaction described in clause (i), (vi), or (vii) of subsection (a)(4)(B) would result in control by a covered foreign person of or investment by a covered foreign person in a United States business engaged in agriculture or private real estate used in agriculture, the President shall prohibit such transaction.

''(2) WAIVER.—The President may waive, on a case-by-case basis, the requirement to prohibit a transaction under paragraph (1), not less than 30 days after the President determines and reports to the relevant committees of jurisdiction that it is vital to the national security interests of the United States to waive such prohibition.

''(3) DEFINED TERMS.—In this subsection:

''(A) COVERED PERSON.—

''(i) IN GENERAL.—Except as provided by clause (ii), the term 'covered person'—

''(I) has the meaning given the term 'a person owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary' in section 7.2 of title 15, Code of Federal Regulations (as in effect on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024), except that each reference to 'foreign adversary' in that definition shall be deemed to be a reference to the government of a covered country; and

''(II) includes an entity that—

''(aa) is registered in or organized under the laws of a covered country;

''(bb) has a principal place of business in a covered country; or

''(cc) has a subsidiary with a principal place of business in a covered country.

''(ii) EXCLUSIONS.—The term 'covered person' does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.

''(B) COVERED COUNTRY.—The term 'covered country' means any of the following:

''(i) The People's Republic of China.

''(ii) The Russian Federation.

''(iii) The Islamic Republic of Iran.

''(iv) The Democratic People's Republic of Korea.''.

SA 926. Mr. CRUZ (for himself, Mr. MANCHIN, Ms. ERNST, and Mr. FETTERMAN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 31_____. PROHIBITION ON SALES OF PETROLEUM PRODUCTS FROM THE STRATEGIC PETROLEUM RESERVE TO CERTAIN COUNTRIES.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, unless a waiver has been issued under subsection (b), the Secretary of Energy shall not draw down and sell petroleum products from the Strategic Petroleum Reserve—

(1) to any entity that is under the ownership or control of the Chinese Communist Party, the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran; or

(2) except on the condition that such petroleum products will not be exported to the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

(b) WAIVER.—

(1) IN GENERAL.—On application by a bidder, the Secretary of Energy may waive, prior to the date of the applicable auction, the prohibitions described in subsection (a) with respect to the sale of crude oil to that bidder at that auction.

(2) REQUIREMENT.—The Secretary of Energy may issue a waiver under this subsection only if the Secretary determines that the waiver is in the interest of the national security of the United States.

(3) APPLICATIONS.—A bidder seeking a waiver under this subsection shall submit to

the Secretary of Energy an application by such date, in such form, and containing such information as the Secretary of Energy may require.

(4) NOTICE TO CONGRESS.—Not later than 15 days after issuing a waiver under this subsection, the Secretary of Energy shall provide a copy of the waiver to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SA 927. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON IMPLEMENTATION OF RECOMMENDATIONS RELATED TO THE RENAMING OF ITEMS IN ARLINGTON NATIONAL CEMETERY.

The Secretary of Defense may not take any action to implement any recommendation of the commission established under section 370 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note; Public Law 116–283) that concerns any item within the grounds of Arlington National Cemetery, Virginia.

SA 928. Mrs. SHAHEEN (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1225. MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT POPULATIONS IN SYRIA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) ISIS MEMBER.—The term ''ISIS member'' means a person who was part of, or substantially supported, the Islamic State in Iraq and Syria.

(3) SENIOR COORDINATOR.—The term ''Senior Coordinator'' means the coordinator for detained ISIS members and relevant displaced populations in Syria designated under subsection (a) of section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1642), as amended by subsection (d).

(b) SENSE OF CONGRESS.—

It is the sense of Congress that—

(A) ISIS detainees held by the Syrian Democratic Forces and ISIS-affiliated individuals located within displaced persons camps in Syria pose a significant and growing humanitarian challenge and security threat to the region;

(B) the vast majority of individuals held in displaced persons camps in Syria are women and children, approximately 50 percent of whom are under the age of 12 at the al-Hol camp, and they face significant threats of violence and radicalization, as well as lacking access to adequate sanitation and health care facilities;

(C) there is an urgent need to seek a sustainable solution to such camps through repatriation and reintegration of the inhabitants;

(D) the United States should work closely with international allies and partners to facilitate the repatriation and reintegration efforts required to provide a long-term solution for such camps and prevent the resurgence of ISIS; and

(E) if left unaddressed, such camps will continue to be drivers of instability that jeopardize the long-term prospects for peace and stability in the region.

(c) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) ISIS-affiliated individuals located within displacement camps in Syria, and other inhabitants of displacement camps in Syria, be repatriated and, where appropriate, prosecuted, or where possible, reintegrated into their country of origin, consistent with all relevant domestic laws and applicable international laws prohibiting refoulement; and

(2) the camps will be closed as soon as is practicable.

(d) MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT DISPLACED POPULATIONS IN SYRIA.—Section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1642) is amended—

(1) by striking subsection (a);

(2) by amending subsection (b) to read as follows:

''(a) DESIGNATION.—

''(1) IN GENERAL.—The President, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall designate an existing official to serve within the executive branch as senior-level coordinator to coordinate, in conjunction with other relevant agencies, matters related to ISIS members who are in the custody of the Syrian Democratic Forces and other relevant displaced populations in Syria, including—

''(A) by engaging foreign partners to support the repatriation and disposition of such individuals, including by encouraging foreign partners to repatriate, transfer, investigate, and prosecute such ISIS members, and share information;

''(B) coordination of all multilateral and international engagements led by the Department of State and other agencies that are related to the current and future handling, detention, and prosecution of such ISIS members;

''(C) the funding and coordination of the provision of technical and other assistance to foreign countries to aid in the successful investigation and prosecution of such ISIS members, as appropriate, in accordance with relevant domestic laws, international humanitarian law, and other internationally recognized human rights and rule of law standards;

''(D) coordination of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, displaced persons at camps or facilities in Syria that hold family members of such ISIS members;

''(E) coordination with relevant agencies on matters described in this section; and

''(F) any other matter the President considers relevant.

''(2) RULE OF CONSTRUCTION.—If, on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, an individual has already been designated, consistent with the requirements and responsibilities described in paragraph (1), the requirements under that paragraph shall be considered to be satisfied with respect to such individual until the date on which such individual no longer serves as the Senior Coordinator.'';

(3) in subsection (c), by striking ''subsection (b)'' and inserting ''subsection (a)'';

(4) in subsection (d), by striking ''subsection (b)'' and inserting ''subsection (a)'';

(5) in subsection (e), by striking ''January 31, 2021'' and inserting ''January 31, 2025'';

(6) in subsection (f)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following new paragraph (2):

''(2) SENIOR COORDINATOR.—The term 'Senior Coordinator' means the individual designated under subsection (a).''; and

(C) by adding at the end the following new paragraph:

''(4) RELEVANT AGENCIES.—The term 'relevant agencies' means—

''(A) the Department of State;

''(B) the Department of Defense;

''(C) the Department of the Treasury;

''(D) the Department of Justice;

''(E) the United States Agency for International Development;

''(F) the Office of the Director of National Intelligence; and

''(G) any other agency the President considers relevant.''; and

(7) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

(e) STRATEGY ON ISIS-RELATED DETAINEE AND DISPLACEMENT CAMPS IN SYRIA.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall submit to the appropriate committees of Congress an interagency strategy with respect to ISIS-affiliated individuals and ISIS-related detainee and other displaced persons camps in Syria.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include—

(A) methods to address—

(i) disengagement from and prevention of recruitment into violence, violent extremism, and other illicit activity in such camps;

(ii) efforts to encourage and facilitate repatriation and, as appropriate, investigation and prosecution of foreign nationals from such camps, consistent with all relevant domestic and applicable international laws;

(iii) the return and reintegration of displaced Syrian and Iraqi women and children into their communities of origin;

(iv) international engagement to develop processes for repatriation and reintegration of foreign nationals from such camps;

(v) contingency plans for the relocation of detained and displaced persons who are not able to be repatriated from such camps;

(vi) efforts to improve the humanitarian conditions in such camps, including through the delivery of medicine, psychosocial support, clothing, education, and improved housing; and

(vii) assessed humanitarian and security needs of all camps and detainment facilities based on prioritization of such camps and facilities most at risk of humanitarian crises, external attacks, or internal violence;

(B) an assessment of—

(i) rehabilitation centers in northeast Syria, including humanitarian conditions and processes for admittance and efforts to improve both humanitarian conditions and admittance processes for such centers and camps, as well as on the prevention of youth radicalization; and

(ii) processes for being sent to, and resources directed towards, rehabilitation centers and programs in countries that receive returned ISIS affiliated individuals, with a focus on the prevention of radicalization of minor children;

(C) a plan to improve, in such camps—

(i) security conditions, including by training of personnel and through construction; and

(ii) humanitarian conditions;

(D) a framework for measuring progress of humanitarian, security, and repatriation efforts with the goal of closing such camps; and

(E) any other matter the Secretary of State considers appropriate.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex that is transmitted separately.

(f) ANNUAL INTERAGENCY REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter through January 31, 2025, the Senior Coordinator, in coordination with the relevant agencies, shall submit to the appropriate committees of Congress a detailed report that includes the following:

(A) A detailed description of the facilities and camps where detained ISIS members, and families with perceived ISIS affiliation, are being held and housed, including—

(i) a description of the security and management of such facilities and camps;

(ii) an assessment of resources required for the security of such facilities and camps;

(iii) an assessment of the adherence by the operators of such facilities and camps to international humanitarian law standards; and

(iv) an assessment of children held within such facilities and camps that may be used as part of smuggling operations to evade security at the facilities and camps.

(B) A description of all efforts undertaken by, and the resources needed for, the United States Government to address deficits in the humanitarian environment and security of such facilities and camps.

(C) A description of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, displaced persons at camps or facilities in Iraq, Syria, and any other area affected by ISIS activity, including a description of—

(i) support for efforts by the Syrian Democratic Forces to facilitate the return and reintegration of displaced people from Iraq and Syria;

(ii) repatriation efforts with respect to displaced women and children and male children aging into adults while held in these facilities and camps;

(iii) any current or future potential threat to United States national security interests posed by detained ISIS members or displaced families, including an analysis of the al-Hol camp and annexes; and

(iv) United States Government plans and strategies to respond to any threat identified under clause (iii).

(D) The number of individuals repatriated from the custody of the Syrian Democratic Forces.

(E) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of detained or displaced ISIS members, and an assessment of any measures available to mitigate such releases.

(F) A detailed description of efforts to encourage the final disposition and security of detained or displaced ISIS members with other countries and international organizations.

(G) A description of foreign repatriation and rehabilitation programs deemed successful systems to model, and an analysis of the long-term results of such programs.

(H) A description of the manner in which the United States Government communicates regarding repatriation and disposition efforts with the families of United States citizens believed to have been victims of a criminal act by a detained or displaced ISIS member, in accordance with section 503(c) of the Victims' Rights and Restitution Act of 1990 (34 U.S.C. 20141(c)) and section 3771 of title 18, United States Code.

(I) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share related information that may aid in resolving the final disposition of ISIS members, and any obstacles that may hinder such efforts.

(J) Any other matter the Coordinator considers appropriate.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex that is transmitted separately.

(g) RULE OF CONSTRUCTION.—Nothing in this section, or an amendment made by this section, may be construed—

(1) to limit the authority of any Federal agency to independently carry out the authorized functions of such agency; or

(2) to impair or otherwise affect the activities performed by that agency as granted by law.

SA 929. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. MODIFICATION OF TERMINATION DATE OF GLOBAL ENGAGEMENT CENTER.

Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 4 2656 note; Public Law 114–328) is amended by striking ''on the date that is 8 years after the date of the enactment of this Act'' and inserting ''on September 30, 2033''.

SA 930. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. _____. ESTABLISHMENT OF OFFICE OF THE SPECIAL REPRESENTATIVE FOR CITY AND STATE DIPLOMACY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(n) OFFICE OF SPECIAL REPRESENTATIVE FOR CITY AND STATE DIPLOMACY.—

''(1) IN GENERAL.—There is established within the Office of Global Partnerships of the Department of State an Office of the Special Representative for City and State Diplomacy (in this subsection referred to as the 'Office').

''(2) HEAD.—The head of the Office shall be the Special Representative for City and State Diplomacy, who shall be responsible for developing strategies to advise and enhance subnational diplomacy throughout the United States.

''(3) DUTIES.—

''(A) PRINCIPAL DUTY.—The principal duty of the Special Representative shall be providing the overall strategic guidance of Department of State support for subnational engagements by State and municipal governments with foreign governments. The Special Representative shall be the principal adviser to the Secretary of State on subnational engagements, the principal official on such matters within the senior management of the Department of State, and lead coordinator on such matters for other relevant Federal agencies.

''(B) ADDITIONAL DUTIES.—The additional duties of the Special Representative shall include the following:

''(i) Providing strategic guidance for overall Department of State policy and programs in support of subnational engagements by State and municipal governments with foreign governments, including with respect to the following:

''(I) Identifying policy, program, and funding discrepancies among relevant Federal agencies regarding subnational diplomacy engagement.

''(II) Advising on efforts to better align the Department of State and other Federal agencies in support of such engagements.

''(ii) Identifying areas of alignment between United States foreign policy and State and municipal goals.

''(iii) Facilitating tools for State and municipal officials to communicate with the United States public regarding the breadth of international engagement by subnational actors and the impact of diplomacy across the United States.

''(iv) Facilitating linkages and networks among State and municipal governments, and between State and municipal governments and their foreign counterparts.

''(v) Under the direction of the Secretary, negotiating agreements and memoranda of understanding with foreign governments related to subnational engagements and priorities.

''(vi) Supporting United States economic interests through subnational engagements, in consultation and coordination with the Department of Commerce, the Department of the Treasury, and the Office of the United States Trade Representative.

''(4) COORDINATION.—With respect to matters involving trade promotion and inward investment facilitation, the Office shall coordinate with and support the International

Trade Administration of the Department of Commerce as the lead Federal agency for trade promotion and facilitation of business investment in the United States.

''(5) DETAILEES.—

''(A) IN GENERAL.—The Secretary of State, with respect to employees of the Department of State, is authorized to detail a member of the civil service or Foreign Service to State and municipal governments on a reimbursable or nonreimbursable basis. Such details shall be for a period not to exceed two years, and shall be without interruption or loss of status or privilege.

''(B) RESPONSIBILITIES.—Detailees under subparagraph (A) should carry out the following responsibilities:

''(i) Supporting the mission and objectives of the host subnational government office.

''(ii) Advising State and municipal government officials regarding questions of global affairs, foreign policy, cooperative agreements, and public diplomacy.

''(iii) Coordinating activities relating to State and municipal government subnational engagements with the Department of State, including the Office, Department leadership, and regional and functional bureaus of the Department, as appropriate.

''(iv) Engaging Federal agencies regarding security, public health, trade promotion, and other programs executed at the State or municipal government level.

''(v) Any other duties requested by State and municipal governments and approved by the Office.

''(C) ADDITIONAL PERSONNEL SUPPORT FOR SUBNATIONAL ENGAGEMENT.—For the purposes of this subsection, the Secretary of State—

''(i) is authorized to employ individuals by contract;

''(ii) is encouraged to make use of the rehired annuitants authority under section 3323 of title 5, United States Code, particularly for annuitants who are already residing across the United States who may have the skills and experience to support subnational governments; and

''(iii) is encouraged to make use of authorities under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.) to temporarily assign State and local government officials to the Department of State or overseas missions to increase their international experience and add their perspectives on United States priorities to the Department.

''(6) REPORT AND BRIEFING.—

''(A) REPORT.—Not later than one year after the date of the enactment of this subsection, the Special Representative shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report that includes information relating to the following:

''(i) The staffing plan (including permanent and temporary staff) for the Office and a justification for the location of the Office within the Department of State's organizational structure.

''(ii) The funding level provided to the Office for the Office, together with a justification relating to such level.

''(iii) The rank and title granted to the Special Representative, together with a justification relating to such decision and an analysis of whether the rank and title is required to fulfill the duties of the Office.

''(iv) A strategic plan for the Office, including relating to—

''(I) supporting subnational engagements to improve United States foreign policy effectiveness;

''(II) enhancing the awareness, understanding, and involvement of United States citizens in the foreign policy process; and

''(III) better engaging with foreign subnational governments to strengthen diplomacy.

''(v) Any other matters as determined relevant by the Special Representative.

''(B) BRIEFINGS.—Not later than 30 days after the submission of the report required under subparagraph (A) and annually thereafter, the Special Representative shall brief the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives on the work of the Office and any changes made to the organizational structure or funding of the Office.

''(7) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as precluding—

''(A) the Office from being elevated to a bureau within the Department of State; or

''(B) the Special Representative from being elevated to an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1).

''(8) DEFINITIONS.—In this subsection:

''(A) MUNICIPAL.—The term 'municipal' means, with respect to the government of a municipality in the United States, a municipality with a population of not fewer than 100,000 people.

''(B) STATE.—The term 'State' means the 50 States, the District of Columbia, and any territory or possession of the United States.

''(C) SUBNATIONAL ENGAGEMENT.—The term 'subnational engagement' means formal meetings or events between elected officials of State or municipal governments and their foreign counterparts.''.

SA 931. Mr. CORNYN (for himself, Mr. CASEY, Mr. SULLIVAN, Ms. STABENOW, Mr. CRAMER, Mr. FETTERMAN, and Mr. RICKETTS) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1083. PROTECTION OF COVERED SECTORS.

The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by adding at the end the following:

''TITLE VIII—PROTECTION OF COVERED SECTORS

''SEC. 801. DEFINITIONS.

''In this title:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Ways and Means, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

''(2) COUNTRY OF CONCERN.—The term 'country of concern' means, subject to such regulations as may be prescribed in accordance with section 806, a country specified in section 4872(d)(2) of title 10, United States Code.

''(3) COVERED ACTIVITY.—

''(A) IN GENERAL.—Subject to such regulations as may be prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered activity' means any activity engaged in by a United States person in a related to a covered sector that involves—

''(i) an acquisition by such United States person of an equity interest or contingent equity interest, or monetary capital contribution, in a covered foreign entity, directly or indirectly, by contractual commitment or otherwise, with the goal of generating income or gain;

''(ii) an arrangement for an interest held by such United States person in the short- or long-term debt obligations of a covered foreign entity that includes governance rights that are characteristic of an equity investment, management, or other important rights, as defined in regulations prescribed in accordance with section 806;

''(iii) the establishment of a wholly owned subsidiary in a country of concern, such as a greenfield investment, for the purpose of production, design, testing, manufacturing, fabrication, or development related to one or more covered sectors;

''(iv) the establishment by such United States person of a joint venture in a country of concern or with a covered foreign entity for the purpose of production, design, testing, manufacturing, fabrication, or research involving one or more covered sectors, or other contractual or other commitments involving a covered foreign entity to jointly research and develop new innovation, including through the transfer of capital or intellectual property or other business proprietary information; or

''(v) the acquisition by a United States person with a covered foreign entity of—

''(I) operational cooperation, such as through supply or support arrangements;

''(II) the right to board representation (as an observer, even if limited, or as a member) or an executive role (as may be defined through regulation) in a covered foreign entity;

''(III) the ability to direct or influence such operational decisions as may be defined through such regulations;

''(IV) formal governance representation in any operating affiliate, like a portfolio company, of a covered foreign entity; or

''(V) a new relationship to share or provide business services, such as but not limited to financial services, marketing services, maintenance, or assembly functions, related to a covered sectors.

''(B) EXCEPTIONS.—The term 'covered activity' does not include—

''(i) any transaction the value of which the Secretary of the Treasury determines is de minimis, as defined in regulations prescribed in accordance with section 806;

''(ii) any category of transactions that the Secretary determines is in the national interest of the United States, as may be defined in regulations prescribed in accordance with section 806; or

''(iii) any ordinary or administrative business transaction as may be defined in such regulations.

''(4) COVERED FOREIGN ENTITY.—

''(A) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered foreign entity' means—

''(i) any entity that is incorporated in, has a principal place of business in, or is organized under the laws of a country of concern;

''(ii) any entity the equity securities of which are primarily traded in the ordinary

course of business on one or more exchanges in a country of concern;

''(iii) any entity in which any entity described in subclause (i) or (ii) holds, individually or in the aggregate, directly or indirectly, an ownership interest of greater than 50 percent; or

''(iv) any other entity that is not a United States person and that meets such criteria as may be specified by the Secretary of the Treasury in such regulations.

''(B) EXCEPTION.—The term 'covered foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in the entity is ultimately owned by—

''(i) nationals of the United States; or

''(ii) nationals of such countries (other than countries of concern) as are identified for purposes of this subparagraph pursuant to regulations prescribed in accordance with section 806.

''(5) COVERED SECTORS.—Subject to regulations prescribed in accordance with section 806, the term 'covered sectors' includes sectors within the following areas, as specified in such regulations:

''(A) Advanced semiconductors and microelectronics.

''(B) Artificial intelligence.

''(C) Quantum information science and technology.

''(D) Hypersonics.

''(E) Satellite-based communications.

''(F) Networked laser scanning systems with dual-use applications.

''(6) PARTY.—The term 'party', with respect to an activity, has the meaning given that term in regulations prescribed in accordance with section 806.

''(7) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

''(8) UNITED STATES PERSON.—The term 'United States person' means—

''(A) an individual who is a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(B) any corporation, partnership, or other entity organized under the laws of the United States or the laws of any jurisdiction within the United States.

''SEC. 802. ADMINISTRATION OF UNITED STATES INVESTMENT NOTIFICATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this title to the Secretary of the Treasury.

''(b) COORDINATION.—In carrying out the duties of the Secretary under this title, the Secretary shall—

''(1) coordinate with the Secretary of Commerce; and

''(2) consult with the United States Trade Representative, the Secretary of Defense, the Secretary of State, and the Director of National Intelligence.

''SEC. 803. MANDATORY NOTIFICATION OF COVERED ACTIVITIES.

''(a) MANDATORY NOTIFICATION.—

''(1) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, beginning on the date that is 90 days after such regulations take effect, a United States person that plans to engage in a covered activity shall—

''(A) if such covered activity is not a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days before the anticipated completion date of the activity; and

''(B) if such covered activity is a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days after the completion date of the activity.

''(2) CIRCULATION OF NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall, upon receipt of a notification under paragraph (1), promptly inspect the notification for completeness.

''(B) INCOMPLETE NOTIFICATIONS.—If a notification submitted under paragraph (1) is incomplete, the Secretary shall promptly inform the United States person that submits the notification that the notification is not complete and provide an explanation of relevant material respects in which the notification is not complete.

''(3) IDENTIFICATION OF NON-NOTIFIED ACTIVITY.—The Secretary shall establish a process to identify covered activity for which—

''(A) a notification is not submitted to the Secretary under paragraph (1); and

''(B) information is reasonably available.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any information or documentary material filed with the Secretary of the Treasury pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public by any government agency or Member of Congress.

''(2) EXCEPTIONS.—The exemption from disclosure provided by paragraph (1) shall not prevent the disclosure of the following:

''(A) Information relevant to any administrative or judicial action or proceeding.

''(B) Information provided to Congress or any of the appropriate congressional committees.

''(C) Information important to the national security analysis or actions of the President to any domestic governmental entity, or to any foreign governmental entity of an ally or partner of the United States, under the direction and authorization of the President or the Secretary, only to the extent necessary for national security purposes, and subject to appropriate confidentiality and classification requirements.

''(D) Information that the parties have consented to be disclosed to third parties.

''SEC. 804. REPORTING REQUIREMENTS.

''(a) IN GENERAL.—Not later than 360 days after the date on which the regulations prescribed under section 806 take effect, and not less frequently than annually thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

''(1) lists all notifications submitted under section 803(a) during the year preceding submission of the report and includes, with respect to each such notification—

''(A) basic information on each party to the covered activity with respect to which the notification was submitted; and

''(B) the nature of the covered activity that was the subject to the notification, including the elements of the covered activity that necessitated a notification;

''(2) includes a summary of those notifications, disaggregated by sector, by covered activity, and by country of concern;

''(3) provides additional context and information regarding trends in the sectors, the types of covered activities, and the countries involved in those notifications;

''(4) includes a description of the national security risks associated with—

''(A) the covered activities with respect to which those notifications were submitted; or

''(B) categories of such activities; and

''(5) assesses the overall impact of those notifications, including recommendations for—

''(A) expanding existing Federal programs to support the production or supply of covered sectors in the United States, including the potential of existing authorities to address any related national security concerns;

''(B) investments needed to enhance covered sectors and reduce dependence on countries of concern regarding those sectors; and

''(C) the continuation, expansion, or modification of the implementation and administration of this title, including recommendations with respect to whether the definition of 'country of concern' under section 801(2) should be amended to add or remove countries.

''(b) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

''(c) TESTIMONY REQUIRED.—Not later than one year after the date of enactment of this title, and annually thereafter, the Secretary of the Treasury and the Secretary of Commerce shall each provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives testimony with respect to the national security threats relating to investments by the United States persons in countries of concern and broader international capital flows.

''SEC. 805. PENALTIES AND ENFORCEMENT.

''(a) PENALTIES WITH RESPECT TO UNLAWFUL ACTS.—Subject to regulations prescribed in accordance with section 806, it shall be unlawful—

''(1) to fail to submit a notification under subsection (a) of section 803 with respect to a covered activity or to submit other information as required by the Secretary of the Treasury; or

''(2) to make a material misstatement or to omit a material fact in any information submitted to the Secretary under this title.

''(b) ENFORCEMENT.—The President may direct the Attorney General to seek appropriate relief in the district courts of the United States, in order to implement and enforce this title.

''SEC. 806. REQUIREMENT FOR REGULATIONS.

''(a) IN GENERAL.—Not later than 360 days after the date of the enactment of this title, the Secretary of the Treasury shall finalize regulations to carry out this title.

''(b) ELEMENTS.—Regulations prescribed to carry out this title shall include specific examples of the types of—

''(1) activities that will be considered to be covered activities; and

''(2) the specific sectors and subsectors that may be considered to be covered sectors.

''(c) REQUIREMENTS FOR CERTAIN REGULATIONS.—The Secretary of the Treasury shall prescribe regulations further defining the terms used in this title, including 'covered activity', 'covered foreign entity', and 'party', in accordance with subchapter II of chapter 5 and chapter 7 of title 5 (commonly known as the 'Administrative Procedure Act').

''(d) PUBLIC PARTICIPATION IN RULEMAKING.—The provisions of section 709 shall apply to any regulations issued under this title.

''(e) LOW-BURDEN REGULATIONS.—In prescribing regulations under this section, the Secretary of the Treasury shall structure the regulations—

''(1) to minimize the cost and complexity of compliance for affected parties;.

''(2) to ensure the benefits of the regulations outweigh their costs;

''(3) to adopt the least burdensome alternative that achieves regulatory objectives;

''(4) to prioritize transparency and stakeholder involvement in the process of prescribing the regulations; and

''(5) to regularly review and streamline existing regulations to reduce redundancy and complexity.

"SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this section to the Secretary of State.

''(b) AUTHORITIES.—The Secretary of State, in coordination with the Secretary of the Treasury, the Secretary of Commerce, the United States Trade Representative, and the Director of National Intelligence, shall—

''(1) conduct bilateral and multilateral engagement with the governments of countries that are allies and partners of the United States to ensure coordination of protocols and procedures with respect to covered activities with countries of concern and covered foreign entities; and

''(2) upon adoption of protocols and procedures described in paragraph (1), work with those governments to establish mechanisms for sharing information, including trends, with respect to such activities.

''(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND INVESTMENT SCREENING MECHANISMS.—The Secretary of State, in coordination with the Secretary of the Treasury and in consultation with the Attorney General, shall—

''(1) develop a strategy to work with countries that are allies and partners of the United States to develop mechanisms comparable to this title for the notification of covered activities; and

''(2) provide technical assistance to those countries with respect to the development of those mechanisms.

''(d) REPORT.—Not later than 90 days after the development of the strategy required by subsection (b), and annually thereafter for a period of 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that includes the strategy, the status of implementing the strategy, and a description of any impediments to the establishment of mechanisms comparable to this title by allies and partners,

"SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

''(b) HIRING AUTHORITY.—The head of any agency designated as a lead agency under section 802(b) may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, not more than 25 candidates directly to positions in the competitive service (as defined in section 2102 of that title) in that agency. The primary responsibility of individuals in positions authorized under the preceding sentence shall be to administer this title.

"SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

''Nothing in this title may be construed to restrain or deter foreign investment in the United States, United States investment abroad, or trade in goods or services, if such investment and trade do not pose a risk to the national security of the United States.''.

SA 932. Mr. MENENDEZ (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2023

SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Department of State Authorization Act of 2023''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2023

Sec. 6001. Short title; table of contents.
Sec. 6002. Definitions.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

Sec. 6101. Special hiring authority for passport services.
Sec. 6102. Quarterly report on passport wait times.
Sec. 6103. Passport travel advisories.
Sec. 6104. Strategy to ensure access to passport services for all Americans.
Sec. 6105. Strengthening the National Passport Information Center.
Sec. 6106. Strengthening passport customer visibility and transparency.
Sec. 6107. Annual Office of Authentications report.
Sec. 6108. Increased accountability in assignment restrictions and reviews.
Sec. 6109. Suitability reviews for Foreign Service Institute instructors.
Sec. 6110. Diplomatic security fellowship programs.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

Sec. 6201. Adjustment to promotion precepts.
Sec. 6202. Hiring authorities.
Sec. 6203. Extending paths to service for paid student interns.
Sec. 6204. Lateral Entry Program.
Sec. 6205. Mid-Career Mentoring Program.
Sec. 6206. Report on the Foreign Service Institute's language program .
Sec. 6207. Consideration of career civil servants as chiefs of missions.
Sec. 6208. Civil service rotational program.
Sec. 6209. Reporting requirement on chiefs of mission.
Sec. 6210. Report on chiefs of mission and deputy chiefs of mission.
Sec. 6211. Protection of retirement annuity for reemployment by Department.
Sec. 6212. Efforts to improve retention and prevent retaliation.
Sec. 6213. National advertising campaign.
Sec. 6214. Expansion of diplomats in residence programs.

Subtitle B—Pay, Benefits, and Workforce Matters

Sec. 6221. Education allowance.
Sec. 6222. Per diem allowance for newly hired members of the Foreign Service.
Sec. 6223. Improving mental health services for foreign and civil servants.
Sec. 6224. Emergency back-up care.
Sec. 6225. Authority to provide services to non-chief of mission personnel.
Sec. 6226. Exception for government-financed air transportation.
Sec. 6227. Enhanced authorities to protect locally employed staff during emergencies.
Sec. 6228. Internet at hardship posts.
Sec. 6229. Competitive local compensation plan.
Sec. 6230. Supporting tandem couples in the Foreign Service.
Sec. 6231. Accessibility at diplomatic missions.
Sec. 6232. Report on breastfeeding accommodations overseas.
Sec. 6233. Determining the effectiveness of knowledge transfers between Foreign Service Officers.
Sec. 6234. Education allowance for dependents of Department of State employees located in United States territories.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

Sec. 6301. Data-informed diplomacy.
Sec. 6302. Establishment and expansion of the Bureau Chief Data Officer Program.
Sec. 6303. Establishment of the Chief Artificial Intelligence Officer of the Department of State.
Sec. 6304. Strengthening the Chief Information Officer of the Department of State.
Sec. 6305. Sense of Congress on strengthening enterprise governance.
Sec. 6306. Digital connectivity and cybersecurity partnership.
Sec. 6307. Establishment of a cyberspace, digital connectivity, and related technologies (CDT) fund.
Sec. 6308. Cyber protection support for personnel of the Department of State in positions highly vulnerable to cyber attack.

TITLE LXIV—ORGANIZATION AND OPERATIONS

Sec. 6401. Personal services contractors.
Sec. 6402. Hard-to-fill posts.
Sec. 6403. Enhanced oversight of the Office of Civil Rights.
Sec. 6404. Crisis response operations.
Sec. 6405. Special Envoy to the Pacific Islands Forum.
Sec. 6406. Special Envoy for Belarus.
Sec. 6407. Overseas placement of special appointment positions.
Sec. 6408. Resources for United States nationals unlawfully or wrongfully detained abroad.

TITLE LXV—ECONOMIC DIPLOMACY

Sec. 6501. Report on recruitment, retention, and promotion of Foreign Service economic officers.
Sec. 6502. Mandate to revise Department of State metrics for successful economic and commercial diplomacy.
Sec. 6503. Chief of mission economic responsibilities.
Sec. 6504. Direction to embassy deal teams.
Sec. 6505. Establishment of a ''Deal Team of the Year'' award.

TITLE LXVI—PUBLIC DIPLOMACY

Sec. 6601. Public diplomacy outreach.
Sec. 6602. Modification on use of funds for Radio Free Europe/Radio Liberty.
Sec. 6603. International broadcasting.
Sec. 6604. John Lewis Civil Rights Fellowship program.
Sec. 6605. Domestic engagement and public affairs.
Sec. 6606. Extension of Global Engagement Center.
Sec. 6607. Paperwork Reduction Act.
Sec. 6608. Modernization and enhancement strategy.

TITLE LXVII—OTHER MATTERS

Sec. 6701. Internships of United States nationals at international organizations.
Sec. 6702. Training for international organizations.
Sec. 6703. Modification to transparency on international agreements and non-binding instruments.
Sec. 6704. Report on partner forces utilizing United States security assistance identified as using hunger as a weapon of war.

Sec. 6705. Infrastructure projects and investments by the United States and People's Republic of China.
Sec. 6706. Special envoys.
Sec. 6707. US-ASEAN Center.
Sec. 6708. Briefings on the United States-European Union Trade and Technology Council.
Sec. 6709. Modification and repeal of reports.
Sec. 6710. Modification of Build Act of 2018 to prioritize projects that advance national security.
Sec. 6711. Permitting for international bridges.

TITLE LXVIII—AUKUS MATTERS

Sec. 6801. Definitions.

Subtitle A—Outlining the AUKUS Partnership

Sec. 6811. Statement of policy on the AUKUS partnership.
Sec. 6812. Senior Advisor for the AUKUS partnership at the Department of State.

Subtitle B—Authorization for AUKUS Submarine Training

Sec. 6823. Australia, United Kingdom, and United States submarine security training.

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

Sec. 6831. Priority for Australia and the United Kingdom in Foreign Military Sales and Direct Commercial Sales.
Sec. 6832. Identification and pre-clearance of platforms, technologies, and equipment for sale to Australia and the United Kingdom through Foreign Military Sales and Direct Commercial Sales.
Sec. 6833. Export control exemptions and standards.
Sec. 6834. Expedited review of export licenses for exports of advanced technologies to Australia, the United Kingdom, and Canada.
Sec. 6835. United States Munitions List.

Subtitle D—Other AUKUS Matters

Sec. 6841. Reporting related to the AUKUS partnership.

SEC. 6002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

SEC. 6101. SPECIAL HIRING AUTHORITY FOR PASSPORT SERVICES.

During the 3-year period beginning on the date of the enactment of this Act, the Secretary of State, without regard to the provisions under sections 3309 through 3318 of title 5, United States Code, may directly appoint up to 80 candidates to positions in the competitive service (as defined in section 2102 of such title) at the Department in the Passport and Visa Examining Series 0967.

SEC. 6102. QUARTERLY REPORT ON PASSPORT WAIT TIMES.

Not later than 30 days after the date of the enactment of this Act, and quarterly thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the current estimated wait times for passport processing;

(2) the steps that have been taken by the Department to reduce wait times to a reasonable time;

(3) efforts to improve the rollout of the online passport renewal processing program, including how much of passport revenues the Department is spending on consular systems modernization;

(4) the demand for urgent passport services by major metropolitan area;

(5) the steps that have been taken by the Department to reduce and meet the demand for urgent passport services, particularly in areas that are greater than 5 hours driving time from the nearest passport agency; and

(6) how the Department details its staff and resources to passport services programs.

SEC. 6103. PASSPORT TRAVEL ADVISORIES.

Not later than 180 days after the date of the enactment of this Act, the Department shall make prominently available in United States regular passports, on the first three pages of the passport, the following information:

(1) A prominent, clear advisory for all travelers to check travel.state.gov for updated travel warnings and advisories.

(2) A prominent, clear notice urging all travelers to register with the Department prior to overseas travel.

(3) A prominent, clear advisory—

(A) noting that many countries deny entry to travelers during the last 6 months of their passport validity period; and

(B) urging all travelers to renew their passport not later than 1 year prior to its expiration.

SEC. 6104. STRATEGY TO ENSURE ACCESS TO PASSPORT SERVICES FOR ALL AMERICANS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives for ensuring reasonable access to passport services for all Americans, which shall include—

(1) a detailed strategy describing how the Department could—

(A) by not later than 1 year after submission of the strategy, reduce passport processing times to an acceptable average for renewals and for expedited service; and

(B) by not later than 2 years after the submission of the strategy, provide United States residents living in a significant population center more than a 5-hour drive from a passport agency with urgent, in-person passport services, including the possibility of building new passport agencies; and

(2) a description of the specific resources required to implement the strategy.

SEC. 6105. STRENGTHENING THE NATIONAL PASSPORT INFORMATION CENTER.

(a) SENSE OF CONGRESS.—It is the sense of Congress that passport wait times since 2021 have been unacceptably long and have created frustration among those seeking to obtain or renew passports.

(b) ONLINE CHAT FEATURE.—The Department should develop an online tool with the capability for customers to correspond with customer service representatives regarding questions and updates pertaining to their application for a passport or for the renewal of a passport.

(c) GAO REPORT.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a review of NPIC operations, which shall include an analysis of the extent to which NPIC—

(1) responds to constituent inquiries by telephone, including how long constituents are kept on hold and their ability to be placed in a queue;

(2) provides personalized customer service;

(3) maintains its telecommunications infrastructure to ensure it effectively handles call volumes; and

(4) other relevant issues the Comptroller General deems appropriate.

SEC. 6106. STRENGTHENING PASSPORT CUSTOMER VISIBILITY AND TRANSPARENCY.

(a) ONLINE STATUS TOOL.—Not later than 2 years after the date of the enactment of this Act, the Department should modernize the online passport application status tool to include, to the greatest extent possible, step by step updates on the status of their application, including with respect to the following stages:

(1) Submitted for processing.

(2) In process at a lockbox facility.

(3) Awaiting adjudication.

(4) In process of adjudication.

(5) Adjudicated with a result of approval or denial.

(6) Materials shipped.

(b) ADDITIONAL INFORMATION.—The tool pursuant to subsection (a) should include a display that informs each passport applicant of—

(1) the date on which his or her passport application was received; and

(2) the estimated wait time remaining in the passport application process.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Consular Affairs shall submit a report to the appropriate congressional committees that outlines a plan for coordinated comprehensive public outreach to increase public awareness and understanding of—

(1) the online status tool required under subsection (a);

(2) passport travel advisories required under section 6103; and

(3) passport wait times.

SEC. 6107. ANNUAL OFFICE OF AUTHENTICATIONS REPORT.

(a) REPORT.—The Assistant Secretary of State for Consular Affairs shall submit an annual report for 5 years to the appropriated congressional committees that describes—

(1) the number of incoming authentication requests, broken down by month and type of request, to show seasonal fluctuations in demand;

(2) the average time taken by the Office of Authentications of the Department of State to authenticate documents, broken down by month to show seasonal fluctuations in wait times;

(3) how the Department of State details staff to the Office of Authentications; and

(4) the impact that hiring additional, permanent, dedicated staff for the Office of Authentications would have on the processing times referred to in paragraph (2).

(b) AUTHORIZATION.—The Secretary of State is authorized to hire additional, permanent, dedicated staff for the Office of Authentications.

SEC. 6108. INCREASED ACCOUNTABILITY IN ASSIGNMENT RESTRICTIONS AND REVIEWS.

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

(1) the use of policies to restrict personnel from serving in certain assignments may undermine the Department's ability to deploy relevant cultural and linguistic skills at diplomatic posts abroad if not applied judiciously; and

(2) the Department should continuously evaluate all processes relating to assignment restrictions, assignment reviews, and preclusions at the Department.

(b) NOTIFICATION OF STATUS.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary shall—

(1) provide a status update for all Department personnel who, prior to such date of enactment, were subject to a prior assignment restriction, assignment review, or preclusion for whom a review or decision related to assignment is pending; and

(2) on an ongoing basis, provide a status update for any Department personnel who has been the subject of a pending assignment restriction or pending assignment review for more than 30 days.

(c) NOTIFICATION CONTENT.—The notification required under subsection (b) shall inform relevant personnel, as of the date of the notification—

(1) whether any prior assignment restriction has been lifted;

(2) if their assignment status is subject to ongoing review, and an estimated date for completion; and

(3) if they are subject to any other restrictions on their ability to serve at posts abroad.

(d) ADJUDICATION OF ONGOING ASSIGNMENT REVIEWS.—

(1) TIME LIMIT.—The Department shall establish a reasonable time limit for the Department to complete an assignment review and establish a deadline by which it must inform personnel of a decision related to such a review.

(2) APPEALS.—For any personnel the Department determines are ineligible to serve in an assignment due to an assignment restriction or assignment review, a Security Appeal Panel shall convene not later than 120 days of an appeal being filed.

(3) ENTRY-LEVEL BIDDING PROCESS.—The Department shall include a description of the assignment review process and critical human intelligence threat posts in a briefing to new officers as part of their entry-level bidding process.

(4) POINT OF CONTACT.—The Department shall designate point of contacts in the Bureau of Diplomatic Security and Bureau of Global Talent Management to answer employee and Career Development Officer questions about assignment restrictions, assignment reviews, and preclusions.

(e) SECURITY APPEAL PANEL.—Not later than 90 days after the date of the enactment of this Act, the Security Appeal Panel shall be comprised of—

(1) the head of an office responsible for human resources or discrimination who reports directly to the Secretary;

(2) the Principal Deputy Assistant Secretary for the Bureau of Global Talent Management;

(3) the Principal Deputy Assistant Secretary for the Bureau of Intelligence and Research;

(4) an Assistant Secretary or Deputy, or equivalent, from a third bureau as designated by the Under Secretary for Management;

(5) a representative from the geographic bureau to which the restriction applies; and

(6) a representative from the Office of the Legal Adviser and a representative from the Bureau of Diplomatic Security, who shall serve as non-voting advisors.

(f) APPEAL RIGHTS.—Section 414(a) of the Department of State Authorities Act, Fiscal Year 2017 (22 U.S.C. 2734c(a)) is amended by striking the first two sentences and inserting ''The Secretary shall establish and maintain a right and process for employees to appeal a decision related to an assignment, based on a restriction, review, or preclusion. Such right and process shall ensure that any such employee shall have the same appeal rights as provided by the Department regarding denial or revocation of a security clearance.''.

(g) FAM UPDATE.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend all relevant provisions of the Foreign Service Manual, and any associated or related policies of the Department, to comply with this section.

SEC. 6109. SUITABILITY REVIEWS FOR FOREIGN SERVICE INSTITUTE INSTRUCTORS.

The Secretary shall ensure that all instructors at the Foreign Service Institute, including direct hires and contractors, who provide language instruction are—

(1) subject to suitability reviews and background investigations; and

(2) subject to continuous vetting or reinvestigations to the extend consistent with Department and Executive policy for other Department personnel.

SEC. 6110. DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.

(a) IN GENERAL.—Section 47 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2719) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

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

''(b) DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.—

''(1) ESTABLISHMENT.—The Secretary of State, working through the Assistant Secretary for Diplomatic Security, is authorized to establish Diplomatic Security fellowship programs to provide grants to United States nationals pursuing undergraduate studies who commit to pursuing a career as a special agent, security engineering officer, or in the civil service in the Bureau of Diplomatic Security.

''(2) RULEMAKING.—The Secretary is authorized to promulgate regulations for the administration of Diplomatic Security fellowship programs that set forth—

''(A) the eligibility requirements for receiving a grant under this subsection;

''(B) the process by which eligible applicants may request such a grant;

''(C) the maximum amount of such a grant; and

''(D) the educational progress to which all grant recipients are obligated.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for each of fiscal years 2024 through 2028 to carry out this section.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

SEC. 6201. ADJUSTMENT TO PROMOTION PRECEPTS.

Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003(b)) is amended—

(1) by redesignating paragraph (2), (3), and (4) as paragraphs (7), (8), and (9), respectively; and

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) experience serving at an international organization, multilateral institution, or engaging in multinational negotiations;

''(3) willingness to serve in hardship posts overseas or across geographically distinct regions;

''(4) experience advancing policies or developing expertise that enhance the United States' competitiveness with regard to critical and emerging technologies;

''(5) willingness to participate in appropriate and relevant professional development opportunities offered by the Foreign Service Institute or other educational institutions associated with the Department;

''(6) willingness to enable and encourage subordinates at various levels to avail themselves of appropriate and relevant professional development opportunities offered by the Foreign Service Institute or other educational institutions associated with the Department;''.

SEC. 6202. HIRING AUTHORITIES.

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

(1) the Department should possess hiring authorities to enable recruitment of individuals representative of the nation with special skills needed to address 21st century diplomacy challenges; and

(2) the Secretary shall conduct a survey of hiring authorities held by the Department to identify—

(A) hiring authorities already authorized by Congress;

(B) others authorities granted through Presidential decree or executive order; and

(C) any authorities needed to enable recruitment of individuals with the special skills described in paragraph (1).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that includes a description of all existing hiring authorities and legislative proposals on any new needed authorities.

(c) SPECIAL HIRING AUTHORITY.—For an initial period of not more than 3 years after the date of the enactment of this Act, the Secretary may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, up to 80 candidates directly to positions in the competitive service at the Department, as defined in section 2102 of that title, in the following occupational series: 25 candidates under 1560 Data Science, 25 candidates under 2210 Information Technology Management, and 30 candidates under 0201 Human Resources Management.

SEC. 6203. EXTENDING PATHS TO SERVICE FOR PAID STUDENT INTERNS.

For up to 2 years following the end of a compensated internship at the Department, the Department may offer employment to up to 25 such interns and appoint them directly to positions in the competitive service, as defined in section 2102 of title 5, United States Code, without regard to the provisions of sections 3309 through 3318 of such title.

SEC. 6204. LATERAL ENTRY PROGRAM.

(a) IN GENERAL.—Section 404 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat. 1928) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''3-year'' and inserting ''5-year'';

(B) in paragraph (5), by striking ''; and'';

(C) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new paragraphs:

''(7) does not include the use of Foreign Service-Limited or other noncareer Foreign Service hiring authorities; and

''(8) includes not fewer than 30 participants for each year of the pilot program.''; and

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

''(e) CERTIFICATION.—If the Secretary does not commence the lateral entry program within 180 days after the date of the enactment of this subsection, the Secretary shall submit a report to the appropriate congressional committees—

''(1) certifying that progress is being made on implementation of the pilot program and describing such progress, including the date on which applicants will be able to apply;

''(2) estimating the date by which the pilot program will be fully implemented;

''(3) outlining how the Department will use the Lateral Entry Program to fill needed

skill sets in key areas such as cyberspace, emerging technologies, economic statecraft, multilateral diplomacy, and data and other sciences.''.

SEC. 6205. MID-CAREER MENTORING PROGRAM.

(a) AUTHORIZATION.—The Secretary, in collaboration with the Director of the Foreign Service Institute, is authorized to establish a Mid-Career Mentoring Program (referred to in this section as the ''Program'') for employees who have demonstrated outstanding service and leadership.

(b) SELECTION.—

(1) NOMINATIONS.—The head of each bureau shall semiannually nominate participants for the Program from a pool of applicants in the positions described in paragraph (2)(B), including from posts both domestically and abroad.

(2) SUBMISSION OF SLATE OF NOMINEES TO SECRETARY.—The Director of the Foreign Service Institute, in consultation with the Director General of the Foreign Service, shall semiannually—

(A) vet the nominees most recently nominated pursuant to paragraph (1); and

(B) submit to the Secretary a slate of applicants to participate in the Program, who shall consist of at least—

(i) 10 Foreign Service Officers and specialists classified at the FS-03 or FS-04 level of the Foreign Service Salary Schedule;

(ii) 10 Civil Service employees classified at GS-12 or GS-13 of the General Schedule; and

(iii) 5 Foreign Service Officers from the United States Agency for International Development.

(3) FINAL SELECTION.—The Secretary shall select the applicants who will be invited to participate in the Program from the slate received pursuant to paragraph (2)(B) and extend such an invitation to each selected applicant.

(4) MERIT PRINCIPLES.—Section 105 of the Foreign Service Act of 1980 (22 U.S.C. 3905) shall apply to nominations, submissions to the Secretary, and selections for the Program under this section.

(c) PROGRAM SESSIONS.—

(1) FREQUENCY; DURATION.—All of the participants who accept invitations extended pursuant to subsection (b)(3) shall meet 3 to 4 times per year for training sessions with high-level leaders of the Department and USAID, including private group meetings with the Secretary and the Administrator of the United States Agency for International Development.

(2) THEMES.—Each session referred to in paragraph (1) shall focus on specific themes developed jointly by the Foreign Service Institute and the Executive Secretariat focused on substantive policy issues and leadership practices.

(d) MENTORING PROGRAM.—The Secretary and the Administrator each is authorized to establish a mentoring and coaching program that pairs a senior leader of the Department or USAID with each of the program participants who complete the Program during the 1-year period immediately following their participation in the Program.

(e) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for three years, the Secretary shall submit a report to the appropriate congressional committees that describes the activities of the Program during the most recent year and includes disaggregated demographic data on participants in the Program.

SEC. 6206. REPORT ON THE FOREIGN SERVICE INSTITUTE'S LANGUAGE PROGRAM .

Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) the average pass and fail rates for language programs at the Foreign Service Institute disaggregated by language during the 5-year period immediately preceding the date of the enactment of this Act;

(2) the number of language instructors at the Foreign Service Institute, and a comparison of the instructor/student ratio in the language programs at the Foreign Service Institute disaggregated by language;

(3) salaries for language instructors disaggregated by language, and a comparison to salaries for instructors teaching languages in comparable employment;

(4) recruitment and retention plans for language instructors, disaggregated by language where necessary and practicable; and

(5) any plans to increase pass rates for languages with high failure rates.

SEC. 6207. CONSIDERATION OF CAREER CIVIL SERVANTS AS CHIEFS OF MISSIONS.

Section 304(b) of the Foreign Service Act of 1980 (22 U.S.C. 3944) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) The Secretary shall also furnish to the President, on an annual basis and to assist the President in selecting qualified candidates for appointments or assignments as chief of mission, the names of between 5 and 10 career civil servants serving at the Department of State or the United States Agency for International Development who are qualified to serve as chiefs of mission, together with pertinent information about such individuals.''.

SEC. 6208. CIVIL SERVICE ROTATIONAL PROGRAM.

(a) ESTABLISHMENT OF PILOT ROTATIONAL PROGRAM FOR CIVIL SERVICE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a program to provide qualified civil servants serving at the Department an opportunity to serve at a United States embassy, including identifying criteria and an application process for such program.

(b) PROGRAM.—The program established under this section shall—

(1) provide at least 20 career civil servants the opportunity to serve for 2 to 3 years at a United States embassy to gain additional skills and experience;

(2) offer such civil servants the opportunity to serve in a political or economic section at a United States embassy; and

(3) include clear and transparent criteria for eligibility and selection, which shall include a minimum of 5 years of service at the Department.

(c) SUBSEQUENT POSITION AND PROMOTION.—Following a rotation at a United States embassy pursuant to the program established by this section, participants in the program must be afforded, at minimum, a position equivalent in seniority, compensation, and responsibility to the position occupied prior serving in the program. Successful completion of a rotation at a United States embassy shall be considered favorably with regard to applications for promotion in civil service jobs at the Department.

(d) IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall identify not less than 20 positions in United States embassies for the program established under this section and offered at least 20 civil servants the opportunity to serve in a rotation at a United States embassy pursuant to this section.

SEC. 6209. REPORTING REQUIREMENT ON CHIEFS OF MISSION.

Not later than 30 days following the end of each calendar quarter, the Secretary shall submit to the appropriate congressional committees—

(1) a list of every chief of mission or United States representative overseas with the rank of Ambassador who, during the prior quarter, was outside a country of assignment for more than 14 cumulative days for purposes other than official travel or temporary duty orders; and

(2) the number of days each such chief of mission or United States representative overseas with the rank of Ambassador was outside a country of assignment during the previous quarter for purposes other than official travel or temporary duty orders.

SEC. 6210. REPORT ON CHIEFS OF MISSION AND DEPUTY CHIEFS OF MISSION.

Not later than April 1, 2024, and annually thereafter for the next 4 years, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the Foreign Service cone of each current chief of mission and deputy chief of mission (or whoever is acting in the capacity of chief or deputy chief if neither is present) for each United States embassy at which there is a Foreign Service office filling either of those positions; and

(2) aggregated data for all chiefs of mission and deputy chiefs of mission described in paragraph (1), disaggregated by cone.

SEC. 6211. PROTECTION OF RETIREMENT ANNUITY FOR REEMPLOYMENT BY DEPARTMENT.

(a) NO TERMINATION OR REDUCTION OF RETIREMENT ANNUITY OR PAY FOR REEMPLOYMENT.—Notwithstanding section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064), if a covered annuitant becomes employed by the Department—

(1) the payment of any retirement annuity, retired pay, or retainer pay otherwise payable to the covered annuitant shall not terminate; and

(2) the amount of the retirement annuity, retired pay, or retainer pay otherwise payable to the covered annuitant shall not be reduced.

(b) COVERED ANNUITANT DEFINED.—In this section, the term ''covered annuitant'' means any individual who is receiving a retirement annuity under—

(1) the Foreign Service Retirement and Disability System under subchapter I of chapter 8 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.); or

(2) the Foreign Service Pension System under subchapter II of such chapter (22 U.S.C. 4071 et seq.).

SEC. 6212. EFFORTS TO IMPROVE RETENTION AND PREVENT RETALIATION.

(a) STREAMLINED REPORTING.—Not later than one year after the date of the enactment of this Act, the Secretary shall establish a single point of initial reporting for allegations of discrimination, bullying, and harassment that provides an initial review of the allegations and, if necessary, the ability to file multiple claims based on a single complaint.

(b) CLIMATE SURVEYS OF EMPLOYEES OF THE DEPARTMENT.—

(1) REQUIRED BIENNIAL SURVEYS.—Not later than 180 days after the date of the enactment of this Act and every 2 years thereafter, the Secretary shall conduct a Department-wide survey of all Department personnel regarding harassment, discrimination, bullying, and related retaliation that includes workforce perspectives on the accessibility and effectiveness of the Bureau of Global Talent Management and Office of Civil Rights in the efforts and processes to address these issues.

(2) REQUIRED ANNUAL SURVEYS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall

conduct an annual employee satisfaction survey to assess the level of job satisfaction, work environment, and overall employee experience within the Department.

(B) OPEN-ENDED RESPONSES.—The survey required under subparagraph (A) shall include options for open-ended responses.

(C) SURVEY QUESTIONS.—The survey shall include questions regarding—

(i) work-life balance;

(ii) compensation and benefits;

(iii) career development opportunities;

(iv) the performance evaluation and promotion process, including fairness and transparency;

(v) communication channels and effectiveness;

(vi) leadership and management;

(vii) organizational culture;

(viii) awareness and effectiveness of complaint measures;

(ix) accessibility and accommodations;

(x) availability of transportation to and from a work station;

(xi) information technology infrastructure functionality and accessibility;

(xii) the employee's understanding of the Department's structure, mission, and goals;

(xiii) alignment and relevance of work to the Department's mission; and

(xiv) sense of empowerment to affect positive change.

(3) REQUIRED EXIT SURVEYS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and implement a standardized, confidential exit survey process that includes anonymous feedback and exit interviews with employees who voluntarily separate from the Department, whether through resignation, retirement, or other means.

(B) SCOPE.—The exit surveys conducted pursuant to subparagraph (A)shall—

(i) be designed to gather insights and feedback from departing employees regarding—

(I) their reasons for leaving, including caretaking responsibilities, career limitations for partner or spouse, and discrimination, harassment, bullying, or retaliation;

(II) their overall experience with the Department; and

(III) any suggestions for improvement; and

(ii) include questions related to—

(I) the employee's reasons for leaving;

(II) job satisfaction;

(III) work environment;

(IV) professional growth opportunities;

(V) leadership effectiveness;

(VI) suggestions for enhancing the Department's performance; and

(VII) if applicable, the name and industry of the employee's future employer.

(C) COMPILATION OF RESULTS.—The Secretary shall compile and analyze the anonymized exit survey data collected pursuant to this paragraph to identify trends, common themes, and areas needing improvement within the Department.

(4) PILOT SURVEYS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a Department-wide survey for Locally Employed Staff regarding retention, training, promotion, and other matters, including harassment, discrimination, bullying, and related retaliation, that includes workforce perspectives on the accessibility and effectiveness of complaint measures.

(5) REPORT.—Not later than 60 days after the conclusion of each survey conducted pursuant to this subsection, the Secretary shall make the key findings available to the Department workforce and shall submit them to the appropriate congressional committees.

(c) RETALIATION PREVENTION EFFORTS.—

(1) EMPLOYEE EVALUATION.—

(A) IN GENERAL.—If there is a pending investigation of discrimination, bullying, or harassment against a superior who is responsible for rating or reviewing the complainant employee, the complainant shall be reviewed by the superior's supervisor.

(B) EFFECTIVE DATE.—This paragraph shall take effect 90 days after the date of the enactment of this Act.

(2) RETALIATION PREVENTION GUIDANCE.—Any Department employee against whom an allegation of discrimination, bullying, or harassment has been made shall receive written guidance (a ''retaliation hold'') on the types of actions that can be considered retaliation against the complainant employee. The employee's immediate supervisor shall also receive the retaliation hold guidance.

SEC. 6213. NATIONAL ADVERTISING CAMPAIGN.

Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees that assesses the potential benefits and costs of a national advertising campaign to improve the recruitment in the Civil Service and the Foreign Service by raising public awareness of the important accomplishments of the Department.

SEC. 6214. EXPANSION OF DIPLOMATS IN RESIDENCE PROGRAMS.

Not later than two years after the date of the enactment of this Act—

(1) the Secretary is authorized to increase the number of diplomats in the Diplomats in Residence Program from 17 to at least 20; and

(2) the Administrator of the United States Agency for International Development is authorized to increase the number of development diplomats in the Diplomats in Residence Program from 1 to at least 3.

Subtitle B—Pay, Benefits, and Workforce Matters

SEC. 6221. EDUCATION ALLOWANCE.

(a) IN GENERAL.—Chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

''SEC. 908. EDUCATION ALLOWANCE.

''A Department employee who is on leave to perform service in the uniformed services (as defined in section 4303(13) of title 38, United States Code) may receive an education allowance if the employee would, if not for such service, be eligible to receive the education allowance.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 (22 U.S.C. 3901 note) is amended by inserting after the item relating to section 907 the following:

''Sec. 908. Education allowance''.

SEC. 6222. PER DIEM ALLOWANCE FOR NEWLY HIRED MEMBERS OF THE FOREIGN SERVICE.

(a) PER DIEM ALLOWANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), any newly hired Foreign Service employee who is in initial orientation training, or any other training expected to last less than 6 months before transferring to the employee's first assignment, in the Washington, D.C., area shall, for the duration of such training, receive a per diem allowance at the levels prescribed under subchapter I of chapter 57 of title 5, United States Code.

(2) LIMITATION ON LODGING EXPENSES.—A newly hired Foreign Service employee may not receive any lodging expenses under the applicable per diem allowance pursuant to paragraph (1) if that employee—

(A) has a permanent residence in the Washington, D.C., area (not including Government-supplied housing during such orientation training or other training); and

(B) does not vacate such residence during such orientation training or other training.

(b) DEFINITIONS.—In this section—

(1) the term ''per diem allowance'' has the meaning given that term under section 5701 of title 5, United States Code; and

(2) the term ''Washington, D.C., area'' means the geographic area within a 50 mile radius of the Washington Monument.

SEC. 6223. IMPROVING MENTAL HEALTH SERVICES FOR FOREIGN AND CIVIL SERVANTS.

(a) ADDITIONAL PERSONNEL TO ADDRESS MENTAL HEALTH.—

(1) IN GENERAL.—The Secretary shall seek to increase the number of personnel within the Bureau of Medical Services to address mental health needs for both foreign and civil servants.

(2) EMPLOYMENT TARGETS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall seek to employ not fewer than 15 additional personnel in the Bureau of Medical Services, compared to the number of personnel employed as of the date of the enactment of this Act.

(b) STUDY.—The Secretary shall conduct a study on the accessibility of mental health care providers and services available to Department personnel, including an assessment of—

(1) the accessibility of mental health care providers at diplomatic posts and in the United States;

(2) the accessibility of inpatient services for mental health care for Department personnel;

(3) steps that may be taken to improve such accessibility;

(4) the impact of the COVID–19 pandemic on the mental health of Department personnel, particularly those who served abroad between March 1, 2020, and December 31, 2022, and Locally Employed Staff, where information is available;

(5) recommended steps to improve the manner in which the Department advertises mental health services to the workforce; and

(6) additional authorities and resources needed to better meet the mental health needs of Department personnel.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to appropriate congressional committees a report containing the findings of the study under subsection (b).

SEC. 6224. EMERGENCY BACK-UP CARE.

(a) IN GENERAL.—The Secretary and the Administrator for the United States Agency for International Development are authorized to provide for unanticipated non-medical care, including childcare, eldercare, and essential services directly related to caring for an acute injury or illness, for USAID and Department employees and their family members, including through the provision of such non-medical services, referrals to care providers, and reimbursement of reasonable expenses for such services.

(b) LIMITATION.—Services provided pursuant to this section shall not exceed $2,000,000 per fiscal year.

SEC. 6225. AUTHORITY TO PROVIDE SERVICES TO NON-CHIEF OF MISSION PERSONNEL.

Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended—

(1) in subsection (g), by striking ''abroad for employees and eligible family members'' and inserting ''under this section''; and

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

''(a) PHYSICAL AND MENTAL HEALTH CARE SERVICES IN SPECIAL CIRCUMSTANCES.—

''(1) IN GENERAL.—The Secretary is authorized to direct health care providers employed under subsection (c) of this section to furnish physical and mental health care services to an individual otherwise ineligible for services under this section if necessary to preserve life or limb or if intended to facilitate an overseas evacuation, recovery, or return. Such services may be provided incidental to the following activities:

''(A) Activities undertaken abroad pursuant to section 3 and section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670, 2671).

''(B) Recovery of hostages or of wrongfully or unlawfully detained individuals abroad, including pursuant to section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741).

''(C) Secretarial dispatches to international disaster sites deployed pursuant to section 207 of the Aviation Security Improvement Act of 1990 (22 U.S.C. 5506).

''(D) Deployments undertaken pursuant to section 606(a)(6)(A)(iii) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(6)(A)(iii)).

''(2) PRIORITIZATION OF OTHER FUNCTIONS.—The Secretary shall prioritize the allocation of Department resources to the health care program described in subsections (a) through (g) above the functions described in paragraph (1).

''(3) REGULATIONS.—The Secretary should prescribe applicable regulations to implement this section, taking into account the prioritization in paragraph (2) and the activities described in paragraph (1).

''(4) REIMBURSABLE BASIS.—Services rendered under this subsection shall be provided on a reimbursable basis to the extent practicable.''.

SEC. 6226. EXCEPTION FOR GOVERNMENT-FINANCED AIR TRANSPORTATION.

(a) REDUCING HARDSHIP FOR TRANSPORTATION OF DOMESTIC ANIMALS.—

(1) IN GENERAL.—Notwithstanding subsections (a) and (c) of section 40118 of title 49, United States Code, the Department is authorized to pay for the transportation by a foreign air carrier of Department personnel and any in-cabin or accompanying checked baggage or cargo if—

(A) no air carrier holding a certificate under section 41102 of such title is willing and able to transport up to 3 domestic animals accompanying such Federal personnel; and

(B) the transportation is from a place—

(i) outside the United States to a place in the United States;

(ii) in the United States to a place outside the United States; or

(iii) outside the United States to another place outside the United States.

(2) LIMITATION.—An amount paid pursuant to paragraph (1) for transportation by a foreign carrier may not be greater than the amount that would otherwise have been paid had the transportation been on an air carrier holding a certificate under section 41102 had that carrier been willing and able to provide such transportation. If the amount that would otherwise have been paid to such an air carrier is less than the cost of transportation on the applicable foreign carrier, the Department personnel may pay the difference of such amount.

(3) DOMESTIC ANIMAL DEFINED.—In this subsection, the term ''domestic animal'' means a dog or a cat.

SEC. 6227. ENHANCED AUTHORITIES TO PROTECT LOCALLY EMPLOYED STAFF DURING EMERGENCIES.

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

(1) locally employed staff provide essential contributions at United States diplomatic and consular posts around the world, including by providing—

(A) security to United States government personnel serving in the country;

(B) advice, expertise, and other services for the promotion of political, economic, public affairs, commercial, security, and other interests of critical importance to the United States;

(C) a wide range of logistical and administrative support to every office in each mission working to advance United States interests around the world, including services and support vital to the upkeep and maintenance of United States missions;

(D) consular services to support the welfare and well-being of United States citizens and to provide for the expeditious processing of visa applications;

(E) institutional memory on a wide range of embassy engagements on bilateral issues; and

(F) enduring connections to host country contacts, both inside and outside the host government, including within media, civil society, the business community, academia, the armed forces, and elsewhere; and

(2) locally employed staff make important contributions that should warrant the United States Government to give due consideration for their security and safety when diplomatic missions face emergency situations.

(b) AUTHORIZATION TO PROVIDE EMERGENCY SUPPORT.—In emergency situations, in addition to other authorities that may be available in emergencies or other exigent circumstances, the Secretary is authorized to use funds made available to the Department to provide support to ensure the safety and security of locally employed staff and their immediate family members, including for—

(1) providing transport or relocating locally employed staff and their immediate family members to a safe and secure environment;

(2) providing short-term housing or lodging for up to six months for locally employed staff and their immediate family members;

(3) procuring or providing other essential items and services to support the safety and security of locally employed staff and their immediate family members.

(c) TEMPORARY HOUSING.—To ensure the safety and security of locally employed staff and their immediate family members consistent with this section, Chiefs of Missions are authorized to allow locally employed staff and their immediate family members to reside temporarily in the residences of United States direct hire employees, either in the host country or other countries, provided that such stays are offered voluntarily by United States direct hire employees.

(d) FOREIGN AFFAIRS MANUAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall amend the Foreign Affairs Manual to reflect the authorizations and requirements of this section.

(e) EMERGENCY SITUATION DEFINED.—In this section, the term ''emergency situation'' means armed conflict, civil unrest, natural disaster, or other types of instability that pose a threat to the safety and security of locally employed staff, particularly when and if a United States diplomatic or consular post must suspend operations.

(f) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing prior actions the Department has taken with regard to locally employed staff and their immediate family members following suspensions or closures of United States diplomatic posts over the prior 10 years, including Kyiv, Kabul, Minsk, Khartoum, and Juba.

(2) ELEMENTS.—The report required under paragraph (1) shall—

(A) describe any actions the Department took to assist locally employed staff and their immediate family members;

(B) identify any obstacles that made providing support or assistance to locally employed staff and their immediate family members difficult;

(C) examine lessons learned and propose recommendations to better protect the safety and security of locally employed staff and their family members, including any additional authorities that may be required; and

(D) provide an analysis of and offer recommendations on any other steps that could improve efforts to protect the safety and security of locally employed staff and their immediate family members.

SEC. 6228. INTERNET AT HARDSHIP POSTS.

Section 3 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670) is amended—

(1) in subsection (l), by striking ''; and'' and inserting a semicolon;

(2) in subsection (m) by striking the period at the end and by inserting ''; and''; and

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

''(n) pay expenses to provide internet services in residences owned or leased by the United States Government in foreign countries for the use of Department personnel where Department personnel receive a post hardship differential equivalent to 30 percent or more above basic compensation.''.

SEC. 6229. COMPETITIVE LOCAL COMPENSATION PLAN.

(a) ESTABLISHMENT AND IMPLEMENTATION OF PREVAILING WAGE RATES GOAL.—Section 401(a) of the Department of State Authorities Act, fiscal year 2017 (22 U.S.C. 3968a(a)) is amended in the matter preceding paragraph (1), by striking ''periodically'' and inserting ''every 3 years''.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that includes—

(1) compensation (including position classification) plans for locally employed staff based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality of employment; and

(2) an assessment of the feasibility and impact of changing the prevailing wage rate goal for positions in the local compensation plan from the 50th percentile to the 75th percentile.

SEC. 6230. SUPPORTING TANDEM COUPLES IN THE FOREIGN SERVICE.

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

(1) challenges finding and maintaining spousal employment and family dissatisfaction are one of the leading reasons employees cite for leaving the Department;

(2) tandem Foreign Service personnel represent important members of the Foreign Service community, who act as force multipliers for our diplomacy;

(3) the Department can and should do more to keep tandem couples posted together and consider family member employment needs when assigning tandem officers; and

(4) common sense steps providing more flexibility in the assignments process would improve outcomes for tandem officers without disadvantaging other Foreign Service officers.

(b) DEFINITIONS.—In this section:

(1) FAMILY TOGETHERNESS.—The term ''family togetherness'' means facilitating the placement of Foreign Service personnel at the same United States diplomatic post when both spouses are members of a tandem couple of Foreign Service personnel.

(2) TANDEM FOREIGN SERVICE PERSONNEL; TANDEM.—The terms ''tandem Foreign Service personnel'' and ''tandem'' mean a member of a couple of which one spouse is a career or career candidate employee of the Foreign Service and the other spouse is a career or career candidate employee of the Foreign Service or an employee of one of the agencies authorized to use the Foreign Service Personnel System under section 202 of the Foreign Service Act of 1980 (22 U.S.C. 3922).

(c) FAMILY TOGETHERNESS IN ASSIGNMENTS.—Not later than 90 days after the date of enactment of this Act, the Department shall amend and update its policies to further promote the principle of family togetherness in the Foreign Service, which shall include the following:

(1) ENTRY-LEVEL FOREIGN SERVICE PERSONNEL.—The Secretary shall adopt policies and procedures to facilitate the assignment of entry-level tandem Foreign Service personnel on directed assignments to the same diplomatic post or country as their tandem spouse if they request to be assigned to the same post or country. The Secretary shall also provide a written justification to the requesting personnel explaining any denial of a request that would result in a tandem couple not serving together at the same post or country.

(2) TENURED FOREIGN SERVICE PERSONNEL.—The Secretary shall add family togetherness to the criteria when making a needs of the Service determination, as defined by the Foreign Affairs Manual, for the placement of tenured tandem Foreign Service personnel at United States diplomatic posts.

(3) UPDATES TO ANTINEPOTISM POLICY.—The Secretary shall update antinepotism policies so that nepotism rules only apply when an employee and a relative are placed into positions wherein they jointly and exclusively control government resources, property, or money or establish government policy.

(4) TEMPORARY SUPERVISION OF TANDEM SPOUSE.—The Secretary shall update policies to allow for a tandem spouse to temporarily supervise another tandem spouse for up to 90 days in a calendar year, including at a United States diplomatic mission.

(d) REPORT.—Not later than 90 days after the date of enactment of this Act, and annually thereafter for two years, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the number of Foreign Service tandem couples currently serving;

(2) the number of Foreign Service tandems currently serving in separate locations, or, to the extent possible, are on leave without pay (LWOP); and

(3) an estimate of the cost savings that would result if all Foreign Service tandem couples were placed at a single post.

SEC. 6231. ACCESSIBILITY AT DIPLOMATIC MISSIONS.

Not later than 180 days after the date of the enactment of this Act, the Department shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that includes—

(1) a list of the overseas United States diplomatic missions that, as of the date of the enactment of this Act, are not readily accessible to and usable by individuals with disabilities;

(2) any efforts in progress to make such missions readily accessible to and usable by individuals with disabilities; and

(3) an estimate of the cost to make all such missions readily accessible to and usable by individuals with disabilities.

SEC. 6232. REPORT ON BREASTFEEDING ACCOMMODATIONS OVERSEAS.

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

(1) a detailed report on the Department's efforts to equip 100 percent of United States embassies and consulates with dedicated lactation spaces, other than bathrooms, that are shielded from view and free from intrusion from coworkers and the public for use by employees, including the expected demand for such space as well as the status of such rooms when there is no demand for such space; and

(2) a description of costs and other resources needed to provide such spaces.

SEC. 6233. DETERMINING THE EFFECTIVENESS OF KNOWLEDGE TRANSFERS BETWEEN FOREIGN SERVICE OFFICERS.

The Secretary shall assess the effectiveness of knowledge transfers between Foreign Service officers who are departing from overseas positions and Foreign Service Officers who are arriving at such positions, and make recommendations for approving such knowledge transfers, as appropriate, by—

(1) not later than 90 days after the date of the enactment of this Act, conducting a written survey of a representative sample of Foreign Service Officers working in overseas assignments that analyzes the effectiveness of existing mechanisms to facilitate transitions, including training, mentorship, information technology, knowledge management, relationship building, the role of locally employed staff, and organizational culture; and

(2) not later than 120 days after the date of the enactment of this Act, submitting 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 summary and analysis of results of the survey conducted pursuant to paragraph (1) that—

(A) identifies best practices and areas for improvement;

(B) describes the Department's methodology for determining which Foreign Service Officers should receive familiarization trips before arriving at a new post;

(C) includes recommendations regarding future actions the Department should take to maximize effective knowledge transfer between Foreign Service Officers;

(D) identifies any steps taken, or intended to be taken, to implement such recommendations, including any additional resources or authorities necessary to implement such recommendations; and

(E) provides recommendations to Congress for legislative action to advance the priority described in subparagraph (C).

SEC. 6234. EDUCATION ALLOWANCE FOR DEPENDENTS OF DEPARTMENT OF STATE EMPLOYEES LOCATED IN UNITED STATES TERRITORIES.

(a) IN GENERAL.—An individual employed by the Department at a location described in subsection (b) shall be eligible for a cost-of-living allowance for the education of the dependents of such employee in an amount that does not exceed the educational allowance authorized by the Secretary of Defense for such location.

(b) LOCATION DESCRIBED.—A location is described in this subsection if—

(1) such location is in a territory of the United States; and

(2) the Secretary of Defense has determined that schools available in such location are unable to adequately provide for the education of—

(A) dependents of members of the Armed Forces; or

(B) dependents of employees of the Department of Defense.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

SEC. 6301. DATA-INFORMED DIPLOMACY.

(a) FINDINGS.—Congress makes the following findings:

(1) In a rapidly evolving and digitally interconnected global landscape, access to and maintenance of reliable, readily available data is key to informed decisionmaking and diplomacy and therefore should be considered a strategic asset.

(2) In order to achieve its mission in the 21st century, the Department must adapt to these trends by maintaining and providing timely access to high-quality data at the time and place needed, while simultaneously cultivating a data-savvy workforce.

(3) Leveraging data science and data analytics has the potential to improve the performance of the Department's workforce by providing otherwise unknown insights into program deficiencies, shortcomings, or other gaps in analysis.

(4) While innovative technologies such as artificial intelligence and machine learning have the potential to empower the Department to analyze and act upon data at scale, systematized, sustainable data management and information synthesis remain a core competency necessary for data-driven decisionmaking.

(5) The goals set out by the Department's Enterprise Data Council (EDC) as the areas of most critical need for the Department, including Cultivating a Data Culture, Accelerating Decisions through Analytics, Establishing Mission-Driven Data Management, and Enhancing Enterprise Data Governance, are laudable and will remain critical as the Department develops into a data-driven agency.

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

(1) the Department should prioritize the recruitment and retainment of top data science talent in support of its data-informed diplomacy efforts as well as its broader modernization agenda; and

(2) the Department should strengthen data fluency among its workforce, promote data collaboration across and within its bureaus, and enhance its enterprise data oversight.

SEC. 6302. ESTABLISHMENT AND EXPANSION OF THE BUREAU CHIEF DATA OFFICER PROGRAM.

(a) BUREAU CHIEF DATA OFFICER PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as the ''Bureau Chief Data Officer Program'' (referred to in this section as the ''Program''), overseen by the Department's Chief Data Officer. The Bureau Chief Data Officers hired under this program shall report to their respective Bureau leadership.

(2) GOALS.—The goals of the Program shall include the following:

(A) Cultivating a data culture by promoting data fluency and data collaboration across the Department.

(B) Promoting increased data analytics use in critical decisionmaking areas.

(C) Promoting data integration and standardization.

(D) Increasing efficiencies across the Department by incentivizing acquisition of enterprise data solutions and subscription data services to be shared across bureaus and offices and within bureaus.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of

this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan that outlines strategies for—

(1) advancing the goals described in subsection (a)(2);

(2) hiring Bureau Chief Data Officers at the GS-14 or GS-15 grade or a similar rank;

(3) assigning at least one Bureau Chief Data Officer to—

(A) each regional bureau of the Department;

(B) the Bureau of International Organization Affairs;

(C) the Office of the Chief Economist;

(D) the Office of the Science and Technology Advisor;

(E) the Bureau of Cyber and Digital Policy;

(F) the Bureau of Diplomatic Security;

(G) the Bureau for Global Talent Management; and

(H) the Bureau of Consular Affairs; and

(4) allocation of necessary resources to sustain the Program.

(c) ASSIGNMENT.—In implementing the Bureau Chief Data Officer Program, Bureaus may not dual-hat currently employed personnel as Bureau Chief Data Officers.

(d) ANNUAL REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

SEC. 6303. ESTABLISHMENT OF THE CHIEF ARTIFICIAL INTELLIGENCE OFFICER OF THE DEPARTMENT OF STATE.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(n) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

''(1) IN GENERAL.—There shall be within the Department of State a Chief Artificial Intelligence Officer, which may be dual-hatted as the Department's Chief Data Officer, who shall be a member of the Senior Executive Service.

''(2) DUTIES DESCRIBED.—The principal duties and responsibilities of the Chief Artificial Intelligence Officer shall be—

''(A) to evaluate, oversee, and, if appropriate, facilitate the responsible adoption of artificial intelligence (AI) and machine learning applications to help inform decisions by policymakers and to support programs and management operations of the Department of State; and

''(B) to act as the principal advisor to the Secretary of State on the ethical use of AI and advanced analytics in conducting data-informed diplomacy.

''(3) QUALIFICATIONS.—The Chief Artificial Intelligence Officer should be an individual with demonstrated skill and competency in—

''(A) the use and application of data analytics, AI, and machine learning; and

''(B) transformational leadership and organizational change management, particularly within large, complex organizations.

''(4) PARTNER WITH THE CHIEF INFORMATION OFFICER ON SCALING ARTIFICIAL INTELLIGENCE USE CASES.—To ensure alignment between the Chief Artificial Intelligence Officer and the Chief Information Officer, the Chief Information Officer will consult with the Chief Artificial Intelligence Officer on best practices for rolling out and scaling AI capabilities across the Bureau of Information and Resource Management's broader portfolio of software applications.

''(5) ARTIFICIAL INTELLIGENCE DEFINED.—In this subsection, the term 'artificial intelligence' has the meaning given the term in section 238(g) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note).''.

SEC. 6304. STRENGTHENING THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF STATE.

(a) IN GENERAL.—The Chief Information Officer of the Department shall be consulted on all decisions to approve or disapprove, significant new unclassified information technology expenditures, including software, of the Department, including expenditures related to information technology acquired, managed, and maintained by other bureaus and offices within the Department, in order to—

(1) encourage the use of enterprise software and information technology solutions where such solutions exist or can be developed in a timeframe and manner consistent with maintaining and enhancing the continuity and improvement of Department operations;

(2) increase the bargaining power of the Department in acquiring information technology solutions across the Department;

(3) reduce the number of redundant Authorities to Operate (ATO), which, instead of using one ATO-approved platform across bureaus, requires multiple ATOs for software use cases across different bureaus;

(4) enhance the efficiency, reduce redundancy, and increase interoperability of the use of information technology across the enterprise of the Department;

(5) enhance training and alignment of information technology personnel with the skills required to maintain systems across the Department;

(6) reduce costs related to the maintenance of, or effectuate the retirement of, legacy systems;

(7) ensure the development and maintenance of security protocols regarding the use of information technology solutions and software across the Department; and

(8) improve end-user training on the operation of information technology solutions and to enhance end-user cybersecurity practices.

(b) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department shall develop, in consultation with relevant bureaus and offices as appropriate, a strategy and a 5-year implementation plan to advance the objectives described in subsection (a).

(2) CONSULTATION.—No later than one year after the date of the enactment of this Act, the Chief Information Officer shall submit the strategy required by this subsection to the appropriate congressional committees and shall consult with the appropriate congressional committees, not less than on an annual basis for 5 years, regarding the progress related to the implementation plan required by this subjection.

(c) IMPROVEMENT PLAN FOR THE BUREAU FOR INFORMATION RESOURCES MANAGEMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer shall develop policies and protocols to improve the customer service orientation, quality and timely delivery of information technology solutions, and training and support for bureau and office-level information technology officers.

(2) SURVEY.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Chief Information Officer shall undertake a client satisfaction survey of bureau information technology officers to obtain feedback on metrics related to—

(A) customer service orientation of the Bureau of Information Resources Management;

(B) quality and timelines of capabilities delivered;

(C) maintenance and upkeep of information technology solutions;

(D) training and support for senior bureau and office-level information technology officers; and

(E) other matters which the Chief Information Officer, in consultation with client bureaus and offices, determine appropriate.

(3) SUBMISSION OF FINDINGS.—Not later than 60 days after completing each survey required under paragraph (2), the Chief Information Officer shall submit a summary of the findings to the appropriate congressional committees.

(d) SIGNIFICANT EXPENDITURE DEFINED.—For purposes of this section, the term ''significant expenditure'' means any cumulative expenditure in excess of $250,000 total in a single fiscal year for a new unclassified software or information technology capability.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to alter the authorities of the United States Office of Management and Budget, Office of the National Cyber Director, the Department of Homeland Security, or the Cybersecurity and Infrastructure Security Agency with respect to Federal information systems; or

(2) to alter the responsibilities and authorities of the Chief Information Officer of the Department of State as described in titles 40 or 44, United States Code, or any other law defining or assigning responsibilities or authorities to Federal Chief Information Officers.

SEC. 6305. SENSE OF CONGRESS ON STRENGTHENING ENTERPRISE GOVERNANCE.

It is the sense of Congress that in order to modernize the Department, enterprise-wide governance regarding budget and finance, information technology, and the creation, analysis, and use of data across the Department is necessary to better align resources to strategy, including evaluating trade-offs, and to enhance efficiency and security in using data and technology as tools to inform and evaluate the conduct of United States foreign policy.

SEC. 6306. DIGITAL CONNECTIVITY AND CYBERSECURITY PARTNERSHIP.

(a) DIGITAL CONNECTIVITY AND CYBERSECURITY PARTNERSHIP.—The Secretary is authorized to establish a program, which may be known as the ''Digital Connectivity and Cybersecurity Partnership'', to help foreign countries—

(1) expand and increase secure internet access and digital infrastructure in emerging markets, including demand for and availability of high-quality information and communications technology (ICT) equipment, software, and services;

(2) protect technological assets, including data;

(3) adopt policies and regulatory positions that foster and encourage open, interoperable, reliable, and secure internet, the free flow of data, multi-stakeholder models of internet governance, and pro-competitive and secure ICT policies and regulations;

(4) access United States exports of ICT goods and services;

(5) expand interoperability and promote the diversification of ICT goods and supply chain services to be less reliant on PRC imports;

(6) promote best practices and common standards for a national approach to cybersecurity; and

(7) advance other priorities consistent with paragraphs (1) through (6), as determined by the Secretary.

(b) USE OF FUNDS.—Funds made available to carry out this section may be used to strengthen civilian cybersecurity and information and communications technology capacity, including participation of foreign law enforcement and military personnel in non-military activities, notwithstanding any other provision of law, provided that such support is essential to enabling civilian and law enforcement of cybersecurity and information and communication technology related activities in their respective countries.

(c) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an implementation plan for the coming year to advance the goals identified in subsection (a).

(d) CONSULTATION.—In developing and operationalizing the implementation plan required under subsection (c), the Secretary shall consult with—

(1) the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives;

(2) United States industry leaders;

(3) other relevant technology experts, including the Open Technology Fund;

(4) representatives from relevant United States Government agencies; and

(5) representatives from like-minded allies and partners.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 for each of fiscal years 2024 through 2028 to carry out this section. Such funds, including funds authorized to be appropriated under the heading ''Economic Support Fund'', may be made available, notwithstanding any other provision of law to strengthen civilian cybersecurity and information and communications technology capacity, including for participation of foreign law enforcement and military personnel in non-military activities, and for contributions. Such funds shall remain available until expended.

SEC. 6307. ESTABLISHMENT OF A CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) FUND.

Part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) is amended by adding at the end the following new chapter:

''CHAPTER 10—CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) FUND

''SEC. 591. FINDINGS.

''Congress makes the following findings:

''(1) Increasingly digitized and interconnected social, political, and economic systems have introduced new vulnerabilities for malicious actors to exploit, which threatens economic and national security.

''(2) The rapid development, deployment, and integration of information and communication technologies into all aspects of modern life bring mounting risks of accidents and malicious activity involving such technologies, and their potential consequences.

''(3) Because information and communication technologies are globally manufactured, traded, and networked, the economic and national security of the United State depends greatly on cybersecurity practices of other actors, including other countries.

''(4) United States assistance to countries and international organizations to bolster civilian capacity to address national cybersecurity and deterrence in cyberspace can help—

''(A) reduce vulnerability in the information and communication technologies ecosystem; and

''(B) advance national and economic security objectives.

''SEC. 592. AUTHORIZATION OF ASSISTANCE AND FUNDING FOR CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) CAPACITY BUILDING ACTIVITIES.

''(a) AUTHORIZATION.—The Secretary of State is authorized to provide assistance to foreign governments and organizations, including national, regional, and international institutions, on such terms and conditions as the Secretary may determine, in order to—

''(1) advance a secure and stable cyberspace;

''(2) protect and expand trusted digital ecosystems and connectivity;

''(3) build the cybersecurity capacity of partner countries and organizations; and

''(4) ensure that the development of standards and the deployment and use of technology supports and reinforces human rights and democratic values, including through the Digital Connectivity and Cybersecurity Partnership.

''(b) SCOPE OF USES.—Assistance under this section may include programs to—

''(1) advance the adoption and deployment of secure and trustworthy information and communications technology (ICT) infrastructure and services, including efforts to grow global markets for secure ICT goods and services and promote a more diverse and resilient ICT supply chain;

''(2) provide technical and capacity building assistance to—

''(A) promote policy and regulatory frameworks that create an enabling environment for digital connectivity and a vibrant digital economy;

''(B) ensure technologies, including related new and emerging technologies, are developed, deployed, and used in ways that support and reinforce democratic values and human rights;

''(C) promote innovation and competition; and

''(D) support digital governance with the development of rights-respecting international norms and standards;

''(3) help countries prepare for, defend against, and respond to malicious cyber activities, including through—

''(A) the adoption of cybersecurity best practices;

''(B) the development of national strategies to enhance cybersecurity;

''(C) the deployment of cybersecurity tools and services to increase the security, strength, and resilience of networks and infrastructure;

''(D) support for the development of cybersecurity watch, warning, response, and recovery capabilities, including through the development of cybersecurity incident response teams;

''(E) support for collaboration with the Cybersecurity and Infrastructure Security Agency (CISA) and other relevant Federal agencies to enhance cybersecurity;

''(F) programs to strengthen allied and partner governments' capacity to detect, investigate, deter, and prosecute cybercrimes;

''(G) programs to provide information and resources to diplomats engaging in discussions and negotiations around international law and capacity building measures related to cybersecurity;

''(H) capacity building for cybersecurity partners, including law enforcement and military entities as described in subsection (f);

''(I) programs that enhance the ability of relevant stakeholders to act collectively against shared cybersecurity threats;

''(J) the advancement of programs in support of the Framework of Responsible State Behavior in Cyberspace; and

''(K) the fortification of deterrence instruments in cyberspace; and

''(4) such other purpose and functions as the Secretary of State may designate.

''(c) RESPONSIBILITY FOR POLICY DECISIONS AND JUSTIFICATION.—The Secretary of State shall be responsible for policy decisions regarding programs under this chapter, with respect to—

''(1) whether there will be cybersecurity and digital capacity building programs for a foreign country or entity operating in that country;

''(2) the amount of funds for each foreign country or entity; and

''(3) the scope and nature of such uses of funding.

''(d) DETAILED JUSTIFICATION FOR USES AND PURPOSES OF FUNDS.—The Secretary of State shall provide, on an annual basis, a detailed justification for the uses and purposes of the amounts provided under this chapter, including information concerning—

''(1) the amounts and kinds of grants;

''(2) the amounts and kinds of budgetary support provided, if any; and

''(3) the amounts and kinds of project assistance provided for what purpose and with such amounts.

''(e) ASSISTANCE AND FUNDING UNDER OTHER AUTHORITIES.—The authority granted under this section to provide assistance or funding for countries and organizations does not preclude the use of funds provided to carry out other authorities also available for such purpose.

''(f) AVAILABILITY OF FUNDS.—Amounts appropriated to carry out this chapter may be used, notwithstanding any other provision of law, to strengthen civilian cybersecurity and information and communications technology capacity, including participation of foreign law enforcement and military personnel in non-military activities, provided that such support is essential to enabling civilian and law enforcement of cybersecurity and information and communication technology related activities in their respective countries.

''(g) NOTIFICATION REQUIREMENTS.—Funds made available under this section shall be obligated in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

''SEC. 593. REVIEW OF EMERGENCY ASSISTANCE CAPACITY.

''(a) IN GENERAL.—The Secretary of State, in consultation as appropriate with other relevant Federal departments and agencies is authorized to conduct a review that—

''(1) analyzes the United States Government's capacity to promptly and effectively deliver emergency support to countries experiencing major cybersecurity and ICT incidents;

''(2) identifies relevant factors constraining the support referred to in paragraph (1); and

''(3) develops a strategy to improve coordination among relevant Federal agencies and to resolve such constraints.

''(b) REPORT.—Not later than one year after the date of the enactment of this chapter, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains the results of the review conducted pursuant to subsection (a).

''SEC. 594. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated $150,000,000 during the 5-year period beginning on October 1, 2023, to carry out the purposes of this chapter.''.

SEC. 6308. CYBER PROTECTION SUPPORT FOR PERSONNEL OF THE DEPARTMENT OF STATE IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) AT-RISK PERSONNEL.—The term ''at-risk personnel'' means personnel of the Department—

(A) whom the Secretary determines to be highly vulnerable to cyber attacks and hostile information collection activities because of their positions in the Department; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(2) PERSONAL ACCOUNTS.—The term ''personal accounts'' means accounts for online and telecommunications services, including telephone, residential internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the Department outside of the scope of their employment with the Department.

(3) PERSONAL TECHNOLOGY DEVICES.—The term ''personal technology devices'' means technology devices used by personnel of the Department outside of the scope of their employment with the Department, including networks to which such devices connect.

(b) REQUIREMENT TO PROVIDE CYBER PROTECTION SUPPORT.—The Secretary, in consultation with the Secretary of Homeland Security and the Director of National Intelligence, as appropriate—

(1) shall offer cyber protection support for the personal technology devices and personal accounts of at-risk personnel; and

(2) may provide the support described in paragraph (1) to any Department personnel who request such support.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel pursuant to subsection (b) may include training, advice, assistance, and other services relating to protection against cyber attacks and hostile information collection activities.

(d) PRIVACY PROTECTIONS FOR PERSONAL DEVICES.—The Department is prohibited pursuant to this section from accessing or retrieving any information from any personal technology device or personal account of Department employees unless—

(1) access or information retrieval is necessary for carrying out the cyber protection support specified in this section; and

(2) the Department has received explicit consent from the employee to access a personal technology device or personal account prior to each time such device or account is accessed.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to encourage Department personnel to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior Department personnel using personal devices, networks, and personal accounts in an official capacity.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the provision of cyber protection support pursuant to subsection (b), which shall include—

(1) a description of the methodology used to make the determination under subsection (a)(1); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support pursuant to subsection (b).

TITLE LXIV—ORGANIZATION AND OPERATIONS

SEC. 6401. PERSONAL SERVICES CONTRACTORS.

(a) EXIGENT CIRCUMSTANCES AND CRISIS RESPONSE.—To assist the Department in addressing and responding to exigent circumstances and urgent crises abroad, the Department is authorized to employ, domestically and abroad, a limited number of personal services contractors in order to meet exigent needs, subject to the requirements of this section.

(b) AUTHORITY.—The authority to employ personal services contractors is in addition to any existing authorities to enter into personal services contracts and authority provided in the Afghanistan Supplemental Appropriations Act, 2022 (division C of Public Law 117–43).

(c) EMPLOYING AND ALLOCATION OF PERSONNEL.—To meet the needs described in subsection (a) and subject to the requirements in subsection (d), the Department may—

(1) enter into contracts to employ a total of up to 100 personal services contractors at any given time for each of fiscal years 2024, 2025, and 2026; and

(2) allocate up to 20 personal services contractors to a given bureau, without regard to the sources of funding such office relies on to compensate individuals.

(d) LIMITATION.—Employment authorized by this section shall not exceed two calendar years.

(e) NOTIFICATION AND REPORTING TO CONGRESS.—

(1) NOTIFICATION.—Not later than 15 days after the use of authority under this section, the Secretary shall notify the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives of the number of personal services contractors being employed, the expected length of employment, the relevant bureau, the purpose for using personal services contractors, and the justification, including the exigent circumstances requiring such use.

(2) ANNUAL REPORTING.—Not later than 60 days after the end of each fiscal year, the Department shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing the number of personal services contractors employed pursuant to this section for the prior fiscal year, the length of employment, the relevant bureau by which they were employed pursuant to this section, the purpose for using personal services contractors, disaggregated demographic data of such contractors, and the justification for the employment, including the exigent circumstances.

SEC. 6402. HARD-TO-FILL POSTS.

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

(1) the number of hard-to-fill vacancies at United States diplomatic missions is far too high, particularly in Sub-Saharan Africa;

(2) these vacancies—

(A) adversely impact the Department's execution of regional strategies;

(B) hinder the ability of the United States to effectively compete with strategic competitors, such as the People's Republic of China and the Russian Federation; and

(C) present a clear national security risk to the United States; and

(3) if the Department is unable to incentivize officers to accept hard-to-fill positions, the Department should consider directed assignments, particularly for posts in Africa, and other means to more effectively advance the national interests of the United States.

(b) REPORT ON DEVELOPMENT OF INCENTIVES FOR HARD-TO-FILL POSTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on efforts to develop new incentives for hard-to-fill positions at United States diplomatic missions. The report shall include a description of the incentives developed to date and proposals to try to more effectively fill hard-to-fill posts.

(c) STUDY ON FEASIBILITY OF ALLOWING NON-CONSULAR FOREIGN SERVICE OFFICERS GIVEN DIRECTED CONSULAR POSTS TO VOLUNTEER FOR HARD-TO-FILL POSTS IN UNDERSTAFFED REGIONS.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a study on—

(i) the number of Foreign Service positions vacant for six months or longer at overseas posts, including for consular, political, and economic positions, over the last five years, broken down by region, and a comparison of the proportion of vacancies between regions; and

(ii) the feasibility of allowing first-tour Foreign Service generalists in non-Consular cones, directed for a consular tour, to volunteer for reassignment at hard-to-fill posts in understaffed regions.

(B) MATTERS TO BE CONSIDERED.—The study conducted under subparagraph (A) shall consider whether allowing first-tour Foreign Service generalists to volunteer as described in such subparagraph would address current vacancies and what impact the new mechanism would have on consular operations.

(2) REPORT.—Not later than 60 days after completing the study required under paragraph (1), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study.

SEC. 6403. ENHANCED OVERSIGHT OF THE OFFICE OF CIVIL RIGHTS.

(a) REPORT WITH RECOMMENDATIONS AND MANAGEMENT STRUCTURE.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report with any recommendations for the long-term structure and management of the Office of Civil Rights (OCR), including—

(1) an assessment of the strengths and weaknesses of OCR's investigative processes and procedures;

(2) any changes made within OCR to its investigative processes to improve the integrity and thoroughness of its investigations; and

(3) any recommendations to improve the management structure, investigative process, and oversight of the Office.

SEC. 6404. CRISIS RESPONSE OPERATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall institute the following changes and ensure that the following elements have been integrated into the ongoing crisis response management and response by the Crisis Management and Strategy Office:

(1) The Department's crisis response planning and operations shall conduct, maintain, and update on a regular basis contingency plans for posts and regions experiencing or vulnerable to conflict or emergency conditions, including armed conflict, national disasters, significant political or military upheaval, and emergency evacuations.

(2) The Department's crisis response efforts shall be led by an individual with significant experience responding to prior crises, who shall be so designated by the Secretary.

(3) The Department's crisis response efforts shall provide at least quarterly updates to the Secretary and other relevant senior officials, including a plan and schedule to develop contingency planning for identified posts and regions consistent with paragraph (1).

(4) The decision to develop contingency planning for any particular post or region shall be made independent of any regional bureau.

(5) The crisis response team shall develop and maintain best practices for evacuations, closures, and emergency conditions.

(b) UPDATE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for the next five years, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an update outlining the steps taken to implement this section, along with any other recommendations to improve the Department's crisis management and response operations.

(2) CONTENTS.—Each update submitted pursuant to paragraph (1) should include—

(A) a list of the posts whose contingency plans, including any noncombatant evacuation contingencies, has been reviewed and updated as appropriate during the preceding 180 days; and

(B) an assessment of the Secretary's confidence that each post—

(i) has continuously reached out to United States persons in country to maintain and update contact information for as many such persons as practicable; and

(ii) is prepared to communicate with such persons in an emergency or crisis situation.

(3) FORM.—Each update submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6405. SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.

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

(1) the United States must increase its diplomatic activity and presence in the Pacific, particularly among Pacific Island nations; and

(2) the Special Envoy to the Pacific Islands Forum—

(A) should advance the United States partnership with Pacific Island Forum nations and with the organization itself on key issues of importance to the Pacific region; and

(B) should coordinate policies across the Pacific region with like-minded democracies.

(b) APPOINTMENT OF SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by section 6304, is further amended by adding at the end the following new subsection:

''(o) SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—

''(1) APPOINTMENT.—The President shall appoint, by and with the advice and consent of the Senate, a qualified individual to serve as Special Envoy to the Pacific Islands Forum (referred to in this section as the 'Special Envoy').

''(2) CONSIDERATIONS.—

''(A) SELECTION.—The Special Envoy shall be—

''(i) a United States Ambassador to a country that is a member of the Pacific Islands Forum; or

''(ii) a qualified individual who is not described in clause (i).

''(B) LIMITATIONS.—If the President appoints an Ambassador to a country that is a member of the Pacific Islands Forum to serve concurrently as the Special Envoy to the Pacific Islands Forum, such Ambassador—

''(i) may not begin service as the Special Envoy until he or she has been confirmed by the Senate for an ambassadorship to a country that is a member of the Pacific Islands Forum; and

''(ii) shall not receive additional compensation for his or her service as Special Envoy.

''(3) DUTIES.—The Special Envoy shall—

''(A) represent the United States in its role as dialogue partner to the Pacific Islands Forum; and

''(B) carry out such other duties as the President or the Secretary of State may prescribe.''.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that describes how the Department will increase its ability to recruit and retain highly-qualified ambassadors, special envoys, and other senior personnel in posts in Pacific island countries as the Department expands its diplomatic footprint throughout the region.

SEC. 6406. SPECIAL ENVOY FOR BELARUS.

(a) SPECIAL ENVOY.—The President shall appoint a Special Envoy for Belarus within the Department (referred to in this section as the ''Special Envoy''). The Special Envoy should be a person of recognized distinction in the field of European security, geopolitics, democracy and human rights, and may be a career Foreign Service officer.

(b) CENTRAL OBJECTIVE.—The central objective of the Special Envoy is to coordinate and promote efforts—

(1) to improve respect for the fundamental human rights of the people of Belarus;

(2) to sustain focus on the national security implications of Belarus's political and military alignment for the United States; and

(3) to respond to the political, economic, and security impacts of events in Belarus upon neighboring countries and the wider region.

(c) DUTIES AND RESPONSIBILITIES.—The Special Envoy shall—

(1) engage in discussions with Belarusian officials regarding human rights, political, economic and security issues in Belarus;

(2) support international efforts to promote human rights and political freedoms in Belarus, including coordination and dialogue between the United States and the United Nations, the Organization for Security and Cooperation in Europe, the European Union, Belarus, and the other countries in Eastern Europe;

(3) consult with nongovernmental organizations that have attempted to address human rights and political and economic instability in Belarus;

(4) make recommendations regarding the funding of activities promoting human rights, democracy, the rule of law, and the development of a market economy in Belarus;

(5) review strategies for improving protection of human rights in Belarus, including technical training and exchange programs;

(6) develop an action plan for holding to account the perpetrators of the human rights violations documented in the United Nations High Commissioner for Human Rights report on the situation of human rights in Belarus in the run-up to the 2020 presidential election and its aftermath (Human Rights Council Resolution 49/36);

(7) engage with member countries of the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe and the European Union with respect to the implications of Belarus's political and security alignment for transatlantic security; and

(8) work within the Department and among partnering countries to sustain focus on the political situation in Belarus.

(d) ROLE.—The position of Special Envoy—

(1) shall be a full-time position;

(2) may not be combined with any other position within the Department;

(3) shall only exist as long as United States diplomatic operations in Belarus at United States Embassy Minsk have been suspended; and

(4) shall oversee the operations and personnel of the Belarus Affairs Unit.

(e) REPORT ON ACTIVITIES.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary, in consultation with the Special Envoy, shall submit a report to the appropriate congressional committees that describes the activities undertaken pursuant to subsection (c) during the reporting period.

(f) SUNSET.—The position of Special Envoy for Belarus Affairs and the authorities provided by this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 6407. OVERSEAS PLACEMENT OF SPECIAL APPOINTMENT POSITIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on current special appointment positions at United States diplomatic missions that do not exercise significant authority, and all positions under schedule B or schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, at United States diplomatic missions. The report shall include the title and responsibilities of each position, the expected duration of the position, the name of the individual currently appointed to the position, and the hiring authority utilized to fill the position.

SEC. 6408. RESOURCES FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

Section 302(d) of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741(d)) is amended—

(1) in the subsection heading, by striking ''RESOURCE GUIDANCE'' and inserting ''RESOURCES FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD'';

(2) in paragraph (1), by striking the paragraph heading and all that follows through ''Not later than'' and inserting the following:

''(1) RESOURCE GUIDANCE.—

''(A) IN GENERAL.—Not later than'';

(3) in paragraph (2), by redesignating subparagraphs (A), (B), (C), (D), and (E) and clauses (i), (ii), (iii), (iv), and (v), respectively, and moving such clauses (as so redesignated) 2 ems to the right;

(4) by redesignating paragraph (2) as subparagraph (B) and moving such subparagraph (as so redesignated) 2 ems to the right;

(5) in subparagraph (B), as redesignated by paragraph (4), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''; and

(6) by adding at the end the following:

''(2) TRAVEL ASSISTANCE.—

''(A) FAMILY ADVOCACY.—For the purpose of facilitating meetings between the United States Government and the family members of United States nationals unlawfully or wrongfully detained abroad, the Secretary shall provide financial assistance to cover the costs of travel to Washington, D.C., including travel by air, train, bus, or other transit as appropriate, to any individual who—

''(i) is—

''(I) a family member of a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a); or

''(II) an appropriate individual who—

''(aa) is approved by the Special Presidential Envoy for Hostage Affairs; and

''(bb) does not represent in any legal capacity a United States national unlawfully or wrongfully detained abroad or the family of such United States national;

''(ii) has a permanent address that is more than 50 miles from Washington, D.C.; and

''(iii) requests such assistance.

''(B) TRAVEL AND LODGING.—

''(i) IN GENERAL.—For each such United States national unlawfully or wrongfully detained abroad, the financial assistance described in subparagraph (A) shall be provided for not more than 2 trips per fiscal year, unless the Special Presidential Envoy for Hostage Affairs determines that a third trip is warranted.

''(ii) LIMITATIONS.—Any trip described in clause (i) shall—

''(I) consist of not more than 2 family members or other individuals approved in accordance with subparagraph (A)(i)(II), unless the Special Presidential Envoy for Hostage Affairs determines that circumstances warrant an additional family member or other individual approved in accordance with subparagraph (A)(i)(II) and approves assistance to such third family member or other individual; and

''(II) not exceed more than 2 nights lodging, which shall not exceed the applicable government rate.

''(C) RETURN TRAVEL.—If other United States Government assistance is unavailable, the Secretary may provide to a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a), compensation and assistance, as necessary, for return travel to the United States upon release of such United States national.

''(3) SUPPORT.—The Secretary shall seek to make available operational psychologists and clinical social workers, to support the mental health and well-being of—

''(A) any United States national unlawfully or wrongfully detained abroad; and

''(B) any family member of such United States national, with regard to the psychological, social, and mental health effects of such unlawful or wrongful detention.

''(4) NOTIFICATION REQUIREMENT.—The Secretary shall notify the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives of any amount spent above $250,000 for any fiscal year to carry out paragraphs (2) and (3).

''(5) REPORT.—Not later than 90 days after the end of each fiscal year, the Secretary shall submit to the Committees on Foreign Relations and Appropriations of the Senate and the Committee on Foreign Affairs and Appropriations of the House of Representatives a report that includes—

''(A) a detailed description of expenditures made pursuant to paragraphs (2) and (3);

''(B) a detailed description of support provided pursuant to paragraph (3) and the individuals providing such support; and

''(C) the number and location of visits outside of Washington, D.C., during the prior fiscal year made by the Special Presidential Envoy for Hostage Affairs to family members of each United States national unlawfully or wrongfully detained abroad.

''(6) SUNSET.—The authority and requirements under paragraphs (2), (3), (4), and (5) shall terminate on December 31, 2027.

''(7) FAMILY MEMBER DEFINED.—In this subsection, the term 'family member' means a spouse, father, mother, child, brother, sister, grandparent, grandchild, aunt, uncle, nephew, niece, cousin, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.''.

TITLE LXV—ECONOMIC DIPLOMACY

SEC. 6501. REPORT ON RECRUITMENT, RETENTION, AND PROMOTION OF FOREIGN SERVICE ECONOMIC OFFICERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the recruitment, retention, and promotion of economic officers in the Foreign Service.

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

(1) an overview of the key challenges the Department faces in—

(A) recruiting individuals to serve as economic officers in the Foreign Service; and

(B) retaining individuals serving as economic officers in the Foreign Service, particularly at the level of GS–14 of the General Schedule and higher;

(2) an overview of the key challenges in recruiting and retaining qualified individuals to serve in economic positions in the Civil Service;

(3) a comparison of promotion rates for economic officers in the Foreign Service relative to other officers in the Foreign Service;

(4) a summary of the educational history and training of current economic officers in the Foreign Service and Civil Service officers serving in economic positions;

(5) the identification, disaggregated by region, of hard-to-fill posts and proposed incentives to improve staffing of economic officers in the Foreign Service at such posts;

(6) a summary and analysis of the factors that lead to the promotion of—

(A) economic officers in the Foreign Service; and

(B) individuals serving in economic positions in the Civil Service; and

(7) a summary and analysis of current Department-funded or run training opportunities and externally-funded programs, including the Secretary's Leadership Seminar at Harvard Business School, for—

(A) economic officers in the Foreign Service; and

(B) individuals serving in economic positions in the Civil Service.

SEC. 6502. MANDATE TO REVISE DEPARTMENT OF STATE METRICS FOR SUCCESSFUL ECONOMIC AND COMMERCIAL DIPLOMACY.

(a) MANDATE TO REVISE DEPARTMENT OF STATE PERFORMANCE MEASURES FOR ECONOMIC AND COMMERCIAL DIPLOMACY.—The Secretary shall, as part of the Department's next regularly scheduled review on metrics and performance measures, include revisions of Department performance measures for economic and commercial diplomacy, by identifying outcome-oriented, and not process-oriented, performance metrics, including metrics that—

(1) measure how Department efforts advanced specific economic and commercial objectives and led to successes for the United States or other private sector actors overseas; and

(2) focus on customer satisfaction with Department services and assistance.

(b) PLAN FOR ENSURING COMPLETE DATA FOR PERFORMANCE MEASURES.—As part of the review required under subsection (a), the Secretary shall include a plan for ensuring that—

(1) the Department, both at its main headquarters and at domestic and overseas posts, maintains and fully updates data on performance measures; and

(2) Department leadership and the appropriate congressional committees can evaluate the extent to which the Department is advancing United States economic and commercial interests abroad through meeting performance targets.

(c) REPORT ON PRIVATE SECTOR SURVEYS.—The Secretary shall prepare a report that lists and describes all the methods through which the Department conducts surveys of the private sector to measure private sector satisfaction with assistance and services provided by the Department to advance private sector economic and commercial goals in foreign markets.

(d) REPORT.—Not later than 90 days after conducting the review pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees—

(1) the revised performance metrics required under subsection (a); and

(2) the report required under subsection (c).

SEC. 6503. CHIEF OF MISSION ECONOMIC RESPONSIBILITIES.

Section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) is amended by adding at the end the following:

''(e) EMBASSY ECONOMIC TEAM.—

''(1) COORDINATION AND SUPERVISION.—Each chief of mission shall coordinate and supervise the implementation of all United States economic policy interests within the host country in which the diplomatic mission is located, among all United States Government departments and agencies present in such country.

''(2) ACCOUNTABILITY.—The chief of mission is responsible for the performance of the diplomatic mission in advancing United States economic policy interests within the host country.

''(3) MISSION ECONOMIC TEAM.—The chief of mission shall designate appropriate embassy staff to form a mission economic team that—

''(A) monitors notable economic, commercial, and investment-related developments in the host country; and

''(B) develops plans and strategies for advancing United States economic and commercial interests in the host country, including—

''(i) tracking legislative, regulatory, judicial, and policy developments that could affect United States economic, commercial, and investment interests;

''(ii) advocating for best practices with respect to policy and regulatory developments;

''(iii) conducting regular analyses of market systems, trends, prospects, and opportunities for value-addition, including risk assessments and constraints analyses of key sectors and of United States strategic competitiveness, and other reporting on commercial opportunities and investment climate; and

''(iv) providing recommendations for responding to developments that may adversely affect United States economic and commercial interests.''.

SEC. 6504. DIRECTION TO EMBASSY DEAL TEAMS.

(a) PURPOSES.—The purposes of deal teams at United States embassies and consulates are—

(1) to promote a private sector-led approach—

(A) to advance economic growth and job creation that is tailored, as appropriate, to specific economic sectors; and

(B) to advance strategic partnerships;

(2) to prioritize efforts—

(A) to identify commercial and investment opportunities;

(B) to advocate for improvements in the business and investment climate;

(C) to engage and consult with private sector partners; and

(D) to report on the activities described in subparagraphs (A) through (C), in accordance with the applicable requirements under sections 706 and 707 of the Championing American Business Through Diplomacy Act of 2019 (22 U.S.C. 9902 and 9903);

(3)(A)(i) to identify trade and investment opportunities for United States companies in foreign markets; or

(ii) to assist with existing trade and investment opportunities already identified by United States companies; and

(B) to deploy United States Government economic and other tools to help such United States companies to secure their objectives;

(4) to identify and facilitate opportunities for entities in a host country to increase exports to, or investment in, the United States in order to grow two-way trade and investment;

(5) to modernize, streamline, and improve access to resources and services designed to promote increased trade and investment opportunities;

(6) to identify and secure United States or allied government support of strategic projects, such as ports, railways, energy production and distribution, critical minerals development, telecommunications networks, and other critical infrastructure projects vulnerable to predatory investment by an authoritarian country or entity in such country where support or investment serves an important United States interest;

(7) to coordinate across the Unites States Government to ensure the appropriate and most effective use of United States Government tools to support United States economic, commercial, and investment objectives; and

(8) to coordinate with the multi-agency DC Central Deal Team, established in February 2020, on the matters described in paragraphs (1) through (7) and other relevant matters.

(b) CLARIFICATION.—A deal team may be composed of the personnel comprising the mission economic team formed pursuant to section 207(e)(3) of the Foreign Service Act of 1980, as added by section 6503.

(c) RESTRICTIONS.—A deal team may not provide support for, or assist a United States person with a transaction involving, a government, or an entity owned or controlled by a government, if the Secretary determines that such government—

(1) has repeatedly provided support for acts of international terrorism, as described in—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232);

(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other relevant provision of law; or

(2) has engaged in an activity that would trigger a restriction under section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law.

(d) FURTHER RESTRICTIONS.—

(1) PROHIBITION ON SUPPORT OF SANCTIONED PERSONS.—Deal teams may not carry out activities prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary of the Treasury or the Secretary.

(2) PROHIBITION ON SUPPORT OF ACTIVITIES SUBJECT TO SANCTIONS.—Any person receiving support from a deal team must be in compliance with all United States sanctions laws and regulations as a condition for receiving such assistance.

(e) CHIEF OF MISSION AUTHORITY AND ACCOUNTABILITY.—The chief of mission to a foreign country—

(1) is the designated leader of a deal team in such country; and

(2) shall be held accountable for the performance and effectiveness of United States deal teams in such country.

(f) GUIDANCE CABLE.—The Department shall send out regular guidance on Deal Team efforts by an All Diplomatic and Consular Posts (referred to in this section as ''ALDAC'') that—

(1) describes the role of deal teams; and

(2) includes relevant and up-to-date information to enhance the effectiveness of deal teams in a country.

(g) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—In preparing the cable required under subsection (f), the Secretary shall protect from disclosure any proprietary information of a United States person marked as business confidential information unless the person submitting such information—

(A) had notice, at the time of submission, that such information would be released by; or

(B) subsequently consents to the release of such information.

(2) TREATMENT AS TRADE SECRETS.—Proprietary information obtained by the United States Government from a United States person pursuant to the activities of deal teams shall be—

(A) considered to be trade secrets and commercial or financial information (as such terms are used under section 552b(c)(4) of title 5, United States Code); and

(B) exempt from disclosure without the express approval of the person.

(h) SUNSET.—The requirements under subsections (f) through (h) shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 6505. ESTABLISHMENT OF A "DEAL TEAM OF THE YEAR" AWARD.

(a) ESTABLISHMENT.—The Secretary shall establish a new award, to be known as the ''Deal Team of the Year Award'', and annually present the award to a deal team at one United States mission in each region to recognize outstanding achievements in supporting a United States company or companies pursuing commercial deals abroad or in identifying new deal prospects for United States companies.

(b) AWARD CONTENT.—

(1) DEPARTMENT OF STATE.—Each member of a deal team receiving an award pursuant to subsection (a) shall receive a certificate that is signed by the Secretary and—

(A) in the case of a member of the Foreign Service, is included in the next employee evaluation report; or

(B) in the case of a Civil Service employee, is included in the next annual performance review.

(2) OTHER FEDERAL AGENCIES.—If an award is presented pursuant to subsection (a) to a Federal Government employee who is not employed by the Department, the employing agency may determine whether to provide such employee any recognition or benefits in addition to the recognition or benefits provided by the Department.

(c) ELIGIBILITY.—Any interagency economics team at a United States overseas mission under chief of mission authority that assists United States companies with identifying, navigating, and securing trade and investment opportunities in a foreign country or that facilitates beneficial foreign investment into the United States is eligible for an award under this section.

(d) REPORT.—Not later than the last day of the fiscal year in which awards are presented pursuant to subsection (a), the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) each mission receiving a Deal Team of the Year Award.

(2) the names and agencies of each awardee within the recipient deal teams; and

(3) a detailed description of the reason such deal teams received such award.

TITLE LXVI—PUBLIC DIPLOMACY

SEC. 6601. PUBLIC DIPLOMACY OUTREACH.

(a) COORDINATION OF RESOURCES.—The Administrator of the United States Agency for International Development and the Secretary shall direct public affairs sections at United States embassies and USAID Mission Program Officers at USAID missions to coordinate, enhance and prioritize resources for public diplomacy and awareness campaigns around United States diplomatic and development efforts, including through—

(1) the utilization of new media technology for maximum public engagement; and

(2) enact coordinated comprehensive community outreach to increase public awareness and understanding and appreciation of United States diplomatic and development efforts.

(b) DEVELOPMENT OUTREACH AND COORDINATION OFFICERS.—USAID should prioritize hiring of additional Development Outreach and Coordination officers in USAID missions to support the purposes of subsection (a).

(c) BEST PRACTICES.—The Secretary and the Administrator of USAID shall identify 10 countries in which Embassies and USAID missions have successfully executed efforts, including monitoring and evaluation of such efforts, described in (a) and develop best practices to be turned into Department and USAID guidance.

SEC. 6602. MODIFICATION ON USE OF FUNDS FOR RADIO FREE EUROPE/RADIO LIBERTY.

In section 308(h) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(h)) is amended—

(1) by striking subparagraphs (1), (3), and (5); and

(2) by redesignating paragraphs (2) and (4) as paragraphs (1) and (2), respectively.

SEC. 6603. INTERNATIONAL BROADCASTING.

(a) VOICE OF AMERICA.—Section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) is amended by adding at the end the following:

''(d) VOICE OF AMERICA OPERATIONS AND STRUCTURE.—

''(1) OPERATIONS.—The Director of the Voice of America (VOA)—

''(A) shall direct and supervise the operations of VOA, including making all major decisions relating its staffing; and

''(B) may utilize any authorities made available to the United States Agency for Global Media or to its Chief Executive Officer under this Act or under any other Act to carry out its operations in an effective manner.

''(2) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of VOA shall submit to the Committee on Foreign Relations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Homeland Security of the House of Representatives a plan to ensure that the personnel structure of VOA is sufficient to effectively carry out the principles described in subsection (c).''.

(b) APPOINTMENT OF CHIEF EXECUTIVE OFFICER.—Section 304 of such Act (22 U.S.C. 6203) is amended—

(1) in subsection (a), by striking ''as an entity described in section 104 of title 5, United States Code'' and inserting ''under the direction of the International Broadcasting Advisory Board''; and

(2) in subsection (b)(1), by striking the second sentence and inserting the following: ''Notwithstanding any other provision of law, when a vacancy arises, until such time as a Chief Executive Officer, to whom sections 3345 through 3349b of title 5, United States Code, shall not apply, is appointed

and confirmed by the Senate, an acting Chief Executive Officer shall be appointed by the International Broadcasting Advisory Board and shall continue to serve and exercise the authorities and powers under this title as the sole means of filling such vacancy, for the duration of the vacancy. In the absence of a quorum on the International Broadcasting Advisory Board, the first principal deputy of the United States Agency for Global Media shall serve as acting Chief Executive Officer.''.

(c) CHIEF EXECUTIVE OFFICER AUTHORITIES.—Section 305(a)(1) of such Act (22 U.S.C. 6204(a)(1)) is amended by striking ''To supervise all'' and inserting ''To oversee, coordinate, and provide strategic direction for''.

(d) INTERNATIONAL BROADCASTING ADVISORY BOARD.—Section 306(a) of such Act (22 U.S.C. 6205(a)) is amended by striking ''advise the Chief Executive Officer of'' and inserting ''oversee and advise the Chief Executive Officer and''.

(e) RADIO FREE AFRICA; RADIO FREE AMERICAS.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States Agency for Global Media shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that details the financial and other resources that would be required to establish and operate 2 nonprofit organizations, modeled after Radio Free Europe/Radio Liberty and Radio Free Asia, for the purposes of providing accurate, uncensored, and reliable news and information to—

(1) the region of Africa, with respect to Radio Free Africa; and

(2) the region of Latin America and the Caribbean, with respect to Radio Free Americas.

SEC. 6604. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PROGRAM.

(a) IN GENERAL.—The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by adding at the end the following:

''SEC. 115. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PROGRAM.

''(a) ESTABLISHMENT.—There is established the John Lewis Civil Rights Fellowship Program (referred to in this section as the 'Fellowship Program') within the J. William Fulbright Educational Exchange Program.

''(b) PURPOSES.—The purposes of the Fellowship Program are—

''(1) to honor the legacy of Representative John Lewis by promoting a greater understanding of the history and tenets of nonviolent civil rights movements; and

''(2) to advance foreign policy priorities of the United States by promoting studies, research, and international exchange in the subject of nonviolent movements that established and protected civil rights around the world.

''(c) ADMINISTRATION.—The Bureau of Educational and Cultural Affairs (referred to in this section as the 'Bureau') shall administer the Fellowship Program in accordance with policy guidelines established by the Board, in consultation with the binational Fulbright Commissions and United States Embassies.

''(d) SELECTION OF FELLOWS.—

''(1) IN GENERAL.—The Board shall annually select qualified individuals to participate in the Fellowship Program. The Bureau may determine the number of fellows selected each year, which, whenever feasible, shall be not fewer than 25.

''(2) OUTREACH.—

''(A) IN GENERAL.—To the extent practicable, the Bureau shall conduct outreach at institutions, including—

''(i) minority serving institutions, including historically Black colleges and universities; and

''(ii) other appropriate institutions, as determined by the Bureau.

''(B) DEFINITIONS.—In this paragraph:

''(i) HISTORICALLY BLACK COLLEGE AND UNIVERSITY.—The term 'historically Black college and 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).

''(ii) MINORITY SERVING INSTITUTION.—The term 'minority-serving institution' means an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(e) FELLOWSHIP ORIENTATION.—Annually, the Bureau shall organize and administer a fellowship orientation, which shall—

''(1) be held in Washington, D.C., or at another location selected by the Bureau; and

''(2) include programming to honor the legacy of Representative John Lewis.

''(f) STRUCTURE.—

''(1) WORK PLAN.—To carry out the purposes described in subsection (b)—

''(A) each fellow selected pursuant to subsection (d) shall arrange an internship or research placement—

''(i) with a nongovernmental organization, academic institution, or other organization approved by the Bureau; and

''(ii) in a country with an operational Fulbright U.S. Student Program; and

''(B) the Bureau shall, for each fellow, approve a work plan that identifies the target objectives for the fellow, including specific duties and responsibilities relating to those objectives.

''(2) CONFERENCES; PRESENTATIONS.—Each fellow shall—

''(A) attend a fellowship orientation organized and administered by the Bureau under subsection (e);

''(B) not later than the date that is 1 year after the end of the fellowship period, attend a fellowship summit organized and administered by the Bureau, which—

''(i) whenever feasible, shall be held in Atlanta, Georgia, or another location of importance to the civil rights movement in the United States; and

''(ii) may coincide with other events facilitated by the Bureau; and

''(C) at such summit, give a presentation on lessons learned during the period of fellowship.

''(3) FELLOWSHIP PERIOD.—Each fellowship under this section shall continue for a period determined by the Bureau, which, whenever feasible, shall be not fewer than 10 months.

''(g) FELLOWSHIP AWARD.—The Bureau shall provide each fellow under this section with an allowance that is equal to the amount needed for—

''(1) the reasonable costs of the fellow during the fellowship period; and

''(2) travel and lodging expenses related to attending the orientation and summit required under subsection (e)(2).

''(h) ANNUAL REPORT.—Not later than 1 year after the date of the completion of the Fellowship Program by the initial cohort of fellows selected under subsection (d), and annually 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 on the implementation of the Fellowship Program, including—

''(1) a description of the demographics of the cohort of fellows who completed a fellowship during the preceding 1-year period;

''(2) a description of internship and research placements, and research projects selected by such cohort, under the Fellowship Program, including feedback from—

''(A) such cohort on implementation of the Fellowship Program; and

''(B) the Secretary on lessons learned; and

''(3) an analysis of trends relating to the diversity of each cohort of fellows and the topics of projects completed since the establishment of the Fellowship Program.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961.—Section 112(a) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a)) is amended—

(1) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (9), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(10) the John Lewis Civil Rights Fellowship Program established under section 115, which provides funding for international internships and research placements for early- to mid-career individuals from the United States to study nonviolent civil rights movements in self-arranged placements with universities or nongovernmental organizations in foreign countries.''.

SEC. 6605. DOMESTIC ENGAGEMENT AND PUBLIC AFFAIRS.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop a strategy to explain to the American people the value of the work of the Department and United States foreign policy to advancing the national security of the United States. The strategy shall include—

(1) tools to inform the American people about the non-partisan importance of United States diplomacy and foreign relations and to utilize public diplomacy to meet the United States' national security priorities;

(2) efforts to reach the widest possible audience of Americans, including those who historically have not had exposure to United States foreign policy efforts and priorities;

(3) additional staffing and resource needs including—

(A) domestic positions within the Bureau of Global Public Affairs to focus on engagement with the American people as outlined in paragraph (1);

(B) positions within the Bureau of Educational and Cultural Affairs to enhance program and reach the widest possible audience;

(C) increasing the number of fellowship and detail programs that place Foreign Service and civil service employees outside the Department for a limited time, including Pearson Fellows, Reta Joe Lewis Local Diplomats, Brookings Fellows, and Georgetown Fellows; and

(D) recommendations for increasing participation in the Hometown Diplomats program and evaluating this program as well as other opportunities for Department officers to engage with American audiences while traveling within the United States.

SEC. 6606. EXTENSION OF GLOBAL ENGAGEMENT CENTER.

Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking ''on the date that is 8 years after the date of the enactment of this Act'' and inserting ''on September 30, 2026''.

SEC. 6607. PAPERWORK REDUCTION ACT.

Section 5603(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended by adding at the end the following new paragraph:

''(4) United States Information and Educational Exchange Act of 1948 (Public Law 80–402).''.

SEC. 6608. MODERNIZATION AND ENHANCEMENT STRATEGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees for—

(1) modernizing and increasing the operational and programming capacity of American Spaces and American Corners throughout the world, including by leveraging public-private partnerships;

(2) providing salaries to locally employed staff of American Spaces and American Corners; and

(3) providing opportunities for United States businesses and nongovernmental organizations to better utilize American Spaces.

TITLE LXVII—OTHER MATTERS

SEC. 6701. INTERNSHIPS OF UNITED STATES NATIONALS AT INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—The Secretary of State is authorized to bolster efforts to increase the number of United States citizens representative of the American people occupying positions in the United Nations system, agencies, and commissions, and in other international organizations, including by awarding grants to educational institutions and students.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that identifies—

(1) the number of United States citizens who are involved in internship programs at international organizations;

(2) the distribution of the individuals described in paragraph (1) among various international organizations; and

(3) grants, programs, and other activities that are being utilized to recruit and fund United States citizens to participate in internship programs at international organizations.

(c) ELIGIBILITY.—An individual referred to in subsection (a) is an individual who—

(1) is enrolled at or received their degree within two years from—

(A) an institution of higher education; or

(B) an institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is a citizen of the United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,500,000 for the Department of State for fiscal year 2024 to carry out the grant program authorized under subsection (a).

SEC. 6702. TRAINING FOR INTERNATIONAL ORGANIZATIONS.

(a) TRAINING PROGRAMS.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end of the following new subsection:

''(e) TRAINING IN MULTILATERAL DIPLOMACY.—

''(1) IN GENERAL.—The Secretary, in consultation with other senior officials as appropriate, shall establish training courses on—

''(A) the conduct of diplomacy at international organizations and other multilateral institutions; and

''(B) broad-based multilateral negotiations of international instruments.

''(2) REQUIRED TRAINING.—Members of the Service, including appropriate chiefs of mission and other officers who are assigned to United States missions representing the United States to international organizations and other multilateral institutions or who are assigned in other positions that have as their primary responsibility formulation of policy related to such organizations and institutions, or participation in negotiations of international instruments, shall receive specialized training in the areas described in paragraph (1) prior to the beginning of service for such assignment or, if receiving such training at that time is not practical, within the first year of beginning such assignment.''.

(b) TRAINING FOR DEPARTMENT EMPLOYEES.—The Secretary of State shall ensure that employees of the Department of State who are assigned to positions described in paragraph (2) of subsection (e) of section 708 of the Foreign Service Act of 1980 (as added by subsection (a) of this section), including members of the civil service or general service, or who are seconded to international organizations for a period of at least one year, receive training described in such subsection and participate in other such courses as the Secretary may recommend to build or augment identifiable skills that would be useful for such Department officials representing United States interests at these institutions and organizations.

SEC. 6703. MODIFICATION TO TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

Section 112b of title 1, United States Code, as most recently amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476), is further amended—

(1) by redesignating subsections (h) through (l) as subsections (i) through (m), respectively; and

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

''(h)(1) If the Secretary is aware or has reason to believe that the requirements of subsection (a), (b), or (c) have not been fulfilled with respect to an international agreement or qualifying non-binding instrument, the Secretary shall—

''(A) immediately bring the matter to the attention of the office or agency responsible for the agreement or qualifying non-binding instrument; and

''(B) request the office or agency to provide within 7 days the text or other information necessary to fulfill the requirements of the relevant subsection.

''(2) Upon receiving the text or other information requested pursuant to paragraph (1), the Secretary shall—

''(A) fulfill the requirements of subsection (a), (b), or (c), as the case may be, with respect to the agreement or qualifying non-binding instrument concerned—

''(i) by including such text or other information in the next submission required by subsection (a)(1);

''(ii) by providing such information in writing to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees before provision of the submission described in clause (i); or

''(iii) in relation to subsection (b), by making the text of the agreement or qualifying non-binding instrument and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement or instrument available to the public on the website of the Department of State within 15 days of receiving the text or other information requested pursuant to paragraph (1); and

''(B) provide to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees, either in the next submission required by subsection (a)(1) or before such submission, a written statement explaining the reason for the delay in fulfilling the requirements of subsection (a), (b), or (c), as the case may be.''.

SEC. 6704. REPORT ON PARTNER FORCES UTILIZING UNITED STATES SECURITY ASSISTANCE IDENTIFIED AS USING HUNGER AS A WEAPON OF WAR.

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

(1) the United States recognizes the link between armed conflict and conflict-induced food insecurity;

(2) Congress recognizes and condemns the role of nefarious security actors, including state and non-state armed groups, who have utilized hunger as a weapon of war, including through the unanimous adoption of House of Representatives Resolution 922 and Senate Resolution 669 relating to ''[c]ondemning the use of hunger as a weapon of war and recognizing the effect of conflict on global food security and famine''; and

(3) the United States should use the diplomatic and humanitarian tools at our disposal to not only fight global hunger, mitigate the spread of conflict, and promote critical, lifesaving assistance, but also hold perpetrators using hunger as a weapon of war to account.

(b) DEFINITIONS.—In this paragraph:

(1) HUNGER AS A WEAPON OF WAR.—The term ''hunger as a weapon of war'' means—

(A) intentional starvation of civilians;

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

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

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

(2) SECURITY ASSISTANCE.—The term ''security assistance'' means assistance meeting the definition of ''security assistance'' under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator of the United States Agency for International Development, and the Secretary of Defense shall submit a report to the appropriate congressional committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives regarding—

(1) United States-funded security assistance and cooperation; and

(2) whether the governments and entities receiving such assistance have or are currently using hunger as a weapon of war.

(d) ELEMENTS.—The report required under subsection (c) shall—

(1) identify countries receiving United States-funded security assistance or participating in security programs and activities, including in coordination with the Department of Defense, that are currently experiencing famine-like conditions as a result of conflict;

(2) describe the actors and actions taken by such actors in the countries identified pursuant to paragraph (1) who are utilizing hunger as a weapon of war; and

(3) describe any current or existing plans to continue providing United States-funded security assistance to recipient countries.

(e) FORM.—The report required under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6705. INFRASTRUCTURE PROJECTS AND INVESTMENTS BY THE UNITED STATES AND PEOPLE'S REPUBLIC OF CHINA.

Not later than 1 year after the date of the enactment of this Act, the Secretary, in coordination with the Administrator of the United States Agency for International Development and the Chief Executive Officer of the Development Finance Corporation, shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report regarding the opportunities and costs of infrastructure projects in Middle East, African, and Latin American and Caribbean countries, which shall—

(1) describe the nature and total funding of United States infrastructure investments and construction in Middle East, African, and Latin American and Caribbean countries, and that of United States allies and partners in the same regions;

(2) describe the nature and total funding of infrastructure investments and construction by the People's Republic of China in Middle East, African, and Latin American and Caribbean countries;

(3) assess the national security threats posed by the infrastructure investment gap between the People's Republic of China and the United States and United States allies and partners, including—

(A) infrastructure, such as ports;

(B) access to critical and strategic minerals;

(C) digital and telecommunication infrastructure;

(D) threats to supply chains; and

(E) general favorability towards the People's Republic of China and the United States and United States' allies and partners among Middle East, African, and Latin American and Caribbean countries;

(4) assess the opportunities and challenges for companies based in the United States to invest in infrastructure projects in Middle East, African, and Latin American and Caribbean countries;

(5) describe options for the United States Government to undertake to increase support for United States businesses engaged in large-scale infrastructure projects in Middle East, African, and Latin American and Caribbean countries; and

(6) identify regional infrastructure priorities, ranked according to United States national interests, in Middle East, African, and Latin American and Caribbean countries.

SEC. 6706. SPECIAL ENVOYS.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a review of all special envoy positions to determine—

(1) which special envoy positions are needed to accomplish the mission of the Department;

(2) which special envoy positions could be absorbed into the Department's existing bureau structure;

(3) which special envoy positions were established by an Act of Congress; and

(4) which special envoy positions were created by the Executive Branch without explicit congressional approval.

(b) REPORT.—Not later than 60 days after the completion of the review required under subsection (a), the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a list of every special envoy position in the Department;

(2) a detailed justification of the need for each special envoy, if warranted;

(3) a list of the special envoy positions that could be absorbed into the Department's existing bureau structure without compromising the mission of the Department;

(4) a list of the special envoy positions that were created by an Act of Congress; and

(5) a list of the special envoy positions that are not expressly authorized by statute.

SEC. 6707. US-ASEAN CENTER.

(a) DEFINED TERM.—In this section, the term ''ASEAN'' means the Association of Southeast Asian Nations.

(b) ESTABLISHMENT.—The Secretary is authorized to enter into a public-private partnership for the purposes of establishing a US-ASEAN Center in the United States to support United States economic and cultural engagement with Southeast Asia.

(c) FUNCTIONS.—Notwithstanding any other provision of law, the US-ASEAN Center established pursuant to subsection (b) may—

(1) provide grants for research to support and elevate the importance of the US-ASEAN partnership;

(2) facilitate activities to strengthen US-ASEAN trade and investment;

(3) expand economic and technological relationships between ASEAN countries and the United States into new areas of cooperation;

(4) provide training to United States citizens and citizens of ASEAN countries that improve people-to-people ties;

(5) develop educational programs to increase awareness for the United States and ASEAN countries on the importance of relations between the United States and ASEAN countries; and

(6) carry out other activities the Secretary considers necessary to strengthen ties between the United States and ASEAN countries and achieve the objectives of the US-ASEAN Center.

SEC. 6708. BRIEFINGS ON THE UNITED STATES-EUROPEAN UNION TRADE AND TECHNOLOGY COUNCIL.

It is the sense of Congress that the United States-European Union Trade and Technology Council is an important forum for the United States and in the European Union to engage on transatlantic trade, investment, and engagement on matters related to critical and emerging technology and that the Department should provide regular updates to the appropriate congressional committees on the deliverables and policy initiatives announced at United States-European Union Trade and Technology Council ministerials

SEC. 6709. MODIFICATION AND REPEAL OF REPORTS.

(a) COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—

(1) IN GENERAL.—The Secretary shall examine the production of the 2023 and subsequent annual Country Reports on Human Rights Practices by the Assistant Secretary for Democracy, Human Rights, and Labor as required under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d), 2304(b)) to maximize—

(A) cost and personnel efficiencies;

(B) the potential use of data and analytic tools and visualization; and

(C) advancement of the modernization agenda for the Department announced by the Secretary on October 27, 2021.

(2) TRANSNATIONAL REPRESSION AMENDMENTS TO ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended by adding at the end the following new paragraph:

''(13) Wherever applicable, a description of the nature and extent of acts of transnational repression that occurred during the preceding year, including identification of—

''(A) incidents in which a government harassed, intimidated, or killed individuals outside of their internationally recognized borders and the patterns of such repression among repeat offenders;

''(B) countries in which such transnational repression occurs and the role of the governments of such countries in enabling, preventing, mitigating, and responding to such acts;

''(C) the tactics used by the governments of countries identified pursuant to subparagraph (A), including the actions identified and any new techniques observed;

''(D) in the case of digital surveillance and harassment, the type of technology or platform, including social media, smart city technology, health tracking systems, general surveillance technology, and data access, transfer, and storage procedures, used by the governments of countries identified pursuant to subparagraph (A) for such actions; and

''(E) groups and types of individuals targeted by acts of transnational repression in each country in which such acts occur.''.

(b) ELIMINATION OF OBSOLETE REPORTS.—

(1) ANNUAL REPORTS RELATING TO FUNDING MECHANISMS FOR TELECOMMUNICATIONS SECURITY AND SEMICONDUCTORS.—Division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(A) in section 9202(a)(2) (47 U.S.C. 906(a)(2))—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in section 9905 (15 U.S.C. 4655)—

(i) by striking subsection (c); and

(ii) by redesignating subsection (d) as subsection (c).

(2) REPORTS RELATING TO FOREIGN ASSISTANCE TO COUNTER RUSSIAN INFLUENCE AND MEDIA ORGANIZATIONS CONTROLLED BY RUSSIA.—The Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44) is amended—

(A) in section 254(e)—

(i) in paragraph (1)—

(I) by striking ''IN GENERAL.—'';

(II) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and moving such paragraphs 2 ems to the left; and

(ii) by striking paragraph (2); and

(B) by striking section 255.

(3) ANNUAL REPORT ON PROMOTING THE RULE OF LAW IN THE RUSSIAN FEDERATION.—Section 202 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112–208) is amended by striking subsection (a).

(4) ANNUAL REPORT ON ADVANCING FREEDOM AND DEMOCRACY.—Section 2121 of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2007 (title XXI of Public Law 110–53) is amended by striking subsection (c).

(5) ANNUAL REPORTS ON UNITED STATES-VIETNAM HUMAN RIGHTS DIALOGUE MEETINGS.—Section 702 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n note) is repealed.

SEC. 6710. MODIFICATION OF BUILD ACT OF 2018 TO PRIORITIZE PROJECTS THAT ADVANCE NATIONAL SECURITY.

Section 1412 of the Build Act of 2018 (22 U.S.C. 9612) is amended by adding at the end the following subsection:

''(d) PRIORITIZATION OF NATIONAL SECURITY INTERESTS.—The Corporation shall prioritize the provision of support under title II in projects that advance core national security interests of the United States with respect to the People's Republic of China.''.

SEC. 6711. PERMITTING FOR INTERNATIONAL BRIDGES.

The International Bridge Act of 1972 (33 U.S.C. 535 et seq.) is amended by inserting after section 5 the following:

"SEC. 6. PERMITTING FOR INTERNATIONAL BRIDGES.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—The term 'eligible applicant' means an entity that has submitted an application for a Presidential permit during the period beginning on December 1, 2020, and ending on December 31, 2024, for any of the following:

''(A) 1 or more international bridges in Webb County, Texas.

''(B) An international bridge in Cameron County, Texas.

''(C) An international bridge in Maverick County, Texas.

''(2) PRESIDENTIAL PERMIT.—

''(A) IN GENERAL.—The term 'Presidential permit' means—

''(i) an approval by the President to construct, maintain, and operate an international bridge under section 4; or

''(ii) an approval by the President to construct, maintain, and operate an international bridge pursuant to a process described in Executive Order 13867 (84 Fed. Reg. 15491; relating to Issuance of Permits With Respect to Facilities and Land Transportation Crossings at the International Boundaries of the United States) (or any successor Executive Order).

''(B) INCLUSION.—The term 'Presidential permit' includes an amendment to an approval described in clause (i) or (ii) of subparagraph (A).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of State.

''(b) APPLICATION.—An eligible applicant for a Presidential permit to construct, maintain, and operate an international bridge shall submit an application for the permit to the Secretary.

''(c) RECOMMENDATION.—

''(1) IN GENERAL.—Not later than 60 days after the date on which the Secretary receives an application under subsection (b), the Secretary shall make a recommendation to the President—

''(A) to grant the Presidential permit; or

''(B) to deny the Presidential permit.

''(2) CONSIDERATION.—The sole basis for a recommendation under paragraph (1) shall be whether the international bridge is in the foreign policy interests of the United States.

''(d) PRESIDENTIAL ACTION.—

''(1) IN GENERAL.—The President shall grant or deny the Presidential permit for an application under subsection (b) by not later than 60 days after the earlier of—

''(A) the date on which the Secretary makes a recommendation under subsection (c)(1); and

''(B) the date on which the Secretary is required to make a recommendation under subsection (c)(1).

''(2) NO ACTION.—

''(A) IN GENERAL.—Subject to subparagraph (B), if the President does not grant or deny the Presidential permit for an application under subsection (b) by the deadline described in paragraph (1), the Presidential permit shall be considered to have been granted as of that deadline.

''(B) REQUIREMENT.—As a condition on a Presidential permit considered to be granted under subparagraph (A), the eligible applicant shall complete all applicable environmental documents required pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.).

''(e) DOCUMENT REQUIREMENTS.—Notwithstanding any other provision of law, the Secretary shall not require an eligible applicant for a Presidential permit—

''(1) to include in the application under subsection (b) environmental documents prepared pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.); or

''(2) to have completed any environmental review under Public Law 91–190 (42 U.S.C. 4321 et seq.) prior to the President granting a Presidential permit under subsection (d).

''(f) RULES OF CONSTRUCTION.—Nothing in this section—

''(1) prohibits the President from granting a Presidential permit conditioned on the eligible applicant completing all environmental documents pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.);

''(2) prohibits the Secretary from requesting a list of all permits and approvals from Federal, State, and local agencies that the eligible applicant believes are required in connection with the international bridge, or a brief description of how those permits and approvals will be acquired; or

''(3) exempts an eligible applicant from the requirement to complete all environmental documents pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.) prior to construction of an international bridge.''.

TITLE LXVIII—AUKUS MATTERS

SEC. 6801. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(2) AUKUS PARTNERSHIP.—

(A) IN GENERAL.—The term ''AUKUS partnership'' means the enhanced trilateral security partnership between Australia, the United Kingdom, and the United States announced in September 2021.

(B) PILLARS.—The AUKUS partnership includes the following two pillars:

(i) Pillar One is focused on developing a pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

(ii) Pillar Two is focused on enhancing trilateral collaboration on advanced defense capabilities, including hypersonic and counter hypersonic capabilities, quantum technologies, undersea technologies, and artificial intelligence.

(3) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations).

Subtitle A—Outlining the AUKUS Partnership

SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PARTNERSHIP.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the AUKUS partnership is integral to United States national security, increasing United States and allied capability in the undersea domain of the Indo-Pacific, and developing cutting edge military capabilities;

(2) the transfer of conventionally armed, nuclear-powered submarines to Australia, if implemented appropriately, will position the United States and its allies to maintain peace and security in the Indo-Pacific;

(3) the transfer of conventionally armed, nuclear-powered submarines to Australia will be safely implemented with the highest nonproliferation standards in alignment with—

(A) safeguards established by the International Atomic Energy Agency; and

(B) the Additional Protocol to the Agreement between Australia and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna September 23, 1997;

(4) the United States will enter into a mutual defense agreement with Australia, modeled on the 1958 bilateral mutual defense agreement with the United Kingdom, for the sole purpose of facilitating the transfer of naval nuclear propulsion technology to Australia;

(5) working with the United Kingdom and Australia to develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific will have tangible impacts on United States military effectiveness across the world;

(6) in order to better facilitate cooperation under Pillar 2 of the AUKUS partnership, it is imperative that every effort be made to streamline United States export controls consistent with necessary and reciprocal security safeguards on United States technology at least comparable to those of the United States;

(7) the trade authorization mechanism for the AUKUS partnership administered by the Department is a critical first step in reimagining the United States export control system to carry out the AUKUS partnership and expedite technology sharing and defense trade among the United States, Australia, and the United Kingdom; and

(8) the vast majority of United States defense trade with Australia is conducted through the Foreign Military Sales (FMS) process, the preponderance of defense trade with the United Kingdom is conducted through Direct Commercial Sales (DCS), and efforts to streamline United States export controls should focus on both Foreign Military Sales and Direct Commercial Sales.

SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP AT THE DEPARTMENT OF STATE.

(a) IN GENERAL.—There shall be a Senior Advisor for the AUKUS partnership at the Department, who—

(1) shall report directly to the Secretary; and

(2) may not hold another position in the Department concurrently while holding the position of Senior Advisor for the AUKUS partnership.

(b) DUTIES.—The Senior Advisor shall—

(1) be responsible for coordinating efforts related to the AUKUS partnership across the Department, including the bureaus engaged in nonproliferation, defense trade, security assistance, and diplomatic relations in the Indo-Pacific;

(2) serve as the lead within the Department for implementation of the AUKUS partnership in interagency processes, consulting with counterparts in the Department of Defense, the Department of Commerce, the Department of Energy, the Office of Naval Reactors, and any other relevant agencies;

(3) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific; and

(4) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed, on issues related to the AUKUS partnership, including in relation to the AUKUS Pillar 1 objective of supporting Australia's acquisition of conventionally armed, nuclear-powered submarines and the Pillar 2 objective of jointly developing advanced military capabilities to support security and stability in the Indo-Pacific, as affirmed by the President of the United States, the Prime Minister of the United Kingdom, and the Prime Minister of Australia on April 5, 2022.

(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—The Secretary shall ensure that the

Senior Advisor is adequately staffed, including through encouraging details, or assignment of employees of the Department, with expertise related to the implementation of the AUKUS partnership, including staff with expertise in—

(1) nuclear policy, including nonproliferation;

(2) defense trade and security cooperation, including security assistance; and

(3) relations with respect to political-military issues in the Indo-Pacific and Europe.

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not later than 90 days after a Senior Advisor assumes such position, the Secretary shall notify the appropriate congressional committees of the number of full-time equivalent positions, relevant expertise, and duties of any employees of the Department or detailees supporting the Senior Advisor.

(e) SUNSET.—

(1) IN GENERAL.—The position of the Senior Advisor for the AUKUS partnership shall terminate on the date that is 8 years after the date of the enactment of this Act.

(2) RENEWAL.—The Secretary may renew the position of the Senior Advisor for the AUKUS partnership for 1 additional period of 4 years, following notification to the appropriate congressional committees of the renewal.

Subtitle B—Authorization for AUKUS Submarine Training

SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY TRAINING.

(a) IN GENERAL.—The President may transfer or export directly to private individuals in Australia defense services that may be transferred to the Government of Australia under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to support the development of the submarine industrial base of Australia necessary for submarine security activities between Australia, the United Kingdom, and the United States, including if such individuals are not officers, employees, or agents of the Government of Australia.

(b) SECURITY CONTROLS.—

(1) IN GENERAL.—Any defense service transferred or exported under subsection (a) shall be subject to appropriate security controls to ensure that any sensitive information conveyed by such transfer or export is protected from disclosure to persons unauthorized by the United States to receive such information.

(2) CERTIFICATION.—Not later than 30 days before the first transfer or export of a defense service under subsection (a), and annually thereafter, the President shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the controls described in paragraph (1) will protect the information described in such paragraph for the defense services so transferred or exported.

(c) APPLICATION OF REQUIREMENTS FOR RETRANSFER AND REEXPORT.—Any person who receives any defense service transferred or exported under subsection (a) may retransfer or reexport such service to other persons only in accordance with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

SEC. 6831. PRIORITY FOR AUSTRALIA AND THE UNITED KINGDOM IN FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

(a) IN GENERAL.—The President shall institute policies and procedures for letters of request from Australia and the United Kingdom to transfer defense articles and services under section 21 of the Arms Export Control Act (22 U.S.C. 2761) related to AUKUS to receive expedited consideration and processing relative to all other letters of request other than from Taiwan and Ukraine.

(b) TECHNOLOGY TRANSFER POLICY FOR AUSTRALIA, CANADA, AND THE UNITED KINGDOM.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, shall create an anticipatory release policy for the transfer of technologies described in paragraph (2) to Australia, the United Kingdom, and Canada through Foreign Military Sales and Direct Commercial Sales that are not covered by an exemption under the International Traffic in Arms Regulations.

(2) CAPABILITIES DESCRIBED.—The capabilities described in this paragraph are—

(A) Pillar One-related technologies associated with submarine and associated combat systems; and

(B) Pillar Two-related technologies, including hypersonic missiles, cyber capabilities, artificial intelligence, quantum technologies, undersea capabilities, and other advanced technologies.

(3) EXPEDITED DECISION-MAKING.—Review of a transfer under the policy established under paragraph (1) shall be subject to an expedited decision-making process.

(c) INTERAGENCY POLICY AND GUIDANCE.—The Secretary and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to requests for Foreign Military Sales and Direct Commercial Sales, including by incorporating the anticipatory release provisions of this section.

SEC. 6832. IDENTIFICATION AND PRE-CLEARANCE OF PLATFORMS, TECHNOLOGIES, AND EQUIPMENT FOR SALE TO AUSTRALIA AND THE UNITED KINGDOM THROUGH FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

Not later than 90 days after the date of the enactment of this Act, and on a biennial basis thereafter for 8 years, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a list of advanced military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Australia, the United Kingdom and Canada through the Foreign Military Sales and Direct Commercial Sales programs without regard to whether a letter of request or license to purchase such platforms, technologies, or equipment has been received from any of such country. Each list may include items that are not related to the AUKUS partnership but may not include items that are not covered by an exemption under the International Traffic in Arms Regulations except unmanned aerial or hypersonic systems.

SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STANDARDS.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(l) AUKUS DEFENSE TRADE COOPERATION.—

''(1) EXEMPTION FROM LICENSING AND APPROVAL REQUIREMENTS.—Subject to paragraph (2) and notwithstanding any other provision of this section, the Secretary of State may exempt from the licensing or other approval requirements of this section exports and transfers (including reexports, retransfers, temporary imports, and brokering activities) of defense articles and defense services between or among the United States, the United Kingdom, and Australia that—

''(A) are not excluded by those countries;

''(B) are not referred to in subsection(j)(1)(C)(ii); and

''(C) involve only persons or entities that are approved by—

''(i) the Secretary of State; and

''(ii) the Ministry of Defense, the Ministry of Foreign Affairs, or other similar authority within those countries.

''(2) LIMITATION.—The authority provided in subparagraph (1) shall not apply to any activity, including exports, transfers, reexports, retransfers, temporary imports, or brokering, of United States defense articles and defense services involving any country or a person or entity of any country other than the United States, the United Kingdom, and Australia.''.

(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—The Secretary may only exercise the authority under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, with respect to the United Kingdom or Australia 30 days after the Secretary submits to the appropriate congressional committees an unclassified certification and detailed unclassified assessment (which may include a classified annex) that the country concerned has implemented standards for a system of export controls that satisfies the elements of section 38(j)(2) of the Arms Export Control Act (22 U.S.C. 2778(j)(2)) for United States-origin defense articles and defense services, and for controlling the provision of military training, that are comparable to those standards administered by the United States in effect on the date of the enactment of this Act.

(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—

(1) IN GENERAL.—Paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) shall not apply to any export or transfer that is the subject of an exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section.

(2) QUARTERLY REPORTS.—The Secretary shall—

(A) require all exports and transfers that would be subject to the requirements of paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) but for the application of subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, to be reported to the Secretary; and

(B) submit such reports to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives on a quarterly basis.

(d) SUNSET.—Any exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, shall terminate on the date that is 15 years after the date of the enactment of this Act. The Secretary of State may renew such exemption for 5 years upon a certification to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such exemption is in the vital national interest of the United States with a detailed justification for such certification.

(e) REPORTS.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until no exemptions under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, remain in effect, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the operation of exemptions issued under such subsection (l)(1), including whether any changes

to such exemptions are likely to be made in the coming year.

(B) INITIAL REPORT.—The first report submitted under subparagraph (A) shall also include an assessment of key recommendations the United States Government has provided to the Governments of Australia and the United Kingdom to revise laws, regulations, and policies of such countries that are required to implement the AUKUS partnership.

(2) REPORT ON EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES.—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 report on the practical application of a possible ''fast track'' decision-making process for applications, classified or unclassified, to export defense articles and defense services to Australia, the United Kingdom, and Canada.

SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES TO AUSTRALIA, THE UNITED KINGDOM, AND CANADA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall initiate a rulemaking to establish an expedited decision-making process, classified or unclassified, for applications to export to Australia, the United Kingdom, and Canada commercial, advanced-technology defense articles and defense services that are not covered by an exemption under the International Traffic in Arms Regulations.

(b) ELIGIBILITY.—To qualify for the expedited decision-making process described in subsection (a), an application shall be for an export of defense articles or defense services that will take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom and the United States and with governments or corporate entities from such countries.

(c) AVAILABILITY OF EXPEDITED PROCESS.—The expedited decision-making process described in subsection (a) shall be available for both classified and unclassified items, and the process must satisfy the following criteria to the extent practicable:

(1) Any licensing application to export defense articles and services that is related to a government to government agreement must be approved, returned, or denied within 30 days of submission.

(2) For all other licensing requests, any review shall be completed not later than 45 calendar days after the date of application.

SEC. 6835. UNITED STATES MUNITIONS LIST.

(a) EXEMPTION FOR THE GOVERNMENTS OF THE UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION AND CONGRESSIONAL NOTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN TRANSFERS.—Section 38(f)(3) of the Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amended by inserting '', the United Kingdom, or Australia'' after ''Canada''.

(b) UNITED STATES MUNITIONS LIST PERIODIC REVIEWS.—

(1) IN GENERAL.—The Secretary, acting through authority delegated by the President to carry out periodic reviews of items on the United States Munitions List under section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) and in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Director of the Office of Management and Budget, shall carry out such reviews not less frequently than every 3 years.

(2) SCOPE.—The periodic reviews described in paragraph (1) shall focus on matters including—

(A) interagency resources to address current threats faced by the United States;

(B) the evolving technological and economic landscape;

(C) the widespread availability of certain technologies and items on the United States Munitions List; and

(D) risks of misuse of United States-origin defense articles.

(3) CONSULTATION.—The Department of State may consult with the Defense Trade Advisory Group (DTAG) and other interested parties in conducting the periodic review described in paragraph (1).

Subtitle D—Other AUKUS Matters

SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNERSHIP.

(a) REPORT ON INSTRUMENTS.—

(1) IN GENERAL.—Not later than 30 days after the signature, conclusion, or other finalization of any non-binding instrument related to the AUKUS partnership, the President shall submit to the appropriate congressional committees the text of such instrument.

(2) NON-DUPLICATION OF EFFORTS; RULE OF CONSTRUCTION.—To the extent the text of a non-binding instrument is submitted to the appropriate congressional committees pursuant to subsection (a), such text does not need to be submitted to Congress pursuant to section 112b(a)(1)(A)(ii) of title 1, United States Code, as amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476). Paragraph (1) shall not be construed to relieve the executive branch of any other requirement of section 112b of title 1, United States Code, as amended so amended, or any other provision of law.

(3) DEFINITIONS.—In this section:

(A) IN GENERAL.—The term ''text'', with respect to a non-binding instrument, includes—

(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument; and

(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument.

(B) CONTEMPORANEOUSLY AND IN CONJUNCTION WITH.—As used in subparagraph (A), the term ''contemporaneously and in conjunction with''—

(i) shall be construed liberally; and

(ii) may not be interpreted to require any action to have occurred simultaneously or on the same day.

(b) REPORT ON AUKUS PARTNERSHIP.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Secretary, in coordination with the Secretary of Defense and other appropriate heads of agencies, shall submit to the appropriate congressional committees a report on the AUKUS partnership.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) STRATEGY.—

(i) An identification of the defensive military capability gaps and capacity shortfalls that the AUKUS partnership seeks to offset.

(ii) An explanation of the total cost to the United States associated with Pillar One of the AUKUS partnership.

(iii) A detailed explanation of how enhanced access to the industrial base of Australia is contributing to strengthening the United States strategic position in Asia.

(iv) A detailed explanation of the military and strategic benefit provided by the improved access provided by naval bases of Australia.

(v) A detailed assessment of how Australia's sovereign conventionally armed nuclear attack submarines contribute to United States defense and deterrence objectives in the Indo-Pacific region.

(B) IMPLEMENT THE AUKUS PARTNERSHIP.—

(i) Progress made on achieving the Optimal Pathway established for Australia's development of conventionally armed, nuclear-powered submarines, including the following elements:

(I) A description of progress made by Australia, the United Kingdom, and the United States to conclude an Article 14 arrangement with the International Atomic Energy Agency.

(II) A description of the status of efforts of Australia, the United Kingdom, and the United States to build the supporting infrastructure to base conventionally armed, nuclear-powered attack submarines.

(III) Updates on the efforts by Australia, the United Kingdom, and the United States to train a workforce that can build, sustain, and operate conventionally armed, nuclear-powered attack submarines.

(IV) A description of progress in establishing submarine support facilities capable of hosting rotational forces in western Australia by 2027.

(V) A description of progress made in improving United States submarine production capabilities that will enable the United States to meet—

(aa) its objectives of providing up to five Virginia Class submarines to Australia by the early to mid-2030's; and

(bb) United States submarine production requirements.

(ii) Progress made on Pillar Two of the AUKUS partnership, including the following elements:

(I) An assessment of the efforts of Australia, the United Kingdom, and the United States to enhance collaboration across the following eight trilateral lines of effort:

(aa) Underseas capabilities.

(bb) Quantum technologies.

(cc) Artificial intelligence and autonomy.

(dd) Advanced cyber capabilities.

(ee) Hypersonic and counter-hypersonic capabilities.

(ff) Electronic warfare.

(gg) Innovation.

(hh) Information sharing.

(II) An assessment of any new lines of effort established.

SA 933. Mr. MENENDEZ (for himself, Mr. KAINE, Mr. SCHATZ, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 6801 through 6841 and insert the following:

SEC. 6801. DEFINITIONS.

In this title:

(1) ACTIVITIES NECESSARY FOR THE SAFE HOSTING AND OPERATION OF NUCLEAR-POWERED SUBMARINES.—The term ''activities necessary for the safe hosting and operation of nuclear-powered submarines'' means each of the following activities as it relates to Virginia class and Astute class submarines, as appropriate, and in accordance with applicable United States Navy or other Government

agency instructions, regulations, and standards:

(A) Maintenance.

(B) Training.

(C) Technical oversight.

(D) Safety certifications.

(E) Physical, communications, operational, cyber, and other security measures.

(F) Port operations and infrastructure support.

(G) Storage, including spare parts, repair parts, and munitions.

(H) Hazardous material handling and storage.

(I) Information technology systems.

(J) Support functions, including those related to medical, quality-of-life, and family needs.

(K) Such other related tasks as may be specified by the Secretary of Defense.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(3) AUKUS PARTNERSHIP.—

(A) IN GENERAL.—The term ''AUKUS partnership'' means the enhanced trilateral security partnership between Australia, the United Kingdom, and the United States announced in September 2021.

(B) PILLARS.—The AUKUS partnership includes the following two pillars:

(i) Pillar One is focused on developing a pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

(ii) Pillar Two is focused on enhancing trilateral collaboration on advanced defense capabilities, including hypersonic and counter hypersonic capabilities, quantum technologies, undersea technologies, and artificial intelligence.

(4) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations).

Subtitle A—Outlining the AUKUS Partnership

SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PARTNERSHIP.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the AUKUS partnership is integral to United States national security, increasing United States and allied capability in the undersea domain of the Indo-Pacific, and developing cutting edge military capabilities;

(2) the transfer of conventionally armed, nuclear-powered submarines to Australia, if implemented appropriately, will position the United States and its allies to maintain peace and security in the Indo-Pacific;

(3) the transfer of conventionally armed, nuclear-powered submarines to Australia will be safely implemented with the highest nonproliferation standards in alignment with—

(A) safeguards established by the International Atomic Energy Agency; and

(B) the Additional Protocol to the Agreement between Australia and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna September 23, 1997;

(4) the United States will enter into a mutual defense agreement with Australia, modeled on the 1958 bilateral mutual defense agreement with the United Kingdom, for the sole purpose of facilitating the transfer of naval nuclear propulsion technology to Australia;

(5) working with the United Kingdom and Australia to develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific will have tangible impacts on United States military effectiveness across the world;

(6) in order to better facilitate cooperation under Pillar 2 of the AUKUS partnership, it is imperative that every effort be made to streamline United States export controls consistent with necessary and reciprocal security safeguards on United States technology at least comparable to those of the United States;

(7) the trade authorization mechanism for the AUKUS partnership administered by the Department is a critical first step in reimagining the United States export control system to carry out the AUKUS partnership and expedite technology sharing and defense trade among the United States, Australia, and the United Kingdom; and

(8) the vast majority of United States defense trade with Australia is conducted through the Foreign Military Sales (FMS) process, the preponderance of defense trade with the United Kingdom is conducted through Direct Commercial Sales (DCS), and efforts to streamline United States export controls should focus on both Foreign Military Sales and Direct Commercial Sales.

SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP AT THE DEPARTMENT OF STATE.

(a) IN GENERAL.—There shall be a Senior Advisor for the AUKUS partnership at the Department, who—

(1) shall report directly to the Secretary; and

(2) may not hold another position in the Department concurrently while holding the position of Senior Advisor for the AUKUS partnership.

(b) DUTIES.—The Senior Advisor shall—

(1) be responsible for coordinating efforts related to the AUKUS partnership across the Department, including the bureaus engaged in nonproliferation, defense trade, security assistance, and diplomatic relations in the Indo-Pacific;

(2) serve as the lead within the Department for implementation of the AUKUS partnership in interagency processes, consulting with counterparts in the Department of Defense, the Department of Commerce, the Department of Energy, the Office of Naval Reactors, and any other relevant agencies;

(3) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific; and

(4) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed, on issues related to the AUKUS partnership, including in relation to the AUKUS Pillar 1 objective of supporting Australia's acquisition of conventionally armed, nuclear-powered submarines and the Pillar 2 objective of jointly developing advanced military capabilities to support security and stability in the Indo-Pacific, as affirmed by the President of the United States, the Prime Minister of the United Kingdom, and the Prime Minister of Australia on April 5, 2022.

(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—The Secretary shall ensure that the Senior Advisor is adequately staffed, including through encouraging details, or assignment of employees of the Department, with expertise related to the implementation of the AUKUS partnership, including staff with expertise in—

(1) nuclear policy, including nonproliferation;

(2) defense trade and security cooperation, including security assistance; and

(3) relations with respect to political-military issues in the Indo-Pacific and Europe.

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not later than 90 days after a Senior Advisor assumes such position, the Secretary shall notify the appropriate congressional committees of the number of full-time equivalent positions, relevant expertise, and duties of any employees of the Department or detailees supporting the Senior Advisor.

(e) SUNSET.—

(1) IN GENERAL.—The position of the Senior Advisor for the AUKUS partnership shall terminate on the date that is 8 years after the date of the enactment of this Act.

(2) RENEWAL.—The Secretary may renew the position of the Senior Advisor for the AUKUS partnership for 1 additional period of 4 years, following notification to the appropriate congressional committees of the renewal.

Subtitle B—Authorization for Submarine Transfers, Support, and Infrastructure Improvement Activities

SEC. 6821. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY ACTIVITIES.

(a) AUTHORIZATION TO TRANSFER SUBMARINES.—

(1) IN GENERAL.—Subject to paragraphs (3), (4), and (11), the President may, under section 21 of the Arms Export Control Act (22 U.S.C. 2761)—

(A) transfer not more than two Virginia class submarines from the inventory of the United States Navy to the Government of Australia on a sale basis; and

(B) transfer not more than one additional Virginia class submarine to the Government of Australia on a sale basis.

(2) REQUIREMENTS NOT APPLICABLE.—A sale carried out under paragraph (1)(B) shall not be subject to the requirements of—

(A) section 36 of the Arms Export Control Act (22 U.S.C. 2776); or

(B) section 8677 of title 10, United States Code.

(3) CERTIFICATION; BRIEFING.—

(A) PRESIDENTIAL CERTIFICATION.—The President may exercise the authority provided by paragraph (1) not earlier than 60 days after the date on which the President certifies to the appropriate congressional committees that any submarine transferred under such authority shall be used to support the joint security interests and military operations of the United States and Australia.

(B) WAIVER OF CHIEF OF NAVAL OPERATIONS CERTIFICATION.—The requirement for the Chief of Naval Operations to make a certification under section 8678 of title 10, United States Code, shall not apply to a transfer under paragraph (1).

(C) BRIEFING.—Not later than 90 days before the sale of any submarine under paragraph (1), the Secretary of the Navy shall provide to the appropriate congressional committees a briefing on—

(i) the impacts of such sale to the readiness of the submarine fleet of the United States, including with respect to maintenance timelines, deployment-to-dwell ratios, training, exercise participation, and the ability to meet combatant commander requirements;

(ii) the impacts of such sale to the submarine industrial base of the United States, including with respect to projected maintenance requirements, acquisition timelines for spare and replacement parts, and future procurement of Virginia class submarines for the submarine fleet of the United States; and

(iii) other relevant topics as determined by the Secretary of the Navy.

(4) REQUIRED MUTUAL DEFENSE AGREEMENT.—Before any transfer occurs under subsection (a), the United States and Australia shall have a mutual defense agreement in place, which shall—

(A) provide a clear legal framework for the sole purpose of Australia's acquisition of conventionally armed, nuclear-powered submarines; and

(B) meet the highest nonproliferation standards for the exchange of nuclear materials, technology, equipment, and information between the United States and Australia.

(5) SUBSEQUENT SALES.—A sale of a Virginia class submarine that occurs after the sales described in paragraph (1) may occur only if such sale is explicitly authorized in legislation enacted after the date of the enactment of this Act.

(6) COSTS OF TRANSFER.—Any expense incurred by the United States in connection with a transfer under paragraph (1) shall be charged to the Government of Australia.

(7) CREDITING OF RECEIPTS.—Notwithstanding any provision of law pertaining to the crediting of amounts received from a sale under section 21 of the Arms Export Control Act (22 U.S.C. 2761), any funds received by the United States pursuant to a transfer under paragraph (1) shall—

(A) be credited, at the discretion of the President, to—

(i) the fund or account used in incurring the original obligation for the acquisition of submarines transferred under paragraph (1);

(ii) an appropriate fund or account available for the purposes for which the expenditures for the original acquisition of submarines transferred under paragraph (1) were made; or

(iii) any other fund or account available for the purpose specified in paragraph (8)(B); and

(B) remain available for obligation until expended.

(8) USE OF FUNDS.—Subject to paragraphs (9) and (10)(A), the President may use funds received pursuant to a transfer under paragraph (1)—

(A) for the acquisition of submarines to replace the submarines transferred to the Government of Australia; or

(B) for improvements to the submarine industrial base of the United States.

(9) PLAN FOR USE OF FUNDS.—Before any use of any funds received pursuant to a transfer under paragraph (1), the President shall submit to the appropriate congressional committees a plan detailing how such funds will be used, including specific amounts and purposes.

(10) NOTIFICATION AND REPORT.—

(A) ACHIEVEMENT.—Not later than 30 days before the date of the first delivery of a submarine under paragraph (1), the President shall notify the appropriate congressional committees that—

(i) Submarine Rotational Forces-West Full Operational Capability to support 4 rotationally deployed Virginia class submarines and one Astute class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated activities necessary for the safe hosting and operation of nuclear-powered submarines; and

(ii) Australia Sovereign-Ready Initial Operational Capability to support a Royal Australian Navy Virginia class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated—

(I) activities necessary for the safe hosting and operation of nuclear-powered submarines;

(II) crewing;

(III) operations;

(IV) regulatory and emergency procedures, including those specific to nuclear power plants; and

(V) detailed planning for enduring Virginia class submarine ownership, including each significant event leading up to and including nuclear defueling.

(B) AMOUNTS.—Not later than 30 days after the date of any transfer under paragraph (1), and upon any transfer or depositing of funds received pursuant to such a transfer, the President shall notify the appropriate congressional committees of—

(i) the amount of funds received pursuant to the transfer; and

(ii) the specific account or fund into which the funds described in clause (i) are deposited.

(C) ANNUAL REPORT.—Not later than November 30 of each year until 1 year after the date on which all funds received pursuant to transfers under paragraph (1) have been fully expended, the President shall submit to the committees described in subparagraph (A) a report that includes an accounting of how funds received pursuant to transfers under paragraph (1) were used in the fiscal year preceding the fiscal year in which the report is submitted.

(11) APPLICABILITY OF EXISTING LAW TO TRANSFER OF SPECIAL NUCLEAR MATERIAL AND UTILIZATION FACILITIES FOR MILITARY APPLICATIONS.—

(A) IN GENERAL.—With respect to any special nuclear material for use in utilization facilities or any portion of a submarine transferred under paragraph (1) constituting utilization facilities for military applications under section 91 of the Atomic Energy Act of 1954 (42 U.S.C. 2121), transfer of such material or such facilities shall occur only in accordance with such section 91.

(B) USE OF FUNDS.—The President may use proceeds from a transfer described in subparagraph (A) for the acquisition of submarine naval nuclear propulsion plants and nuclear fuel to replace propulsion plants and fuel transferred to the Government of Australia.

(b) REPAIR AND REFURBISHMENT OF AUKUS SUBMARINES.—Section 8680 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) REPAIR AND REFURBISHMENT OF CERTAIN SUBMARINES.—

''(1) SHIPYARD.—Notwithstanding any other provision of this section, and subject to paragraph (2), the President shall determine the appropriate public or private shipyard in the United States, Australia, or the United Kingdom to perform any repair or refurbishment of a United States submarine involved in submarine security activities between the United States, Australia, and the United Kingdom.

''(2) CONDITIONS.—

''(A) IN GENERAL.—The President may determine under paragraph (1) that repair or refurbishment described in such paragraph may be performed in Australia or the United Kingdom only if—

''(i) such repair or refurbishment will facilitate the development of repair or refurbishment capabilities in the United Kingdom or Australia;

''(ii) such repair or refurbishment will be for a United States submarine that is assigned to a port outside of the United States; or

''(iii) the Secretary of Defense certifies to Congress that performing such repair or refurbishment at a shipyard in Australia or the United Kingdom is required due to an exigent threat to the national security interests of the United States.

''(B) CONSIDERATION.—In making a determination under subparagraph (A), the President shall consider any effects of such determination on the capacity and capability of shipyards in the United States.

''(C) BRIEFING REQUIRED.—Not later than 15 days after the date on which the Secretary of Defense makes a certification under subparagraph (A)(iii), the Secretary shall brief the congressional defense committees on—

''(i) the threat that requires the use of a shipyard in Australia or the United Kingdom; and

''(ii) opportunities to mitigate the future potential need to leverage foreign shipyards.

''(3) PERSONNEL.—Repair or refurbishment described in paragraph (1) may be carried out by personnel of the United States, the United Kingdom, or Australia in accordance with the international arrangements governing the submarine security activities described in such paragraph.''.

SEC. 6822. ACCEPTANCE OF CONTRIBUTIONS FOR AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY ACTIVITIES; AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.

(a) ACCEPTANCE AUTHORITY.—The President may accept from the Government of Australia contributions of money made by the Government of Australia for use by the Department of Defense in support of non-nuclear related aspects of submarine security activities between Australia, the United Kingdom, and the United States (AUKUS).

(b) ESTABLISHMENT OF AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.—

(1) IN GENERAL.—There is established in the Treasury of the United States a special account to be known as the ''AUKUS Submarine Security Activities Account''.

(2) CREDITING OF CONTRIBUTIONS OF MONEY.—Contributions of money accepted by the President under subsection (a) shall be credited to the AUKUS Submarine Security Activities Account.

(3) AVAILABILITY.—Amounts credited to the AUKUS Submarine Security Activities Account shall remain available until expended.

(c) USE OF AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.—

(1) IN GENERAL.—Subject to paragraph (2), and only after September 30, 2025, the President may use funds in the AUKUS Submarine Security Activities Account—

(A) for any purpose authorized by law that the President determines would support submarine security activities between Australia, the United Kingdom, and the United States;

(B) to carry out a military construction project related to the AUKUS partnership that is not otherwise authorized by law;

(C) to develop and increase the submarine industrial base workforce by investing in recruiting, training, and retaining key specialized labor at public and private shipyards; or

(D) to upgrade facilities, equipment, and infrastructure needed to repair and maintain submarines at public and private shipyards.

(2) PLAN FOR USE OF FUNDS.—Before any use of any funds in the AUKUS Submarine Security Activities Account, the President shall submit to the appropriate congressional committees a plan detailing—

(A) the amount of funds in the AUKUS Submarine Security Activities Account; and

(B) how such funds will be used, including specific amounts and purposes.

(d) TRANSFERS OF FUNDS.—

(1) IN GENERAL.—In carrying out subsection (c) and subject to paragraphs (2) and (5), the

President may transfer funds available in the AUKUS Submarine Security Activities Account to an account or fund available to the Department of Defense or any other appropriate agency.

(2) DEPARTMENT OF ENERGY.—In carrying out subsection (c), and in accordance with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the President may transfer funds available in the AUKUS Submarine Security Activities Account to an account or fund available to the Department of Energy to carry out activities related to submarine security activities between Australia, the United Kingdom, and the United States.

(3) AVAILABILITY FOR OBLIGATION.—Funds transferred under this subsection shall be available for obligation for the same time period and for the same purpose as the account or fund to which transferred.

(4) TRANSFER BACK TO ACCOUNT.—Upon a determination by the President that all or part of the funds transferred from the AUKUS Submarine Security Activities Account are not necessary for the purposes for which such funds were transferred, and subject to paragraph (5), all or such part of such funds shall be transferred back to the AUKUS Submarine Security Activities Account.

(5) NOTIFICATION AND REPORT.—

(A) NOTIFICATION.—The President shall notify the appropriate congressional committees of—

(i) before the transfer of any funds under this subsection—

(I) the amount of funds to be transferred; and

(II) the planned or anticipated purpose of such funds; and

(ii) before the obligation of any funds transferred under this subsection—

(I) the amount of funds to be obligated; and

(II) the purpose of the obligation.

(B) ANNUAL REPORT.—Not later than November 30 of each year until 1 year after the date on which all funds transferred under this subsection have been fully expended, the President shall submit to the committees described in subparagraph (A) a report that includes a detailed accounting of—

(i) the amount of funds transferred under this subsection during the fiscal year preceding the fiscal year in which the report is submitted; and

(ii) the purposes for which such funds were used.

(e) INVESTMENT OF MONEY.—

(1) AUTHORIZED INVESTMENTS.—The President may invest money in the AUKUS Submarine Security Activities Account in securities of the United States or in securities guaranteed as to principal and interest by the United States.

(2) INTEREST AND OTHER INCOME.—Any interest or other income that accrues from investment in securities referred to in paragraph (1) shall be deposited to the credit of the AUKUS Submarine Security Activities Account.

(f) RELATIONSHIP TO OTHER LAWS.—The authority to accept or transfer funds under this section is in addition to any other authority to accept or transfer funds.

SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY TRAINING.

(a) IN GENERAL.—The President may transfer or export directly to private individuals in Australia defense services that may be transferred to the Government of Australia under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to support the development of the submarine industrial base of Australia necessary for submarine security activities between Australia, the United Kingdom, and the United States, including if such individuals are not officers, employees, or agents of the Government of Australia.

(b) SECURITY CONTROLS.—

(1) IN GENERAL.—Any defense service transferred or exported under subsection (a) shall be subject to appropriate security controls to ensure that any sensitive information conveyed by such transfer or export is protected from disclosure to persons unauthorized by the United States to receive such information.

(2) CERTIFICATION.—Not later than 30 days before the first transfer or export of a defense service under subsection (a), and annually thereafter, the President shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the controls described in paragraph (1) will protect the information described in such paragraph for the defense services so transferred or exported.

(c) APPLICATION OF REQUIREMENTS FOR RETRANSFER AND REEXPORT.—Any person who receives any defense service transferred or exported under subsection (a) may retransfer or reexport such service to other persons only in accordance with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

SEC. 6831. PRIORITY FOR AUSTRALIA AND THE UNITED KINGDOM IN FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

(a) IN GENERAL.—The President shall institute policies and procedures for letters of request from Australia and the United Kingdom to transfer defense articles and services under section 21 of the Arms Export Control Act (22 U.S.C. 2761) related to AUKUS to receive expedited consideration and processing relative to all other letters of request other than from Taiwan and Ukraine.

(b) TECHNOLOGY TRANSFER POLICY FOR AUSTRALIA, CANADA, AND THE UNITED KINGDOM.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, shall create an anticipatory release policy for the transfer of technologies described in paragraph (2) to Australia, the United Kingdom, and Canada through Foreign Military Sales and Direct Commercial Sales that are not covered by an exemption under the International Traffic in Arms Regulations.

(2) CAPABILITIES DESCRIBED.—The capabilities described in this paragraph are—

(A) Pillar One-related technologies associated with submarine and associated combat systems; and

(B) Pillar Two-related technologies, including hypersonic missiles, cyber capabilities, artificial intelligence, quantum technologies, undersea capabilities, and other advanced technologies.

(3) EXPEDITED DECISION-MAKING.—Review of a transfer under the policy established under paragraph (1) shall be subject to an expedited decision-making process.

(c) INTERAGENCY POLICY AND GUIDANCE.—The Secretary and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to requests for Foreign Military Sales and Direct Commercial Sales, including by incorporating the anticipatory release provisions of this section.

SEC. 6832. IDENTIFICATION AND PRE-CLEARANCE OF PLATFORMS, TECHNOLOGIES, AND EQUIPMENT FOR SALE TO AUSTRALIA AND THE UNITED KINGDOM THROUGH FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

Not later than 90 days after the date of the enactment of this Act, and on a biennial basis thereafter for 8 years, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a list of advanced military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Australia, the United Kingdom and Canada through the Foreign Military Sales and Direct Commercial Sales programs without regard to whether a letter of request or license to purchase such platforms, technologies, or equipment has been received from any of such country. Each list may include items that are not related to the AUKUS partnership but may not include items that are not covered by an exemption under the International Traffic in Arms Regulations except unmanned aerial or hypersonic systems.

SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STANDARDS.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(l) AUKUS DEFENSE TRADE COOPERATION.—

''(1) EXEMPTION FROM LICENSING AND APPROVAL REQUIREMENTS.—Subject to paragraph (2) and notwithstanding any other provision of this section, the Secretary of State may exempt from the licensing or other approval requirements of this section exports and transfers (including reexports, retransfers, temporary imports, and brokering activities) of defense articles and defense services between or among the United States, the United Kingdom, and Australia that—

''(A) are not excluded by those countries;

''(B) are not referred to in subsection(j)(1)(C)(ii); and

''(C) involve only persons or entities that are approved by—

''(i) the Secretary of State; and

''(ii) the Ministry of Defense, the Ministry of Foreign Affairs, or other similar authority within those countries.

''(2) LIMITATION.—The authority provided in subparagraph (1) shall not apply to any activity, including exports, transfers, reexports, retransfers, temporary imports, or brokering, of United States defense articles and defense services involving any country or a person or entity of any country other than the United States, the United Kingdom, and Australia.''.

(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—The Secretary may only exercise the authority under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, with respect to the United Kingdom or Australia 30 days after the Secretary submits to the appropriate congressional committees an unclassified certification and detailed unclassified assessment (which may include a classified annex) that the country concerned has implemented standards for a system of export controls that satisfies the elements of section 38(j)(2) of the Arms Export Control Act (22 U.S.C. 2778(j)(2)) for United States-origin defense articles and defense services, and for controlling the provision of military training, that are comparable to those standards administered by the United States in effect on the date of the enactment of this Act.

(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—

(1) IN GENERAL.—Paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) shall not apply to any export or transfer that is the subject of an exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section.

(2) QUARTERLY REPORTS.—The Secretary shall—

(A) require all exports and transfers that would be subject to the requirements of

paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) but for the application of subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, to be reported to the Secretary; and

(B) submit such reports to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives on a quarterly basis.

(d) SUNSET.—Any exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, shall terminate on the date that is 15 years after the date of the enactment of this Act. The Secretary of State may renew such exemption for 5 years upon a certification to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such exemption is in the vital national interest of the United States with a detailed justification for such certification.

(e) REPORTS.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until no exemptions under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, remain in effect, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the operation of exemptions issued under such subsection (l)(1), including whether any changes to such exemptions are likely to be made in the coming year.

(B) INITIAL REPORT.—The first report submitted under subparagraph (A) shall also include an assessment of key recommendations the United States Government has provided to the Governments of Australia and the United Kingdom to revise laws, regulations, and policies of such countries that are required to implement the AUKUS partnership.

(2) REPORT ON EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES.—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 report on the practical application of a possible ''fast track'' decision-making process for applications, classified or unclassified, to export defense articles and defense services to Australia, the United Kingdom, and Canada.

SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES TO AUSTRALIA, THE UNITED KINGDOM, AND CANADA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall initiate a rulemaking to establish an expedited decision-making process, classified or unclassified, for applications to export to Australia, the United Kingdom, and Canada commercial, advanced-technology defense articles and defense services that are not covered by an exemption under the International Traffic in Arms Regulations.

(b) ELIGIBILITY.—To qualify for the expedited decision-making process described in subsection (a), an application shall be for an export of defense articles or defense services that will take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom and the United States and with governments or corporate entities from such countries.

(c) AVAILABILITY OF EXPEDITED PROCESS.—The expedited decision-making process described in subsection (a) shall be available for both classified and unclassified items, and the process must satisfy the following criteria to the extent practicable:

(1) Any licensing application to export defense articles and services that is related to a government to government agreement must be approved, returned, or denied within 30 days of submission.

(2) For all other licensing requests, any review shall be completed not later than 45 calendar days after the date of application.

SEC. 6835. UNITED STATES MUNITIONS LIST.

(a) EXEMPTION FOR THE GOVERNMENTS OF THE UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION AND CONGRESSIONAL NOTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN TRANSFERS.—Section 38(f)(3) of the Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amended by inserting '', the United Kingdom, or Australia'' after ''Canada''.

(b) UNITED STATES MUNITIONS LIST PERIODIC REVIEWS.—

(1) IN GENERAL.—The Secretary, acting through authority delegated by the President to carry out periodic reviews of items on the United States Munitions List under section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) and in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Director of the Office of Management and Budget, shall carry out such reviews not less frequently than every 3 years.

(2) SCOPE.—The periodic reviews described in paragraph (1) shall focus on matters including—

(A) interagency resources to address current threats faced by the United States;

(B) the evolving technological and economic landscape;

(C) the widespread availability of certain technologies and items on the United States Munitions List; and

(D) risks of misuse of United States-origin defense articles.

(3) CONSULTATION.—The Department of State may consult with the Defense Trade Advisory Group (DTAG) and other interested parties in conducting the periodic review described in paragraph (1).

Subtitle D—Other AUKUS Matters

SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNERSHIP.

(a) REPORT ON INSTRUMENTS.—

(1) IN GENERAL.—Not later than 30 days after the signature, conclusion, or other finalization of any non-binding instrument related to the AUKUS partnership, the President shall submit to the appropriate congressional committees the text of such instrument.

(2) NON-DUPLICATION OF EFFORTS; RULE OF CONSTRUCTION.—To the extent the text of a non-binding instrument is submitted to the appropriate congressional committees pursuant to subsection (a), such text does not need to be submitted to Congress pursuant to section 112b(a)(1)(A)(ii) of title 1, United States Code, as amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476). Paragraph (1) shall not be construed to relieve the executive branch of any other requirement of section 112b of title 1, United States Code, as amended so amended, or any other provision of law.

(3) DEFINITIONS.—In this section:

(A) IN GENERAL.—The term ''text'', with respect to a non-binding instrument, includes—

(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument; and

(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument.

(B) CONTEMPORANEOUSLY AND IN CONJUNCTION WITH.—As used in subparagraph (A), the term ''contemporaneously and in conjunction with''—

(i) shall be construed liberally; and

(ii) may not be interpreted to require any action to have occurred simultaneously or on the same day.

(b) REPORT ON AUKUS PARTNERSHIP.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Secretary, in coordination with the Secretary of Defense and other appropriate heads of agencies, shall submit to the appropriate congressional committees a report on the AUKUS partnership.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) STRATEGY.—

(i) An identification of the defensive military capability gaps and capacity shortfalls that the AUKUS partnership seeks to offset.

(ii) An explanation of the total cost to the United States associated with Pillar One of the AUKUS partnership.

(iii) A detailed explanation of how enhanced access to the industrial base of Australia is contributing to strengthening the United States strategic position in Asia.

(iv) A detailed explanation of the military and strategic benefit provided by the improved access provided by naval bases of Australia.

(v) A detailed assessment of how Australia's sovereign conventionally armed nuclear attack submarines contribute to United States defense and deterrence objectives in the Indo-Pacific region.

(B) IMPLEMENT THE AUKUS PARTNERSHIP.—

(i) Progress made on achieving the Optimal Pathway established for Australia's development of conventionally armed, nuclear-powered submarines, including the following elements:

(I) A description of progress made by Australia, the United Kingdom, and the United States to conclude an Article 14 arrangement with the International Atomic Energy Agency.

(II) A description of the status of efforts of Australia, the United Kingdom, and the United States to build the supporting infrastructure to base conventionally armed, nuclear-powered attack submarines.

(III) Updates on the efforts by Australia, the United Kingdom, and the United States to train a workforce that can build, sustain, and operate conventionally armed, nuclear-powered attack submarines.

(IV) A description of progress in establishing submarine support facilities capable of hosting rotational forces in western Australia by 2027.

(V) A description of progress made in improving United States submarine production capabilities that will enable the United States to meet—

(aa) its objectives of providing up to five Virginia Class submarines to Australia by the early to mid-2030's; and

(bb) United States submarine production requirements.

(ii) Progress made on Pillar Two of the AUKUS partnership, including the following elements:

(I) An assessment of the efforts of Australia, the United Kingdom, and the United States to enhance collaboration across the following eight trilateral lines of effort:

(aa) Underseas capabilities.

(bb) Quantum technologies.
(cc) Artificial intelligence and autonomy.
(dd) Advanced cyber capabilities.
(ee) Hypersonic and counter-hypersonic capabilities.
(ff) Electronic warfare.
(gg) Innovation.
(hh) Information sharing.
(II) An assessment of any new lines of effort established.

SA 934. Mr. SCHUMER (for Mr. CORNYN) submitted an amendment intended to be proposed by Mr. Schumer to the bill S. 794, to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism; as follows:

At the end, add the following:

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this Act.

PRIVILEGES OF THE FLOOR

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the following interns in my office be granted floor privileges for the rest of the Congress: Benjamin Chamberlin and Peter Skehan.

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

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Isaac Herzog, President of the State of Israel, into the House Chamber for the joint meeting on Wednesday, July 19, 2023.

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

CUSTOMS TRADE PARTNERSHIP AGAINST TERRORISM PILOT PROGRAM ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 67, S. 794.

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

The senior assistant legislative clerk read as follows:

A bill (S. 794) to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Mr. SCHUMER. I ask unanimous consent that the Cornyn amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 934) was agreed to, as follows:

(Purpose: To specify that no additional funds are authorized to be appropriated for the purpose of carrying out the Act)

At the end, add the following:

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this Act.

The bill (S. 794), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 794

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Customs Trade Partnership Against Terrorism Pilot Program Act of 2023'' or the ''CTPAT Pilot Program Act of 2023''.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) CTPAT.—The term ''CTPAT'' means the Customs Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 3. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) FEDERAL REGISTER NOTICE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation;

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) REQUIREMENTS.—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) REPORT REQUIRED.—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 4. REPORT ON EFFECTIVENESS OF CTPAT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

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

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this Act.

TRIBAL TRUST LAND HOMEOWNERSHIP ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 79, S. 70.

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

The senior assistant legislative clerk read as follows:

A bill (S. 70) to require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land by certain deadlines, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a