

(B) to transmit an enrolled copy of this resolution to the family of Joseph I. Lieberman; and

(3) when the Senate adjourns today, it stands adjourned as a further mark of respect to the memory of the late Joseph I. Lieberman.

SENATE RESOLUTION 656—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. PETERS (for himself and Ms. CANTWELL) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 656

Whereas, each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, fiber, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground utility lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to having underground utility lines located often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas, in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State "One Call" systems to provide information on underground utility lines;

Whereas, in 2005, the Federal Communications Commission designated "811" as the nationwide "One Call" number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities (referred to in this preamble as the "One Call"/811 program");

Whereas the nearly 4,200 damage prevention professionals who are members of the Common Ground Alliance, States, the "One Call"/811 program, and other stakeholders who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national "Contact 811 Before You Dig" campaign to increase public awareness about the importance of homeowners and excavators contacting 811 to find out the location of underground utility lines before digging;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) affirmed and expanded the "One Call"/811 program by eliminating exemptions given to local and State government agencies and their contractors regarding notifying "One Call"/811 centers before digging;

Whereas, according to the 2022 Damage Information Reporting Tool Report published by the Common Ground Alliance in September 2023—

(1) "No notification to the 811 center" remains the number 1 top root cause of damage;

(2) failure to notify 811 prior to digging contributed to 25 percent of damages; and

(3) landscaping, fencing, water, sewer, and construction are the top types of work performed when professionals cause no-notification damages; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of the designation of 811 as the national "Contact Before You Dig" number: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month;

(2) encourages all homeowners and excavators throughout the United States to contact 811 by phone or online before digging; and

(3) encourages all damage prevention stakeholders to help educate homeowners and excavators throughout the United States about the importance of contacting 811 to have the approximate location of buried utilities marked with paint or flags before digging.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1823. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table.

SA 1824. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1825. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1826. Mr. LEE (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1827. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1828. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1829. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1830. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1831. Ms. HIRONO (for herself, Mr. DURBIN, Mr. WYDEN, Mr. BOOKER, Mr. MARKEY, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1832. Mr. DURBIN (for himself, Mr. CRAMER, Ms. HIRONO, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1833. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1834. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, supra; which was ordered to lie on the table.

SA 1835. Mr. SCHUMER (for Mr. CARPER (for himself and Mr. GRAHAM)) proposed an amendment to the bill S. 2958, to amend the Coastal Barrier Resources Act to make improvements to that Act, and for other purposes.

SA 1836. Mr. LEE (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveil-

lance Act of 1978; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1823. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 3, strike line 16 and all that follows through page 4, line 12, and insert the following:

(b) REQUIREMENT FOR SENIOR LEADERSHIP TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—Subparagraph (D) of section 702(f)(3), as added by subsection (d) of this section, is amended by inserting after clause (v) the following:

“(vi) REQUIREMENT FOR SENIOR LEADERSHIP TO APPROVE APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—The procedures shall require that senior leadership of the Department of Justice, including the Director of the Federal Bureau of Investigation and the Attorney General, be included in the Federal Bureau of Investigation’s prior approval process under clause (ii).”

SA 1824. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 3, strike line 16 and all that follows through page 4, line 12.

SA 1825. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

Beginning on page 87, strike line 14 and all that follows through page 90, line 4.

SA 1826. Mr. LEE (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 19, strike line 22 and all that follows through page 24, line 10, and insert the following:

(b) USE OF AMICI CURIAE IN FOREIGN INTELLIGENCE SURVEILLANCE COURT PROCEEDINGS.—

(1) EXPANSION OF APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Section 103(i)(2) is amended—

(i) by striking subparagraph (A) and inserting the following:

“(A) shall, unless the court issues a finding that appointment is not appropriate, appoint 1 or more individuals who have been designated under paragraph (1), not fewer than 1 of whom possesses privacy and civil liberties expertise, unless the court finds that such a qualification is inappropriate, to serve as amicus curiae to assist the court in the consideration of any application or motion for an order or review that, in the opinion of the court—

“(i) presents a novel or significant interpretation of the law;

“(ii) presents significant concerns with respect to the activities of a United States person that are protected by the first amendment to the Constitution of the United States;

“(iii) presents or involves a sensitive investigative matter;

“(iv) presents a request for approval of a new program, a new technology, or a new use of existing technology;

“(v) presents a request for reauthorization of programmatic surveillance; or

“(vi) otherwise presents novel or significant civil liberties issues; and”;

(ii) in subparagraph (B), by striking “an individual or organization” each place the term appears and inserting “1 or more individuals or organizations”.

(B) DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.—Section 103(i) is amended by adding at the end the following:

“(12) DEFINITION.—In this subsection, the term ‘sensitive investigative matter’ means—

“(A) an investigative matter involving the activities of—

“(i) a domestic public official or political candidate, or an individual serving on the staff of such an official or candidate;

“(ii) a domestic religious or political organization, or a known or suspected United States person prominent in such an organization; or

“(iii) the domestic news media; or

“(B) any other investigative matter involving a domestic entity or a known or suspected United States person that, in the judgment of the applicable court established under subsection (a) or (b), is as sensitive as an investigative matter described in subparagraph (A).”.

(2) AUTHORITY TO SEEK REVIEW.—Section 103(i), as amended by paragraph (1) of this subsection, is amended—

(A) in paragraph (4)—

(i) in the paragraph heading, by inserting “; AUTHORITY” after “DUTIES”;

(ii) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and adjusting the margins accordingly;

(iii) in the matter preceding clause (i), as so redesignated, by striking “the amicus curiae shall” and inserting the following: “the amicus curiae—

“(A) shall”;

(iv) in subparagraph (A)(i), as so redesignated, by inserting before the semicolon at the end the following: “, including legal arguments regarding any privacy or civil liberties interest of any United States person that would be significantly impacted by the application or motion”;

(v) by striking the period at the end and inserting the following: “; and

“(B) may seek leave to raise any novel or significant privacy or civil liberties issue relevant to the application or motion or other issue directly impacting the legality of the proposed electronic surveillance with the court, regardless of whether the court has requested assistance on that issue.”;

(B) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(C) by inserting after paragraph (6) the following:

“(7) AUTHORITY TO SEEK REVIEW OF DECISIONS.—

“(A) FISA COURT DECISIONS.—

“(i) PETITION.—Following issuance of an order under this Act by the Foreign Intelligence Surveillance Court, an amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court to certify for review to the Foreign Intelligence Surveillance Court of Review a question of law pursuant to subsection (j).

“(ii) WRITTEN STATEMENT OF REASONS.—If the Foreign Intelligence Surveillance Court denies a petition under this subparagraph, the Foreign Intelligence Surveillance Court

shall provide for the record a written statement of the reasons for the denial.

“(iii) APPOINTMENT.—Upon certification of any question of law pursuant to this subparagraph, the Court of Review shall appoint the amicus curiae to assist the Court of Review in its consideration of the certified question, unless the Court of Review issues a finding that such appointment is not appropriate.

“(B) FISA COURT OF REVIEW DECISIONS.—An amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court of Review to certify for review to the Supreme Court of the United States any question of law pursuant to section 1254(2) of title 28, United States Code.

“(C) DECLASSIFICATION OF REFERRALS.—For purposes of section 602, a petition filed under subparagraph (A) or (B) of this paragraph and all of its content shall be considered a decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in paragraph (2) of section 602(a).”.

(3) ACCESS TO INFORMATION.—

(A) APPLICATION AND MATERIALS.—Section 103(i)(6) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—

“(i) RIGHT OF AMICUS.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

“(I) shall have access, to the extent such information is available to the Government, to—

“(aa) the application, certification, petition, motion, and other information and supporting materials, including any information described in section 901, submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed, including access to any relevant legal precedent (including any such precedent that is cited by the Government, including in such an application);

“(bb) an unredacted copy of each relevant decision made by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review in which the court decides a question of law, without regard to whether the decision is classified; and

“(cc) any other information or materials that the court determines are relevant to the duties of the amicus curiae; and

“(II) may make a submission to the court requesting access to any other particular materials or information (or category of materials or information) that the amicus curiae believes to be relevant to the duties of the amicus curiae.

“(ii) SUPPORTING DOCUMENTATION REGARDING ACCURACY.—The Foreign Intelligence Surveillance Court, upon the motion of an amicus curiae appointed under paragraph (2) or upon its own motion, may require the Government to make available the supporting documentation described in section 902.”.

(B) CLARIFICATION OF ACCESS TO CERTAIN INFORMATION.—Section 103(i)(6) is amended—

(i) in subparagraph (B), by striking “may” and inserting “shall”;

(ii) by striking subparagraph (C) and inserting the following:

“(C) CLASSIFIED INFORMATION.—An amicus curiae designated or appointed by the court shall have access, to the extent such information is available to the Government, to unredacted copies of each opinion, order, transcript, pleading, or other document of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review, including, if the individual

is eligible for access to classified information, any classified documents, information, and other materials or proceedings.”.

(4) DEFINITIONS.—Section 101 is amended by adding at the end the following:

“(q) The term ‘Foreign Intelligence Surveillance Court’ means the court established under section 103(a).

“(r) The term ‘Foreign Intelligence Surveillance Court of Review’ means the court established under section 103(b).”.

(5) TECHNICAL AMENDMENTS RELATING TO STRIKING SECTION 5(C) OF THE BILL.—

(A) Subsection (e) of section 603, as added by section 12(a) of this Act, is amended by striking “section 103(m)” and inserting “section 103(l)”.

(B) Section 110(a), as added by section 15(b) of this Act, is amended by striking “section 103(m)” and inserting “section 103(l)”.

(C) Section 103 is amended by redesignating subsection (m), as added by section 17 of this Act, as subsection (l).

(6) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act and shall apply with respect to proceedings under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that take place on or after, or are pending on, that date.

(C) REQUIRED DISCLOSURE OF RELEVANT INFORMATION IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 APPLICATIONS.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

“TITLE IX—REQUIRED DISCLOSURE OF RELEVANT INFORMATION

“SEC. 901. DISCLOSURE OF RELEVANT INFORMATION.

“The Attorney General or any other Federal officer or employee making an application for a court order under this Act shall provide the court with—

“(1) all information in the possession of the Government that is material to determining whether the application satisfies the applicable requirements under this Act, including any exculpatory information; and

“(2) all information in the possession of the Government that might reasonably—

“(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

“(B) otherwise raise doubts with respect to the findings that are required to be made under the applicable provision of this Act in order for the court order to be issued.”.

(2) CERTIFICATION REGARDING ACCURACY PROCEDURES.—Title IX, as added by paragraph (1) of this subsection, is amended by adding at the end the following:

“SEC. 902. CERTIFICATION REGARDING ACCURACY PROCEDURES.

“(a) DEFINITION OF ACCURACY PROCEDURES.—In this section, the term ‘accuracy procedures’ means specific procedures, adopted by the Attorney General, to ensure that an application for a court order under this Act, including any application for renewal of an existing order, is accurate and complete, including procedures that ensure, at a minimum, that—

“(1) the application reflects all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings;

“(2) the application reflects all material information that might reasonably call into question the reliability and reporting of any information from a confidential human source that is used in the application;

“(3) a complete file documenting each factual assertion in an application is maintained;

“(4) the applicant coordinates with the appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), concerning any prior or existing relationship with the target of any surveillance, search, or other means of investigation, and discloses any such relationship in the application;

“(5) before any application targeting a United States person (as defined in section 101) is made, the applicant Federal officer shall document that the officer has collected and reviewed for accuracy and completeness supporting documentation for each factual assertion in the application; and

“(6) the applicant Federal agency establish compliance and auditing mechanisms on an annual basis to assess the efficacy of the accuracy procedures that have been adopted and report such findings to the Attorney General.

“(b) STATEMENT AND CERTIFICATION OF ACCURACY PROCEDURES.—Any Federal officer making an application for a court order under this Act shall include with the application—

“(1) a description of the accuracy procedures employed by the officer or the officer’s designee; and

“(2) a certification that the officer or the officer’s designee has collected and reviewed for accuracy and completeness—

“(A) supporting documentation for each factual assertion contained in the application;

“(B) all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings; and

“(C) all material information that might reasonably call into question the reliability and reporting of any information from any confidential human source that is used in the application.

“(c) NECESSARY FINDING FOR COURT ORDERS.—A judge may not enter an order under this Act unless the judge finds, in addition to any other findings required under this Act, that the accuracy procedures described in the application for the order, as required under subsection (b)(1), are actually accuracy procedures as defined in this section.”.

(3) TECHNICAL AMENDMENTS TO ELIMINATE AMENDMENTS MADE BY SECTION 10 OF THE BILL.—

(A) Subsection (a) of section 104 is amended—

(i) in paragraph (9), as amended by section 6(d)(1)(B) of this Act, by striking “and” at the end;

(ii) in paragraph (10), as added by section 6(d)(1)(C) of this Act, by adding “and” at the end;

(iii) in paragraph (11), as added by section 6(e)(1) of this Act, by striking “; and” and inserting a period;

(iv) by striking paragraph (12), as added by section 10(a)(1) of this Act; and

(v) by striking paragraph (13), as added by section 10(b)(1) of this Act.

(B) Subsection (a) of section 303 is amended—

(i) in paragraph (8), as amended by section 6(e)(2)(B) of this Act, by adding “and” at the end;

(ii) in paragraph (9), as added by section 6(e)(2)(C) of this Act, by striking “; and” and inserting a period;

(iii) by striking paragraph (10), as added by section 10(a)(2) of this Act; and

(iv) by striking paragraph (11), as added by section 10(b)(2) of this Act.

(C) Subsection (c) of section 402, as amended by subsections (a)(3) and (b)(3) of section 10 of this Act, is amended—

(i) in paragraph (2), by adding “and” at the end;

(ii) in paragraph (3), by striking the semicolon and inserting a period;

(iii) by striking paragraph (4), as added by section 10(a)(3)(C) of this Act; and

(iv) by striking paragraph (5), as added by section 10(b)(3)(C) of this Act.

(D) Subsection (b)(2) of section 502, as amended by subsections (a)(4) and (b)(4) of section 10 of this Act, is amended—

(i) in subparagraph (A), by adding “and” at the end;

(ii) in subparagraph (B), by striking the semicolon and inserting a period;

(iii) by striking subparagraph (E), as added by section 10(a)(4)(C) of this Act; and

(iv) by striking subparagraph (F), as added by section 10(b)(4)(C) of this Act.

(E) Subsection (b)(1) of section 703, as amended by subsections (a)(5)(A) and (b)(5)(A) of section 10 of this Act, is amended—

(i) in subparagraph (I), by adding “and” at the end;

(ii) in subparagraph (J), by striking the semicolon and inserting a period;

(iii) by striking subparagraph (K), as added by section 10(a)(5)(A)(iii) of this Act; and

(iv) by striking subparagraph (L), as added by section 10(b)(5)(A)(iii) of this Act.

(F) Subsection (b) of section 704, as amended by subsections (a)(5)(B) and (b)(5)(B) of section 10 of this Act, is amended—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon and inserting a period;

(iii) by striking paragraph (8), as added by section 10(a)(5)(B)(iii) of this Act; and

(iv) by striking paragraph (9), as added by section 10(b)(5)(B)(iii) of this Act.

(G)(i) The Attorney General shall not be required to issue procedures under paragraph (7) of section 10(a) of this Act.

(ii) Nothing in clause (i) shall be construed to modify the requirement for the Attorney General to issue accuracy procedures under section 902(a) of the Foreign Intelligence Surveillance Act of 1978, as added by paragraph (2) of this subsection.

SA 1827. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WARRANT PROTECTIONS FOR LOCATION INFORMATION, WEB BROWSING RECORDS, AND SEARCH QUERY RECORDS.

(a) HISTORICAL LOCATION, WEB BROWSING, AND SEARCH QUERIES.—

(1) IN GENERAL.—Section 2703 of title 18, United States Code, is amended—

(A) in subsection (a)—

(i) in the subsection heading, by striking “CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS” and inserting “LOCATION INFORMATION, WEB BROWSING RECORDS, SEARCH QUERY RECORDS, OR CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS”; and

(ii) in the first sentence, by inserting “location information, a web browsing record, a search query record, or” before “the contents of a wire”; and

(B) in subsection (c)(1), in the matter preceding subparagraph (A), by inserting “location information, a web browsing record, a search query record, or” before “the contents”.

(2) DEFINITION.—Section 2711 of title 18, United States Code, is amended—

(A) in the matter preceding paragraph (1), by inserting “(a) IN GENERAL.—” before “As used”;

(B) in subsection (a), as so designated—

(i) in paragraph (3)(C), by striking “and” at the end;

(ii) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(5) the term ‘location information’ means information derived or otherwise calculated from the transmission or reception of a radio signal that reveals the approximate or actual geographic location of a customer, subscriber, user, or device;

“(6) the term ‘web browsing record’—

“(A) means a record that reveals, in part or in whole, the identity of a service provided by an online service provider, or the identity of a customer, subscriber, user, or device, for any attempted or successful communication or transmission between an online service provider and such a customer, subscriber, user, or device;

“(B) includes a record that reveals, in part or in whole—

“(i) the domain name, uniform resource locator, internet protocol address, or other identifier for a service provided by an online service provider with which a customer, subscriber, user, or device has exchanged or attempted to exchange a communication or transmission; or

“(ii) the network traffic generated by an attempted or successful communication or transmission between a service provided by an online service provider and a customer, subscriber, user, or device; and

“(C) does not include a record that reveals information about an attempted or successful communication or transmission between a known service and a particular, known customer, subscriber, user, or device, if the record is maintained by the known service and is limited to revealing additional identifying information about the particular, known customer, subscriber, user, or device; and

“(7) the term ‘search query record’—

“(A) means a record that reveals a query term or instruction submitted, in written, verbal, or other format, by a customer, subscriber, user, or device to any service provided by an online service provider, including a search engine, voice assistant, chat bot, or navigation service; and

“(B) includes a record that reveals the response provided by any service provided by an online service provider to a query term or instruction by a customer, subscriber, user, or device;” and

(C) by adding at the end the following:

“(b) RULE OF CONSTRUCTION.—Nothing in this section or section 2510 shall be construed to mean that a record may not be more than 1 of the following types of record:

“(1) The contents of a communication.

“(2) Location information.

“(3) A web browsing record.

“(4) A search query record.”.

(b) REAL-TIME SURVEILLANCE OF LOCATION INFORMATION.—

(1) IN GENERAL.—Section 3117 of title 18, United States Code, is amended—

(A) in the section heading, by striking “**Mobile tracking devices**” and inserting “**Tracking orders**”;

(B) by striking subsection (b);

(C) by redesignating subsection (a) as subsection (c);

(D) by inserting before subsection (c), as so redesignated, the following:

“(a) IN GENERAL.—No officer or employee of a governmental entity may install or direct the installation of a tracking device, except pursuant to a warrant issued using the

procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures and, in the case of a court-martial or other proceeding under chapter 47 of title 10 (the Uniform Code of Military Justice), issued under section 846 of that title, in accordance with regulations prescribed by the President) by a court of competent jurisdiction.

“(b) EMERGENCIES.—

“(1) IN GENERAL.—Subject to paragraph (2), the prohibition under subsection (a) does not apply in a instance in which an investigative or law enforcement officer reasonably determines that—

“(A) a circumstance described in subparagraph (i), (ii), or (iii) of section 2518(7)(a) exists; and

“(B) there are grounds upon which a warrant could be issued to authorize the installation of the tracking device.

“(2) APPLICATION DEADLINE.—If a tracking device is installed under the authority under paragraph (1), an application for a warrant shall be made within 48 hours after the installation.

“(3) TERMINATION ABSENT WARRANT.—In the absence of a warrant, use of a tracking device under the authority under paragraph (1) shall immediately terminate when the investigative information sought is obtained or when the application for the warrant is denied, whichever is earlier.

“(4) LIMITATION.—In the event an application for a warrant described in paragraph (2) is denied, or in any other case where the use of a tracking device under the authority under paragraph (1) is terminated without a warrant having been issued, the information obtained shall be treated as having been obtained in violation of this section, and an inventory describing the installation and use of the tracking device shall be served on the person named in the warrant application.”;

(E) in subsection (c), as so redesignated—

(i) in the subsection heading, by striking “IN GENERAL” and inserting “JURISDICTION”;

(ii) by striking “or other order”;

(iii) by striking “mobile”;

(iv) by striking “such order” and inserting “such warrant”;

(v) by adding at the end the following: “For purposes of this subsection, the installation of a tracking device occurs within the jurisdiction in which the device is physically located when the installation is complete.”; and

(F) by adding at the end the following:

“(d) DEFINITIONS.—As used in this section—

“(1) the term ‘computer’ has the meaning given that term in section 1030(e);

“(2) the terms ‘court of competent jurisdiction’ and ‘governmental entity’ have the meanings given such terms in section 2711;

“(3) the term ‘installation of a tracking device’ means, whether performed by an officer or employee of a governmental entity or by a provider at the direction of a governmental entity—

“(A) the physical placement of a tracking device;

“(B) the remote activation of the tracking software or functionality of a tracking device; or

“(C) the acquisition of a radio signal transmitted by a tracking device; and

“(4) the term ‘tracking device’ means an electronic or mechanical device which permits the tracking of the movement of a person or object, including a phone, wearable device, connected vehicle, or other computer owned, used, or possessed by the target of surveillance.”.

(2) CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 205 of title 18, United States Code, is amended by

striking the item relating to section 3117 and inserting the following:

“3117. Tracking orders.”.

(B) Section 2510(12)(C) of title 18, United States Code, is amended to read as follows:

“(C) a communication from a lawfully installed tracking device (as defined in section 3117 of this title), if—

“(i) the tracking device is physically placed; or

“(ii) the tracking software or functionality of the tracking device is remotely activated and the communication is transmitted by the tracking software or functionality as a result of the remote activation; or”.

(c) PROSPECTIVE SURVEILLANCE OF WEB BROWSING RECORDS AND LOCATION INFORMATION.—Section 2703 of title 18, United States Code, is amended by adding at the end the following:

“(i) PROSPECTIVE DISCLOSURE OF WEB BROWSING RECORDS.—

“(1) IN GENERAL.—A governmental entity may require the prospective disclosure by an online service provider of a web browsing record only pursuant to a warrant issued using the procedures described in subsection (a).

“(2) TIME RESTRICTIONS.—A warrant requiring the prospective disclosure by an online service provider of web browsing records may require disclosure of web browsing records for only a period as is necessary to achieve the objective of the disclosure, not to exceed 30 days from issuance of the warrant. Extensions of such a warrant may be granted, but only upon satisfaction of the showings necessary for issuance of the warrant in the first instance.

“(j) PROSPECTIVE DISCLOSURE OF LOCATION RECORDS.—A governmental entity may require the prospective disclosure by an online service provider of location information only pursuant to a warrant issued using the procedures described in subsection (a), that satisfies the restrictions imposed on warrants for tracking devices imposed by section 3117 of this title and rule 41 of the Federal Rules of Criminal Procedure.”.

SA 1828. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 26. LIMITATION ON AUTHORITIES IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

“TITLE IX—LIMITATIONS

“SEC. 901. LIMITATIONS ON AUTHORITIES TO SURVEIL UNITED STATES PERSONS, ON CONDUCTING QUERIES, AND ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.

“(a) DEFINITIONS.—In this section:

“(1) PEN REGISTER AND TRAP AND TRACE DEVICE.—The terms ‘pen register’ and ‘trap and trace device’ have the meanings given such terms in section 3127 of title 18, United States Code.

“(2) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given such term in section 101.

“(3) DERIVED.—Information or evidence is ‘derived’ from an acquisition when the Government would not have originally possessed the information or evidence but for that acquisition, and regardless of any claim that

the information or evidence is attenuated from the surveillance or search, would inevitably have been discovered, or was subsequently reobtained through other means.

“(b) LIMITATION ON AUTHORITIES.—Notwithstanding any other provision of this Act, an officer of the United States may not under this Act request an order for, and the Foreign Intelligence Surveillance Court may not under this Act order—

“(1) electronic surveillance of a United States person;

“(2) a physical search of a premises, information, material, or property used exclusively by, or under the open and exclusive control of, a United States person;

“(3) approval of the installation and use of a pen register or trap and trace device to obtain information concerning a United States person;

“(4) the production of tangible things (including books, records, papers, documents, and other items) concerning a United States person; or

“(5) the targeting of a United States person for the acquisition of information.

“(c) LIMITATION ON QUERIES OF INFORMATION COLLECTED UNDER SECTION 702.—Notwithstanding any other provision of this Act, an officer of the United States may not conduct a query of information collected pursuant to an authorization under section 702(a) using search terms associated with a United States person.

“(d) LIMITATION ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.—

“(1) DEFINITION OF AGGRIEVED PERSON.—In this subsection, the term ‘aggrieved person’ means a person who is the target of any surveillance activity under this Act or any other person whose communications or activities were subject to any surveillance activity under this Act.

“(2) IN GENERAL.—Except as provided in paragraph (3), any information concerning a United States person acquired or derived from an acquisition under this Act shall not be used in evidence against that United States person in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.

“(3) USE BY AGGRIEVED PERSONS.—An aggrieved person who is a United States person may use information concerning such person acquired under this Act in a criminal, civil, or administrative proceeding or as part of a criminal, civil, or administrative investigation.”.

(2) CLERICAL AMENDMENT.—The table of contents preceding section 101 of such Act is amended by adding at the end the following:

“TITLE IX—LIMITATIONS

“Sec. 901. Limitations on authorities to surveil United States persons, on conducting queries, and on use of information concerning United States persons.”.

(b) LIMITATIONS RELATING TO EXECUTIVE ORDER 12333.—

(1) DEFINITIONS.—In this subsection:

(A) AGGRIEVED PERSON.—The term “aggrieved person” means—

(i) a person who is the target of any surveillance activity under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), or successor order; or

(ii) any other person whose communications or activities were subject to any surveillance activity under such Executive order, or successor order.

(B) PEN REGISTER; TRAP AND TRACE DEVICE; UNITED STATES PERSON.—The terms “pen register”, “trap and trace device”, and “United States person” have the meanings given such

terms in section 901 of the Foreign Intelligence Surveillance Act of 1978, as added by subsection (a).

(2) **LIMITATION ON ACQUISITION.**—Where authority is provided by statute or by the Federal Rules of Criminal Procedure to perform physical searches or to acquire, directly or through third parties, communications content, non-contents information, or business records, those authorizations shall provide the exclusive means by which such searches or acquisition shall take place if the target of the acquisition is a United States person.

(3) **LIMITATION ON USE IN LEGAL PROCEEDINGS.**—Except as provided in paragraph (5), any information concerning a United States person acquired or derived from an acquisition under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), or successor order, shall not be used in evidence against that United States person in any criminal, civil, or administrative proceeding or as part of any criminal, civil, or administrative investigation.

(4) **LIMITATION ON UNITED STATES PERSON QUERIES.**—Notwithstanding any other provision of law, no governmental entity or officer of the United States shall query communications content, non-contents information, or business records of a United States person under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities), or successor order.

(5) **USE BY AGGRIEVED PERSONS.**—An aggrieved person who is a United States person may use information concerning such person acquired under Executive Order 12333, or successor order, in a criminal, civil, or administrative proceeding or as part of a criminal, civil, or administrative investigation.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this section shall be construed to abrogate jurisprudence of the Supreme Court of the United States relating to the exceptions to the warrant requirement of the Fourth Amendment to the Constitution of the United States, including the exigent circumstances exception.

SA 1829. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . PROTECTION OF RECORDS HELD BY DATA BROKERS.

Section 2702 of title 18, United States Code, is amended by adding at the end the following:

“(e) **PROHIBITION ON OBTAINING IN EXCHANGE FOR ANYTHING OF VALUE CERTAIN RECORDS AND INFORMATION BY LAW ENFORCEMENT AND INTELLIGENCE AGENCIES.**—

“(1) **DEFINITIONS.**—In this subsection—

“(A) the term ‘covered customer or subscriber record’ means a covered record that is—

“(i) disclosed to a third party by—

“(I) a provider of an electronic communication service to the public or a provider of a remote computing service of which the covered person with respect to the covered record is a subscriber or customer; or

“(II) an intermediary service provider that delivers, stores, or processes communications of such covered person;

“(ii) collected by a third party from an online account of a covered person; or

“(iii) collected by a third party from or about an electronic device of a covered person;

“(B) the term ‘covered person’ means—

“(i) a person who is located inside the United States; or

“(ii) a person—

“(I) who is located outside the United States or whose location cannot be determined; and

“(II) who is a United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

“(C) the term ‘covered record’—

“(i) means a record or other information that—

“(I) pertains to a covered person; and

“(II) is—

“(aa) a record or other information described in the matter preceding paragraph (1) of subsection (c);

“(bb) the contents of a communication; or

“(cc) location information; and

“(ii) does not include a record or other information that—

“(I) has been voluntarily made available to the general public by a covered person on a social media platform or similar service;

“(II) is lawfully available to the public as a Federal, State, or local government record or through other widely distributed media;

“(III) is obtained by a law enforcement agency of a governmental entity or an element of the intelligence community for the purpose of conducting a background check of a covered person—

“(aa) with the written consent of such person;

“(bb) for access or use by such agency or element for the purpose of such background check; and

“(cc) that is destroyed after the date on which it is no longer needed for such background check; or

“(IV) is data generated by a public or private ALPR system;

“(D) the term ‘electronic device’ has the meaning given the term ‘computer’ in section 1030(e);

“(E) the term ‘illegitimately obtained information’ means a covered record that—

“(i) was obtained—

“(I) from a provider of an electronic communication service to the public or a provider of a remote computing service in a manner that—

“(aa) violates the service agreement between the provider and customers or subscribers of the provider; or

“(bb) is inconsistent with the privacy policy of the provider;

“(II) by deceiving the covered person whose covered record was obtained; or

“(III) through the unauthorized accessing of an electronic device or online account; or

“(ii) was—

“(I) obtained from a provider of an electronic communication service to the public, a provider of a remote computing service, or an intermediary service provider; and

“(II) collected, processed, or shared in violation of a contract relating to the covered record;

“(F) the term ‘intelligence community’ has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

“(G) the term ‘location information’ means information derived or otherwise calculated from the transmission or reception of a radio signal that reveals the approximate or actual geographic location of a customer, subscriber, or device;

“(H) the term ‘obtain in exchange for anything of value’ means to obtain by purchasing, to receive in connection with services being provided for consideration, or to otherwise obtain in exchange for consideration, including an access fee, service fee, maintenance fee, or licensing fee;

“(I) the term ‘online account’ means an online account with an electronic communica-

tion service to the public or remote computing service;

“(J) the term ‘pertain’, with respect to a person, means—

“(i) information that is linked to the identity of a person; or

“(ii) information—

“(I) that has been anonymized to remove links to the identity of a person; and

“(II) that, if combined with other information, could be used to identify a person;

“(K) the term ‘third party’ means a person who—

“(i) is not a governmental entity; and

“(ii) in connection with the collection, disclosure, obtaining, processing, or sharing of the covered record at issue, was not acting as—

“(I) a provider of an electronic communication service to the public; or

“(II) a provider of a remote computing service; and

“(L) the term ‘automated license plate recognition system’ or ‘ALPR system’ means a system of 1 or more mobile or fixed highspeed cameras combined with computer algorithms to convert images of license plates into computer-readable data.

“(2) **LIMITATION.**—

“(A) **IN GENERAL.**—A law enforcement agency of a governmental entity and an element of the intelligence community may not obtain from a third party in exchange for anything of value a covered customer or subscriber record or any illegitimately obtained information.

“(B) **INDIRECTLY ACQUIRED RECORDS AND INFORMATION.**—The limitation under subparagraph (A) shall apply without regard to whether the third party possessing the covered customer or subscriber record or illegitimately obtained information is the third party that initially obtained or collected, or is the third party that initially received the disclosure of, the covered customer or subscriber record or illegitimately obtained information.

“(3) **LIMIT ON SHARING BETWEEN AGENCIES.**—An agency of a governmental entity that is not a law enforcement agency or an element of the intelligence community may not provide to a law enforcement agency of a governmental entity or an element of the intelligence community a covered customer or subscriber record or illegitimately obtained information that was obtained from a third party in exchange for anything of value.

“(4) **PROHIBITION ON USE AS EVIDENCE.**—A covered customer or subscriber record or illegitimately obtained information obtained by or provided to a law enforcement agency of a governmental entity or an element of the intelligence community in violation of paragraph (2) or (3), and any evidence derived therefrom, may not be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.

“(5) **MINIMIZATION PROCEDURES.**—

“(A) **IN GENERAL.**—The Attorney General shall adopt specific procedures that are reasonably designed to minimize the acquisition and retention, and prohibit the dissemination, of information pertaining to a covered person that is acquired in violation of paragraph (2) or (3).

“(B) **USE BY AGENCIES.**—If a law enforcement agency of a governmental entity or element of the intelligence community acquires information pertaining to a covered person in violation of paragraph (2) or (3), the law enforcement agency of a governmental entity or element of the intelligence community shall minimize the acquisition and retention, and prohibit the dissemination, of the

information in accordance with the procedures adopted under subparagraph (A).”

SEC. ____ REQUIRED DISCLOSURE.

Section 2703 of title 18, United States Code, is amended by adding at the end the following:

“(1) COVERED CUSTOMER OR SUBSCRIBER RECORDS AND ILLEGITIMATELY OBTAINED INFORMATION.—

“(1) DEFINITIONS.—In this subsection, the terms ‘covered customer or subscriber record’, ‘illegitimately obtained information’, and ‘third party’ have the meanings given such terms in section 2702(e).

“(2) LIMITATION.—Unless a governmental entity obtains an order in accordance with paragraph (3), the governmental entity may not require a third party to disclose a covered customer or subscriber record or any illegitimately obtained information if a court order would be required for the governmental entity to require a provider of remote computing service or a provider of electronic communication service to the public to disclose such a covered customer or subscriber record or illegitimately obtained information that is a record of a customer or subscriber of the provider.

“(3) ORDERS.—

“(A) IN GENERAL.—A court may only issue an order requiring a third party to disclose a covered customer or subscriber record or any illegitimately obtained information on the same basis and subject to the same limitations as would apply to a court order to require disclosure by a provider of remote computing service or a provider of electronic communication service to the public of a record of a customer or subscriber of the provider.

“(B) STANDARD.—For purposes of subparagraph (A), a court shall apply the most stringent standard under Federal statute or the Constitution of the United States that would be applicable to a request for a court order to require a comparable disclosure by a provider of remote computing service or a provider of electronic communication service to the public of a record of a customer or subscriber of the provider.”

SEC. ____ INTERMEDIARY SERVICE PROVIDERS.

(a) DEFINITION.—Section 2711 of title 18, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(5) the term ‘intermediary service provider’ means an entity or facilities owner or operator that directly or indirectly delivers, stores, or processes communications for or on behalf of a provider of electronic communication service to the public or a provider of remote computing service.”

(b) PROHIBITION.—Section 2702(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking “and” at the end;

(3) in paragraph (3), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(4) an intermediary service provider shall not knowingly divulge—

“(A) to any person or entity the contents of a communication while in electronic storage by that provider; or

“(B) to any governmental entity a record or other information pertaining to a subscriber to or customer of, a recipient of a communication from a subscriber to or customer of, or the sender of a communication to a subscriber to or customer of, the provider of electronic communication service to the public or the provider of remote com-

puting service for, or on behalf of, which the intermediary service provider directly or indirectly delivers, transmits, stores, or processes communications.”

SEC. ____ LIMITS ON SURVEILLANCE CONDUCTED FOR FOREIGN INTELLIGENCE PURPOSES OTHER THAN UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) IN GENERAL.—Section 2511(2)(f) of title 18, United States Code, is amended to read as follows:

“(f)(i)(A) Nothing contained in this chapter, chapter 121 or 206 of this title, or section 705 of the Communications Act of 1934 (47 U.S.C. 151 et seq.) shall be deemed to affect an acquisition or activity described in clause (B) that is carried out utilizing a means other than electronic surveillance, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

“(B) An acquisition or activity described in this clause is—

“(I) an acquisition by the United States Government of foreign intelligence information from international or foreign communications that—

“(aa) is acquired pursuant to express statutory authority; or

“(bb) only includes information of persons who are not United States persons and are located outside the United States; or

“(II) a foreign intelligence activity involving a foreign electronic communications system that—

“(aa) is conducted pursuant to express statutory authority; or

“(bb) only involves the acquisition by the United States Government of information of persons who are not United States persons and are located outside the United States.

“(ii) The procedures in this chapter, chapter 121, and the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic surveillance, as defined in section 101 of such Act, and the interception of domestic wire, oral, and electronic communications may be conducted.”

(b) EXCLUSIVE MEANS RELATED TO COMMUNICATIONS RECORDS.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic communications transactions records, call detail records, or other information from communications of United States persons or persons inside the United States are acquired for foreign intelligence purposes inside the United States or from a person or entity located in the United States that provides telecommunications, electronic communication, or remote computing services.

(c) EXCLUSIVE MEANS RELATED TO LOCATION INFORMATION, WEB BROWSING HISTORY, AND INTERNET SEARCH HISTORY.—

(1) DEFINITION.—In this subsection, the term “location information” has the meaning given that term in subsection (e) of section 2702 of title 18, United States Code, as added by section ____ of this Act.

(2) EXCLUSIVE MEANS.—Title I and sections 303, 304, 702, 703, 704, and 705 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq., 1823, 1824, 1881a, 1881b, 1881c, 1881d) shall be the exclusive means by which location information, web browsing history, and internet search history of United States persons or persons inside the United States are acquired for foreign intelligence purposes inside the United States or from a person or entity located in the United States.

(d) EXCLUSIVE MEANS RELATED TO FOURTH AMENDMENT-PROTECTED INFORMATION.—Title I and sections 303, 304, 702, 703, 704, and 705 of the Foreign Intelligence Surveillance Act of

1978 (50 U.S.C. 1801 et seq., 1823, 1824, 1881a, 1881b, 1881c, 1881d) shall be the exclusive means by which any information, records, data, or tangible things are acquired for foreign intelligence purposes from a person or entity located in the United States if the compelled production of such information, records, data, or tangible things would require a warrant for law enforcement purposes.

(e) DEFINITION.—In this section, the term “United States person” has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. ____ LIMIT ON CIVIL IMMUNITY FOR PROVIDING INFORMATION, FACILITIES, OR TECHNICAL ASSISTANCE TO THE GOVERNMENT ABSENT A COURT ORDER.

Section 2511(2)(a) of title 18, United States Code, is amended—

(1) in subparagraph (ii), by striking clause (B) and inserting the following:

“(B) a certification in writing—

“(I) by a person specified in section 2518(7) or the Attorney General of the United States;

“(II) that the requirements for an emergency authorization to intercept a wire, oral, or electronic communication under section 2518(7) have been met; and

“(III) that the specified assistance is required;” and

(2) by striking subparagraph (iii) and inserting the following:

“(iii) For assistance provided pursuant to a certification under subparagraph (ii)(B), the limitation on causes of action under the last sentence of the matter following subparagraph (ii)(B) shall only apply to the extent that the assistance ceased at the earliest of the time the application for a court order was denied, the time the communication sought was obtained, or 48 hours after the interception began.”

SA 1830. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 26. CLARIFICATION REGARDING TREATMENT OF INFORMATION AND EVIDENCE ACQUIRED UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) IN GENERAL.—Section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801) is amended by adding at the end the following:

“(q) For the purposes of notification provisions of this Act, information or evidence is ‘derived’ from an electronic surveillance, physical search, use of a pen register or trap and trace device, production of tangible things, or acquisition under this Act when the Government would not have originally possessed the information or evidence but for that electronic surveillance, physical search, use of a pen register or trap and trace device, production of tangible things, or acquisition, and regardless of any claim that the information or evidence is attenuated from the surveillance or search, would inevitably have been discovered, or was subsequently re-obtained through other means.”

(b) POLICIES AND GUIDANCE.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Attorney General and the Director of National Intelligence shall publish the following:

(A) Policies concerning the application of subsection (q) of section 101 of such Act, as added by subsection (a).

(B) Guidance for all members of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) and all Federal agencies with law enforcement responsibilities concerning the application of such subsection (q).

(2) MODIFICATIONS.—Whenever the Attorney General and the Director modify a policy or guidance published under paragraph (1), the Attorney General and the Director shall publish such modifications.

SA 1831. Ms. HIRONO (for herself, Mr. DURBIN, Mr. WYDEN, Mr. BOOKER, Mr. MARKEY, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 87, strike lines 1 through 13.

SA 1832. Mr. DURBIN (for himself, Mr. CRAMER, Ms. HIRONO, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.

(a) DEFINITION.—Section 702(f) is amended in paragraph (5), as so redesignated by section 2(a)(2) of this Act—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

“(B) The term ‘covered query’ means a query conducted—

“(i) using a term associated with a United States person; or

“(ii) for the purpose of finding the information of a United States person.”.

(b) PROHIBITION.—Section 702(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(f)) is amended—

(1) by redesignating paragraph (5), as redesignated by section 2(a)(1) of this Act, as paragraph (8);

(2) in paragraph (1)(A) by inserting “and the limitations and requirements in paragraph (5)” after “Constitution of the United States”; and

(3) by inserting after paragraph (4), as added by section 16(a)(1) of this Act, the following:

“(5) PROHIBITION ON WARRANTLESS ACCESS TO THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of the United States may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, acquired under subsection (a) and returned in response to a covered query.

“(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—Subparagraph (A) shall not apply if—

“(i) the person to whom the query relates is the subject of an order or emergency authorization authorizing electronic surveillance, a physical search, or an acquisition under this section or section 105, section 304, section 703, or section 704 of this Act or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

“(ii)(I) the officer or employee accessing the communications content or information has a reasonable belief that—

“(aa) an emergency exists involving an imminent threat of death or serious bodily harm; and

“(bb) in order to prevent or mitigate the threat described in subitem (AA), the communications content or information must be accessed before authorization described in clause (i) can, with due diligence, be obtained; and

“(II) not later than 14 days after the communications content or information is accessed, a description of the circumstances justifying the accessing of the query results is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

“(iii) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the access on a case-by-case basis; or

“(iv)(I) the communications content or information is accessed and used for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

“(II) other than malicious software and cybersecurity threat signatures, no communications content or other information are accessed or reviewed; and

“(III) the accessing of query results is reported to the Foreign Intelligence Surveillance Court.

“(C) MATTERS RELATING TO EMERGENCY QUERIES.—

“(i) TREATMENT OF DENIALS.—In the event that communications content or information returned in response to a covered query are accessed pursuant to an emergency authorization described in subparagraph (B)(i) and the subsequent application to authorize electronic surveillance, a physical search, or an acquisition pursuant to section 105(e), section 304(e), section 703(d), or section 704(d) of this Act is denied, or in any other case in which communications content or information returned in response to a covered query are accessed in violation of this paragraph—

“(I) no communications content or information acquired or evidence derived from such access may be used, received in evidence, or otherwise disseminated in any investigation by or in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

“(II) no communications content or information acquired or derived from such access may subsequently be used or disclosed in any other manner without the consent of the person to whom the covered query relates, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent the death of or serious bodily harm to any person.

“(i) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

“(D) FOREIGN INTELLIGENCE PURPOSE.—

“(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, no officer or employee of the United States may conduct a covered query of information acquired under subsection (a) unless the query is reasonably likely to retrieve foreign intelligence information.

“(ii) EXCEPTIONS.—An officer or employee of the United States may conduct a covered

query of information acquired under this section if—

“(I)(aa) the officer or employee conducting the query has a reasonable belief that an emergency exists involving an imminent threat of death or serious bodily harm; and

“(bb) not later than 14 days after the query is conducted, a description of the query is provided to the Foreign Intelligence Surveillance Court, the congressional intelligence committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate;

“(II) the person to whom the query relates or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent for the query on a case-by-case basis;

“(III)(aa) the query is conducted, and the results of the query are used, for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

“(bb) other than malicious software and cybersecurity threat signatures, no additional contents of communications acquired as a result of the query are accessed or reviewed; and

“(cc) the query is reported to the Foreign Intelligence Surveillance Court; or

“(IV) the query is necessary to identify information that must be produced or preserved in connection with a litigation matter or to fulfill discovery obligations in a criminal matter under the laws of the United States or any State thereof.

“(6) DOCUMENTATION.—No officer or employee of the United States may access communications content, or information the compelled disclosure of which would require a probable cause warrant if sought for law enforcement purposes inside the United States, returned in response to a covered query unless an electronic record is created that includes a statement of facts showing that the access is authorized pursuant to an exception specified in paragraph (5)(B).

“(7) QUERY RECORD SYSTEM.—The head of each agency that conducts queries shall ensure that a system, mechanism, or business practice is in place to maintain the records described in paragraph (6). Not later than 90 days after the date of enactment of the Reforming Intelligence and Securing America Act, the head of each agency that conducts queries shall report to Congress on its compliance with this procedure.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 603(b)(2) is amended, in the matter preceding subparagraph (A), by striking “, including pursuant to subsection (f)(2) of such section.”.

(2) Section 706(a)(2)(A)(i) is amended by striking “obtained an order of the Foreign Intelligence Surveillance Court to access such information pursuant to section 702(f)(2)” and inserting “accessed such information in accordance with section 702(b)(5)”.

SA 1833. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 15, strike line 3 and all that follows through page 16, line 4, and insert the following:

(a) PROHIBITION ON WARRANTLESS QUERIES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.—

(1) IN GENERAL.—Section 702(f) is amended—

(A) by redesignating paragraph (5), as redesignated by section 2(a)(1) of this Act, as paragraph (9);

(B) by redesignating paragraph (4), as added by section 16(a)(1) of this Act, as paragraph (8);

(C) by redesignating paragraph (3), as added by section 2(a)(2) of this Act, as paragraph (7);

(D) in paragraph (1)(A) by inserting “and the limitations and requirements in paragraph (2)” after “Constitution of the United States”; and

(E) by striking paragraph (2) and inserting the following:

“(2) PROHIBITION ON WARRANTLESS QUERIES FOR THE COMMUNICATIONS AND OTHER INFORMATION OF UNITED STATES PERSONS.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no officer or employee of any agency that receives any information obtained through an acquisition under this section may conduct a query of information acquired under this section for the purpose of finding communications or information the compelled production of which would require a probable cause warrant if sought for law enforcement purposes in the United States, of a United States person.

“(B) EXCEPTIONS FOR CONCURRENT AUTHORIZATION, CONSENT, EMERGENCY SITUATIONS, AND CERTAIN DEFENSIVE CYBERSECURITY QUERIES.—

“(i) IN GENERAL.—Subparagraph (A) shall not apply to a query related to a United States person if—

“(I) such person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105 (50 U.S.C. 1805) or section 304 (50 U.S.C. 1824) of this Act, or a warrant issued pursuant to the Federal Rules of Criminal Procedure by a court of competent jurisdiction;

“(II)(aa) the officer or employee conducting the query has a reasonable belief that—

“(AA) an emergency exists involving an imminent threat of death or serious bodily harm; and

“(BB) in order to prevent or mitigate the threat described in subitem (AA), the query must be conducted before authorization described in subclause (I) can, with due diligence, be obtained; and

“(bb) a description of the query is provided to the Foreign Intelligence Surveillance Court and the congressional intelligence committees and the Committees on the Judiciary of the House of Representatives and of the Senate in a timely manner;

“(III) such person or, if such person is incapable of providing consent, a third party legally authorized to consent on behalf of such person, has provided consent to the query on a case-by-case basis; or

“(IV)(aa) the query uses a known cybersecurity threat signature as a query term;

“(bb) the query is conducted, and the results of the query are used, for the sole purpose of identifying targeted recipients of malicious software and preventing or mitigating harm from such malicious software;

“(cc) no additional contents of communications acquired as a result of the query are accessed or reviewed; and

“(dd) each such query is reported to the Foreign Intelligence Surveillance Court.

“(i) LIMITATIONS.—

“(I) USE IN SUBSEQUENT PROCEEDINGS.—No information acquired pursuant to a query authorized under clause (i)(II) or information derived from the information acquired pursuant to such query may be used, received in evidence, or otherwise disseminated in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision

thereof, except in a proceeding that arises from the threat that prompted the query.

“(II) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under subclause (I).

“(C) MATTERS RELATING TO EMERGENCY QUERIES.—

“(i) TREATMENT OF DENIALS.—In the event that a query for communications or information, the compelled production of which would require a probable cause warrant if sought for law enforcement purposes in the United States, of a United States person is conducted pursuant to an emergency authorization described in subparagraph (B)(i)(I) and the subsequent application for such surveillance pursuant to section 105(e) (50 U.S.C. 1805(e)) or section 304(e) (50 U.S.C. 1824(e)) of this Act is denied, or in any other case in which the query has been conducted in violation of this paragraph—

“(I) no information acquired or evidence derived from such query may be used, received in evidence, or otherwise disseminated in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

“(II) no information concerning any United States person acquired from such query may subsequently be used or disclosed in any other manner without the consent of such person, except in the case that the Attorney General approves the use or disclosure of such information in order to prevent death or serious bodily harm to any person.

“(ii) ASSESSMENT OF COMPLIANCE.—Not less frequently than annually, the Attorney General shall assess compliance with the requirements under clause (i).

“(D) FOREIGN INTELLIGENCE PURPOSE.—Except as provided in subclauses (II) through (IV) of subparagraph (B)(i), no officer or employee of any agency that receives any information obtained through an acquisition under this section may conduct a query of information acquired under this section for the purpose of finding information of a United States person unless the query is reasonably likely to retrieve foreign intelligence information.

“(3) DOCUMENTATION.—No officer or employee of any agency that receives any information obtained through an acquisition under this section may conduct a query of information acquired under this section for the purpose of finding information of or about a United States person, unless an electronic record is created that includes the following:

“(A) Each term used for the conduct of the query.

“(B) The date of the query.

“(C) The identifier of the officer or employee.

“(D) A statement of facts showing that the use of each query term included under subparagraph (A)—

“(i) falls within an exception specified in paragraph (2)(B)(i); and

“(ii) is—

“(I) reasonably likely to retrieve foreign intelligence information; or

“(II) in furtherance of an exception described in subclauses (II) through (IV) of paragraph (2)(B)(i).

“(4) QUERY RECORD SYSTEM.—The head of each agency that conducts queries shall ensure that a system, mechanism, or business practice is in place to maintain the records described in paragraph (3). Not later than 90 days after enactment of this paragraph, the head of each agency shall report to Congress on its compliance with this procedure.

“(5) PROHIBITION ON RESULTS OF METADATA QUERY AS A BASIS FOR ACCESS TO COMMUNICATIONS AND OTHER PROTECTED INFORMATION.—If a query of information acquired under this section is conducted for the purpose of finding communications metadata of a United States person and the query returns such metadata, the communications content associated with the metadata may not be reviewed except as provided under paragraph (2)(B)(i) of this subsection.

“(6) FEDERATED DATASETS.—The prohibitions and requirements under this subsection shall apply to queries of federated and mixed datasets that include information acquired under this section, unless each agency has established a system, mechanism, or business practice to limit the query to information not acquired under this section.”

(2) CONFORMING AMENDMENTS.—

(A) Section 603(b)(2) is amended, in the matter preceding subparagraph (A), by striking “, including pursuant to subsection (f)(2) of such section.”

(B) Section 706(a)(2)(A)(i) is amended by striking “obtained an order of the Foreign Intelligence Surveillance Court to access such information pursuant to section 702(f)(2)” and inserting “accessed such information in accordance with section 702(b)(2)”.

SA 1834. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 3, strike line 16 and all that follows through page 4, line 12, and insert the following:

(b) REQUIREMENT FOR SENIOR LEADERSHIP TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—Subparagraph (D) of section 702(f)(3), as added by subsection (d) of this section, is amended by inserting after clause (v) the following:

“(vi) REQUIREMENT FOR SENIOR LEADERSHIP TO APPROVE FEDERAL BUREAU OF INVESTIGATION QUERIES.—The procedures shall require that the Director of the Federal Bureau of Investigation or the Attorney General be included in the Federal Bureau of Investigation’s prior approval process under clause (ii).”

SA 1835. Mr. SCHUMER (for Mr. CARPER (for himself and Mr. GRAHAM)) proposed an amendment to the bill S. 2958, to amend the Coastal Barrier Resources Act to make improvements to that Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Strengthening Coastal Communities Act of 2023”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COASTAL BARRIER RESOURCES ACT AMENDMENTS

Sec. 101. Definitions.

Sec. 102. Coastal hazard pilot project.

Sec. 103. John H. Chafee Coastal Barrier Resources System.

Sec. 104. Nonapplicability of prohibitions to otherwise protected areas and structures in new additions to the System.

Sec. 105. Require disclosure to prospective buyers that property is in the Coastal Barrier Resources System.

- Sec. 106. Guidance for emergencies adjacent to the System.
- Sec. 107. Exceptions to limitations on expenditures.
- Sec. 108. Improve Federal agency compliance with Coastal Barrier Resources Act.
- Sec. 109. Authorization of appropriations.

TITLE II—CHANGES TO JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAPS

- Sec. 201. Changes to John H. Chafee Coastal Barrier Resources System maps.

TITLE I—COASTAL BARRIER RESOURCES ACT AMENDMENTS

SEC. 101. DEFINITIONS.

Section 3 of the Coastal Barrier Resources Act (16 U.S.C. 3502) is amended—

(1) in the matter preceding paragraph (1), by striking “For purposes of” and inserting the following:

“(a) IN GENERAL.—For purposes of”;

(2) in subsection (a) (as so designated)—

(A) by indenting the margins of each of paragraphs (1) through (7), and each of the subparagraphs and clauses within those paragraphs, appropriately;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “means” and inserting “includes”;

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting “bluff,” after “barrier spit,”; and

(II) in clause (ii), by inserting “and related lands” after “aquatic habitats”;

(iii) in subparagraph (B), by inserting “, including areas that are and will be vulnerable to coastal hazards, such as flooding, storm surge, wind, erosion, and sea level rise” after “nearshore waters”; and

(iv) in the matter following subparagraph (B), by striking “, and man’s activities on such features and within such habitats,”;

(C) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

(D) by inserting after paragraph (4) the following:

“(5) OTHERWISE PROTECTED AREA.—

“(A) IN GENERAL.—The term ‘Otherwise Protected Area’ means any unit of the System that, at the time of designation, was predominantly composed of areas established under Federal, State, or local law, or held by a qualified organization, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes.

“(B) QUALIFIED ORGANIZATION.—For purposes of subparagraph (A), the term ‘qualified organization’ has the meaning given the term in section 170(h)(3) of the Internal Revenue Code of 1986.”; and

(3) by adding at the end the following:

“(b) SAVINGS PROVISION.—Nothing in this section supersedes the official maps described in section 4(a).”.

SEC. 102. COASTAL HAZARD PILOT PROJECT.

(a) IN GENERAL.—

(1) PROJECT.—The Secretary of the Interior, in consultation with the Assistant Secretary of the Army for Civil Works, the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Federal Emergency Management Agency, and the heads of appropriate State coastal zone management agencies, shall carry out a coastal hazard pilot project to propose definitions and criteria and produce maps of areas, including coastal mainland areas, which could be added to the John H. Chafee Coastal Barrier Resources System established by section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) that are and will be vulnerable to

coastal hazards, such as flooding, storm surge, wind, erosion and sea level rise, and areas to which barriers and associated habitats are likely to migrate or be lost as sea level rises.

(2) NUMBER OF UNITS.—The project carried out under this section shall consist of the creation of maps for at least 10 percent of the System and may also identify additional new System units.

(b) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the pilot project and the proposed definitions and criteria and costs of completing maps for the entire System.

(2) CONTENTS.—The report shall include a description of—

(A) the final recommended maps created under the coastal hazard pilot project;

(B) recommendations for the adoption of the final recommended maps created under this section by Congress;

(C) a summary of the comments received from the Governors of the States, other government officials, and the public regarding the definitions, criteria, and draft maps;

(D) a description of the criteria used for the project and any related recommendations; and

(E) the amount of funding necessary for completing maps for the entire System.

(c) CONSULTATION.—The Secretary of the Interior shall prepare the report required under subsection (b)—

(1) in consultation with the Governors of the States in which any newly identified areas are located; and

(2) after—

(A) providing an opportunity for the submission of public comments; and

(B) considering any public comments submitted under subparagraph (A).

SEC. 103. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) TECHNICAL AMENDMENTS.—Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “as System units and Otherwise Protected Areas” after “generally depicted”; and

(2) in subsection (f)(2), in the matter preceding subparagraph (A), by striking “copy of the map” and inserting “notification of the availability of the map”.

(b) EXCESS FEDERAL PROPERTY.—Section 4(e) of the Coastal Barrier Resources Act (16 U.S.C. 3503(e)) is amended by adding at the end the following:

“(3) DEFINITION OF UNDEVELOPED COASTAL AREA.—Notwithstanding section 3(1) and subsection (g), in this subsection the term ‘undeveloped coastal barrier’ means any coastal barrier regardless of the degree of development.”.

SEC. 104. NONAPPLICABILITY OF PROHIBITIONS TO OTHERWISE PROTECTED AREAS AND STRUCTURES IN NEW ADDITIONS TO THE SYSTEM.

Section 5 of the Coastal Barrier Resources Act (16 U.S.C. 3504) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “subsections (c) and (d) and” after “Except as provided in”; and

(2) by adding at the end the following:

“(c) APPLICABILITY TO OTHERWISE PROTECTED AREAS.—Consistent with the Coastal Barrier Improvement Act of 1990 (Public Law 101–591; 104 Stat. 2931), except for limitations on new flood insurance coverage described in section 1321 of the National Flood Insurance

Act of 1968 (42 U.S.C. 4028), the prohibitions on Federal expenditures and financial assistance described in subsection (a) shall not apply within Otherwise Protected Areas.

“(d) PROHIBITIONS AFFECTING INSURABLE STRUCTURES WITHIN THE SYSTEM.—

“(1) IN GENERAL.—With respect to additions to the System made on or after the date of enactment of the Strengthening Coastal Communities Act of 2023 but subject to paragraphs (2) and (3), the prohibitions on new expenditures and new financial assistance under subsection (a) shall take effect on the date that is 1 year after the date on which the addition to the System was made.

“(2) EXISTING STRUCTURES.—

“(A) IN GENERAL.—An insurable structure described in subparagraph (B) shall remain eligible for new Federal expenditures and new Federal financial assistance.

“(B) INSURABLE STRUCTURE DESCRIBED.—An insurable structure referred to in subparagraph (A) is an insurable structure that is—

“(i) located within a new addition to the System made on or after the date of enactment of the Strengthening Coastal Communities Act of 2023; and

“(ii) in existence before the expiration of the applicable 1-year period described in paragraph (1).

“(3) INSURABLE STRUCTURES IN OTHERWISE PROTECTED AREAS.—Notwithstanding any other provision in this section, new Federal expenditures and financial assistance may be provided for insurable structures in Otherwise Protected Areas that are used in a manner consistent with the purpose for which the area is protected.”.

SEC. 105. REQUIRE DISCLOSURE TO PROSPECTIVE BUYERS THAT PROPERTY IS IN THE COASTAL BARRIER RESOURCES SYSTEM.

Section 5 of the Coastal Barrier Resources Act (16 U.S.C. 3504) (as amended by section 104(2)) is amended by adding at the end the following:

“(e) DISCLOSURE OF LIMITATIONS.—Not later than 2 years after the date of enactment of the Strengthening Coastal Communities Act of 2023, the Secretary, in consultation with the Secretary of Housing and Urban Development, shall promulgate regulations that, with respect to real property located in an affected community, as determined by the United States Fish and Wildlife Service, that is offered for sale or lease, require disclosure that the real property is located within a community affected by this Act.”.

SEC. 106. GUIDANCE FOR EMERGENCIES ADJACENT TO THE SYSTEM.

Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior, in consultation with the Chief of Engineers, shall develop and finalize guidance relating to the expenditure of Federal funds pursuant to the exception described in section 5(a)(3) of the Coastal Barrier Resources Act (16 U.S.C. 3504(a)(3)) for emergency situations that threaten life, land, and property immediately adjacent to a System unit (as defined in subsection (a) of section 3 of that Act (16 U.S.C. 3502)).

SEC. 107. EXCEPTIONS TO LIMITATIONS ON EXPENDITURES.

(a) EMERGENCY ACTIONS.—Section 6(a)(6) of the Coastal Barrier Resources Act (16 U.S.C. 3505(a)(6)) is amended by striking subparagraph (E) and inserting the following:

“(E) Emergency actions necessary to the saving of lives and the protection of property and the public health and safety, if such actions are performed pursuant to sections 402, 403, 407, and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a, 5170b, 5173, 5192) and are limited to actions that are necessary to alleviate the emergency.”.

(b) AQUACULTURE OPERATIONS.—Section 6(a)(6) of the Coastal Barrier Resources Act (16 U.S.C. 3505(a)(6)) is amended by adding at the end the following:

“(H) Aquaculture operations that—

“(i) produce shellfish (including oysters, clams, and mussels), micro-algae and macro-algae cultivation, or other forms of aquaculture that do not require use of aquaculture feeds; and

“(ii) adhere to best management practices and conservation measures recommended by the Secretary through the consultation process referred to in this subsection.”.

(c) FEDERAL COASTAL STORM RISK MANAGEMENT PROJECTS.—Section 6(a) of the Coastal Barrier Resources Act (16 U.S.C. 3505(a)) is amended by adding at the end the following:

“(7) Sourcing of sediment resources for Federal coastal storm risk management projects that have used a System unit for sand to nourish adjacent beaches outside the System pursuant to section 5 of the Act of August 18, 1941 (commonly known as the ‘Flood Control Act of 1941’) (55 Stat. 650, chapter 377; 33 U.S.C. 701n), at any time in the 15-year period prior to the date of enactment of the Strengthening Coastal Communities Act of 2023 in response to a federally declared disaster.”.

SEC. 108. IMPROVE FEDERAL AGENCY COMPLIANCE WITH COASTAL BARRIER RESOURCES ACT.

(a) IN GENERAL.—Section 7(a) of the Coastal Barrier Resources Act (16 U.S.C. 3506(a)) is amended—

(1) by striking “the Coastal Barrier Improvement Act of 1990” and inserting “the Strengthening Coastal Communities Act of 2023”; and

(2) by striking “promulgate regulations” and inserting “revise or promulgate regulations and guidance, as necessary.”.

(b) TECHNICAL CORRECTION.—Section 3(2) of the Coastal Barrier Resources Act (16 U.S.C. 3502(2)) is amended by striking “Committee on Resources” and inserting “Committee on Natural Resources”.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the Coastal Barrier Resources Act (16 U.S.C. 3510) is amended by striking “\$2,000,000” and all that follows through the period at the end of the sentence and inserting “\$3,000,000 for each of fiscal years 2024 through 2028.”.

TITLE II—CHANGES TO JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAPS

SEC. 201. CHANGES TO JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAPS.

(a) IN GENERAL.—

(1) REPLACEMENT MAPS.—Each map included in the set of maps referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) that relates to a unit of the John H. Chafee Coastal Barrier Resources System established by that section referred to in subsection (b) is replaced in such set with the map described in that subsection with respect to that unit and any other new or reclassified units depicted on that map panel.

(2) NEW MAPS.—The set of maps referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) is amended to include the new maps described in subsection (c).

(b) REPLACEMENT MAPS DESCRIBED.—The replacement maps referred to in subsection (a)(1) are the following:

(1) The map entitled “Salisbury Beach Unit MA-01P Plum Island Unit MA-02P (1 of 2)” and dated December 18, 2020.

(2) The map entitled “Clark Pond Unit C00 Plum Island Unit MA-02P (2 of 2) Castle Neck Unit MA-03 Wingsheek Unit C01 (1 of 2)” and dated December 18, 2020.

(3) The map entitled “Wingsheek Unit C01 (2 of 2) Good Harbor Beach/Milk Island Unit C01A Cape Hedge Beach Unit MA-48 Brace Cove Unit C01B” and dated December 18, 2020.

(4) The map entitled “West Beach Unit MA-04 Phillips Beach Unit MA-06” and dated December 18, 2020.

(5) The map entitled “Snake Island Unit MA-08P, Squantum Unit MA-09P Merrymount Park Unit MA-10P West Head Beach Unit C01C/C01CP Peddocks/Rainsford Island Unit MA-11/MA-11P” and dated December 18, 2020.

(6) The map entitled “Cohasset Harbor Unit MA-12 North Scituate Unit C02P Rivermoor Unit C03” and dated December 18, 2020.

(7) The map entitled “Rexhame Unit C03A Duxbury Beach Unit MA-13/MA-13P (1 of 2)” and dated December 18, 2020.

(8) The map entitled “Duxbury Beach Unit MA-13/MA-13P (2 of 2) Plymouth Bay Unit C04” and dated December 18, 2020.

(9) The map entitled “Center Hill Complex C06 Scusset Beach Unit MA-38P Town Neck Unit MA-14P” and dated December 18, 2020.

(10) The map entitled “Scorton Unit C08 Sandy Neck Unit C09/C09P (1 of 2)” and dated December 18, 2020.

(11) The map entitled “Sandy Neck Unit C09/C09P (2 of 2) Chapin Beach Unit MA-15P” and dated December 18, 2020.

(12) The map entitled “Nobscusset Unit MA-16 Freemans Pond Unit C10” and dated December 18, 2020.

(13) The map entitled “Provincetown Unit MA-19P (1 of 2)” and dated December 18, 2020.

(14) The map entitled “Provincetown Unit MA-19P (2 of 2) Pamet Harbor Unit MA-18AP Ballston Beach Unit MA-18P” and dated December 18, 2020.

(15) The map entitled “Griffin/Great Islands Complex MA-17P Lieutenant Island Unit MA-17AP” and dated December 18, 2020.

(16) The map entitled “Namskaket Spits Unit C11/C11P Boat Meadow Unit C11A/C11AP Nauset Beach/Monomoy Unit MA-20P (1 of 3)” and dated December 18, 2020.

(17) The map entitled “Nauset Beach/Monomoy Unit MA-20P (2 of 3) Harding Beach Unit MA-40P Chatham Roads Unit C12/C12P Red River Beach Unit MA-41P” and dated December 18, 2020.

(18) The map entitled “Nauset Beach/Monomoy Unit MA-20P (3 of 3)” and dated December 18, 2020.

(19) The map entitled “Davis Beach Unit MA-23P Lewis Bay Unit C13/C13P” and dated December 18, 2020.

(20) The map entitled “Squaw Island Unit C14 Centerville Unit C15/C15P Dead Neck Unit C16 (1 of 2)” and dated December 18, 2020.

(21) The map entitled “Dead Neck Unit C16 (2 of 2) Popponeset Spit Unit C17 Waquoit Bay Unit C18 Falmouth Ponds Unit C18A” and dated December 18, 2020.

(22) The map entitled “Quisset Beach/Falmouth Beach Unit MA-42P Black Beach Unit C19, Little Sippewisset Marsh Unit C19P Champoquoit Beach Unit MA-43/MA-43P Herring Brook Unit MA-30” and dated December 18, 2020.

(23) The map entitled “Squeteague Harbor Unit MA-31 Bassetts Island Unit MA-32 Phinneys Harbor Unit MA-33 Buzzards Bay Complex C19A (1 of 3)” and dated December 18, 2020.

(24) The map entitled “Buzzards Bay Complex C19AP (2 of 3) Planting Island Unit MA-35” and dated December 18, 2020.

(25) The map entitled “Buzzards Bay Complex C19A (3 of 3) West Sciticut Neck Unit C31A/C31AP Little Bay Unit MA-47P Harbor View Unit C31B” and dated December 18, 2020.

(26) The map entitled “Round Hill Unit MA-36, Mishaum Point Unit C32 Demarest Lloyd Park Unit MA-37P Little Beach Unit C33 (1 of 2) Round Hill Point Unit MA-45P, Teal Pond Unit MA-46” and dated December 18, 2020.

(27) The map entitled “Little Beach Unit C33 (2 of 2) Horseneck Beach Unit C34/C34P Richmond/Cockeast Ponds Unit C35” and dated December 18, 2020.

(28) The map entitled “Coatue Unit C20/C20P (1 of 2) Sesachacha Pond Unit C21” and dated December 18, 2020.

(29) The map entitled “Coatue Unit C20/C20P (2 of 2) Cisco Beach Unit C22P Esther Island Complex C23/23P (1 of 2) Tuckernuck Island Unit C24 (1 of 2)” and dated December 18, 2020.

(30) The map entitled “Esther Island Complex C23 (2 of 2) Tuckernuck Island Unit C24 (2 of 2) Muskeget Island Unit C25” and dated December 18, 2020.

(31) The map entitled “Harthaven Unit MA-26, Edgartown Beach Unit MA-27P Trapps Pond Unit MA-27, Eel Pond Beach Unit C26 Cape Poge Unit C27, Norton Point Unit MA-28P South Beach Unit C28 (1 of 2)” and dated December 18, 2020.

(32) The map entitled “South Beach Unit C28 (2 of 2)” and dated December 18, 2020.

(33) The map entitled “Squibnocket Complex C29/C29P Nomans Land Unit MA-29P” and dated December 18, 2020.

(34) The map entitled “James Pond Unit C29A Mink Meadows Unit C29B Naushon Island Complex MA-24 (1 of 2)” and dated December 18, 2020.

(35) The map entitled “Naushon Island Complex MA-24 (2 of 2) Elizabeth Island Unit C31 (1 of 2)” and dated December 18, 2020.

(36) The map entitled “Elizabeth Island Unit C31 (2 of 2) Penikese Island Unit MA-25P” and dated December 18, 2020.

(37) The map entitled “Cedar Cove Unit C34A” and dated December 18, 2020.

(38) The map entitled “Little Compton Ponds Unit D01 Tunipus Pond Unit D01P Brown Point Unit RI-01” and dated December 18, 2020.

(39) The map entitled “Fogland Marsh Unit D02/D02P, Sapowet Point Unit RI-02/RI-02P McCorrie Point Unit RI-02A Sandy Point Unit RI-03P Prudence Island Complex D02B/D02BP (1 of 3)” and dated December 18, 2020.

(40) The map entitled “Prudence Island Complex D02B/D02BP (2 of 3)” and dated December 18, 2020.

(41) The map entitled “Prudence Island Complex D02B/D02BP (3 of 3)” and dated December 18, 2020.

(42) The map entitled “West Narragansett Bay Complex D02C” and dated December 18, 2020.

(43) The map entitled “Fox Hill Marsh Unit RI-08/RI-08P Bonnet Shores Beach Unit RI-09 Narragansett Beach Unit RI-10/RI-10P” and dated December 18, 2020.

(44) The map entitled “Seaweed Beach Unit RI-11P East Matunuck Beach Unit RI-12P Point Judith Unit RI-14P, Card Ponds Unit D03/D03P Green Hill Beach Unit D04 (1 of 2)” and dated December 18, 2020.

(45) The map entitled “Green Hill Beach Unit D04 (2 of 2) East Beach Unit D05P Quonochontaug Beach Unit D06/D06P” and dated December 18, 2020.

(46) The map entitled “Misquamicut Beach Unit RI-13P Maschaug Ponds Unit D07 Napatree Unit D08/D08P” and dated December 18, 2020.

(47) The map entitled “Block Island Unit D09/D09P” and dated December 18, 2020.

(48) The map entitled “Wilcox Beach Unit E01 Ram Island Unit E01A Mason Island Unit CT-01” and dated December 18, 2020.

(49) The map entitled “Bluff Point Unit CT-02 Goshen Cove Unit E02” and dated December 18, 2020.

(50) The map entitled "Jordan Cove Unit E03, Niantic Bay Unit E03A Old Black Point Unit CT-03, Hatchett Point Unit CT-04 Little Pond Unit CT-05, Mile Creek Unit CT-06" and dated December 18, 2020.

(51) The map entitled "Griswold Point Unit CT-07 Lynde Point Unit E03B Cold Spring Brook Unit CT-08" and dated December 18, 2020.

(52) The map entitled "Menunketesuck Island Unit E04 Hammonasset Point Unit E05 Toms Creek Unit CT-10 Seaview Beach Unit CT-11" and dated December 18, 2020.

(53) The map entitled "Lindsey Cove Unit CT-12 Kelsey Island Unit CT-13 Nathan Hale Park Unit CT-14P Morse Park Unit CT-15P" and dated December 18, 2020.

(54) The map entitled "Milford Point Unit E07 Long Beach Unit CT-18P Fayerweather Island Unit E08AP" and dated December 18, 2020.

(55) The map entitled "Norwalk Islands Unit E09/E09P" and dated December 18, 2020.

(56) The map entitled "Jamaica Bay Unit NY-60P (1 of 2)" and dated December 18, 2020.

(57) The map entitled "Jamaica Bay Unit NY-60P (2 of 2)" and dated December 18, 2020.

(58) The map entitled "Sands Point Unit NY-03 Prospect Point Unit NY-04P Dosoris Pond Unit NY-05P" and dated December 18, 2020.

(59) The map entitled "The Creek Beach Unit NY-06/NY-06P Centre Island Beach Unit NY-07P, Centre Island Unit NY-88 Lloyd Beach Unit NY-09P Lloyd Point Unit NY-10/NY-10P" and dated December 18, 2020.

(60) The map entitled "Lloyd Harbor Unit NY-11/NY-11P, Eatons Neck Unit F02 Hobart Beach Unit NY-13, Deck Island Harbor Unit NY-89 Centerpoint Harbor Unit NY-12, Crab Meadow Unit NY-14" and dated December 18, 2020.

(61) The map entitled "Sunken Meadow Unit NY-15/NY-15P Stony Brook Harbor Unit NY-16 (1 of 2)" and dated December 18, 2020.

(62) The map entitled "Stony Brook Harbor Unit NY-16/NY-16P (2 of 2) Crane Neck Unit F04P Old Field Beach Unit F05/F05P Cedar Beach Unit NY-17/NY-17P" and dated December 18, 2020.

(63) The map entitled "Wading River Unit NY-18 Baiting Hollow Unit NY-19P" and dated December 18, 2020.

(64) The map entitled "Luce Landing Unit NY-20P, Mattituck Inlet Unit NY-21P East Creek Unit NY-34P, Indian Island Unit NY-35P Flanders Bay Unit NY-36/NY-36P, Red Creek Pond Unit NY-37 Iron Point Unit NY-97P" and dated December 18, 2020.

(65) The map entitled "Goldsmith Inlet Unit NY-22P, Pipes Cove Unit NY-26 (1 of 2) Southold Bay Unit NY-28, Cedar Beach Point Unit NY-29P (1 of 2) Hog Neck Bay Unit NY-30 Peconic Dunes Unit NY-90P" and dated December 18, 2020.

(66) The map entitled "Little Creek Unit NY-31/NY-31P, Cutchogue Harbor Unit NY-31A Downs Creek Unit NY-32, Robins Island Unit NY-33 Squire Pond Unit NY-38, Cow Neck Unit NY-39 North Sea Harbor Unit NY-40/NY-40P, Cold Spring Pond Unit NY-92" and dated December 18, 2020.

(67) The map entitled "Truman Beach Unit NY-23/NY-23P Orient Beach Unit NY-25P Hay Beach Point Unit NY-47" and dated December 18, 2020.

(68) The map entitled "F06, NY-26 (2 of 2), NY-27, NY-29P (2 of 2), NY-41P NY-42, NY-43/NY-43P, NY-44, NY-45 NY-46, NY-48, NY-49, NY-50 NY-51P, NY-93, NY-94, NY-95P" and dated December 18, 2020.

(69) The map entitled "Gardiners Island Barriers Unit F09 (1 of 2) Plum Island Unit NY-24" and dated December 18, 2020.

(70) The map entitled "Sammys Beach Unit F08A, Accabonac Harbor Unit F08B Gardiners Island Barriers Unit F09 (2 of 2) Napeague Unit F10P (1 of 2), Hog Creek Unit

NY-52 Amagansett Unit NY-56/NY-56P, Bell Park Unit NY-96P" and dated December 18, 2020.

(71) The map entitled "Fisher Island Barriers Unit F01" and dated December 18, 2020.

(72) The map entitled "Big Reed Pond Unit NY-53P Oyster Pond Unit NY-54P Montauk Point Unit NY-55P" and dated December 18, 2020.

(73) The map entitled "Napeague Unit F10/F10P (2 of 2)" and dated December 18, 2020.

(74) The map entitled "Mecox Unit F11 Georgica/Wainscott Ponds Unit NY-57 Sagaponack Pond Unit NY-58/NY-58P" and dated December 18, 2020.

(75) The map entitled "Southampton Beach Unit F12 Tiana Beach Unit F13/F13P" and dated December 18, 2020.

(76) The map entitled "Fire Island Unit NY-59P (1 of 6)" and dated December 18, 2020.

(77) The map entitled "Fire Island Unit NY-59P (2 of 6)" and dated December 18, 2020.

(78) The map entitled "Fire Island Unit NY-59P (3 of 6)" and dated December 18, 2020.

(79) The map entitled "Fire Island Unit NY-59/NY-59P (4 of 6)" and dated December 18, 2020.

(80) The map entitled "Fire Island Unit NY-59/NY-59P (5 of 6)" and dated December 18, 2020.

(81) The map entitled "Fire Island Unit NY-59/NY-59P (6 of 6)" and dated December 18, 2020.

(82) The map entitled "Sandy Hook Unit NJ-01P Monmouth Cove Unit NJ-17P" and dated December 18, 2020.

(83) The map entitled "Navesink/Shrewsbury Complex NJ-04A/NJ-04AP" and dated December 18, 2020.

(84) The map entitled "Metedeconk Neck Unit NJ-04B/NJ-04BP" and dated December 18, 2020.

(85) The map entitled "Island Beach Unit NJ-05P (1 of 2)" and dated December 18, 2020.

(86) The map entitled "Island Beach Unit NJ-05P (2 of 2)" and dated December 18, 2020.

(87) The map entitled "Cedar Bonnet Island Unit NJ-06/NJ-06P" and dated December 18, 2020.

(88) The map entitled "Brigantine Unit NJ-07P (1 of 4)" and dated December 18, 2020.

(89) The map entitled "Brigantine Unit NJ-07P (2 of 4)" and dated December 18, 2020.

(90) The map entitled "Brigantine Unit NJ-07P (3 of 4)" and dated December 18, 2020.

(91) The map entitled "Brigantine Unit NJ-07P (4 of 4)" and dated December 18, 2020.

(92) The map entitled "Corson's Inlet Unit NJ-08P" and dated December 18, 2020.

(93) The map entitled "Stone Harbor Unit NJ-09/NJ-09P" and dated December 18, 2020.

(94) The map entitled "Two Mile Beach Unit NJ-20P Cape May Unit NJ-10P Higbee Beach Unit NJ-11P" and dated December 18, 2020.

(95) The map entitled "Sunray Beach Unit NJ-21P Del Haven Unit NJ-12/NJ-12P Kimbles Beach Unit NJ-13 Moores Beach Unit NJ-14/NJ-14P (1 of 3)" and dated December 18, 2020.

(96) The map entitled "Moores Beach Unit NJ-14/NJ-14P (2 of 3)" and dated December 18, 2020.

(97) The map entitled "Moores Beach Unit NJ-14/NJ-14P (3 of 3)" and dated December 18, 2020.

(98) The map entitled "Little Creek Unit DE-01/DE-01P (1 of 2) Broadkill Beach Unit H00/H00P (1 of 4)" and dated December 18, 2020.

(99) The map entitled "Broadkill Beach Unit H00/H00P (2 of 4)" and dated December 18, 2020.

(100) The map entitled "Broadkill Beach Unit H00/H00P (3 of 4)" and dated December 18, 2020.

(101) The map entitled "Broadkill Beach Unit H00/H00P (4 of 4) Beach Plum Island Unit DE-02P" and dated December 18, 2020.

(102) The map entitled "Cape Henlopen Unit DE-03P Silver Lake Unit DE-06" and dated December 18, 2020.

(103) The map entitled "Fenwick Island Unit DE-08P" and dated December 18, 2020.

(104) The map entitled "Bombay Hook Unit DE-11P (2 of 2) Little Creek Unit DE-01P (2 of 2)" and dated December 18, 2020.

(105) The map entitled "Assateague Island Unit MD-01P (1 of 3)" and dated December 18, 2020.

(106) The map entitled "Assateague Island Unit MD-01P (2 of 3)" and dated December 18, 2020.

(107) The map entitled "Assateague Island Unit MD-01P (3 of 3)" and dated December 18, 2020.

(108) The map entitled "Fair Island Unit MD-02 Sound Shore Unit MD-03/MD-03P" and dated December 18, 2020.

(109) The map entitled "Cedar/Janes Islands Unit MD-04P (1 of 2) Joes Cove Unit MD-06 (1 of 2)" and dated December 18, 2020.

(110) The map entitled "Cedar/Janes Islands Unit MD-04P (2 of 2) Joes Cove Unit MD-06 (2 of 2) Scott Point Unit MD-07P, Hazard Island Unit MD-08P St. Pierre Point Unit MD-09P" and dated December 18, 2020.

(111) The map entitled "Little Deal Island Unit MD-11 Deal Island Unit MD-12 Franks Island Unit MD-14/MD-14P Long Point Unit MD-15" and dated December 18, 2020.

(112) The map entitled "Stump Point Unit MD-16" and dated December 18, 2020.

(113) The map entitled "Martin Unit MD-17P" and dated December 18, 2020.

(114) The map entitled "Marsh Island Unit MD-18P Holland Island Unit MD-19" and dated December 18, 2020.

(115) The map entitled "Jenny Island Unit MD-20 Lower Hooper Island Unit MD-58" and dated December 18, 2020.

(116) The map entitled "Barren Island Unit MD-21P Meekins Neck Unit MD-59" and dated December 18, 2020.

(117) The map entitled "Hooper Point Unit MD-22 Covey Creek Unit MD-24" and dated December 18, 2020.

(118) The map entitled "Boone Creek Unit MD-26 Benoni Point Unit MD-27 Chlora Point Unit MD-60" and dated December 18, 2020.

(119) The map entitled "Loves Point Unit MD-28 Rich Neck Unit MD-29 Kent Point Unit MD-30" and dated December 18, 2020.

(120) The map entitled "Stevensville Unit MD-32 Wesley Church Unit MD-33 Eastern Neck Island Unit MD-34P Wilson Point Unit MD-35" and dated December 18, 2020.

(121) The map entitled "Tanner Creek Unit MD-47 Point Lookout Unit MD-48P Potter Creek Unit MD-63 Biscoe Creek Unit MD-49" and dated December 18, 2020.

(122) The map entitled "Biscoe Pond Unit MD-61P, Carroll Pond Unit MD-62 St. Clarence Creek Unit MD-44 Deep Point Unit MD-45, Point Look-In Unit MD-46 Chicken Cock Creek Unit MD-50" and dated December 18, 2020.

(123) The map entitled "Drum Point Unit MD-39 Lewis Creek Unit MD-40 Green Holly Pond Unit MD-41" and dated December 18, 2020.

(124) The map entitled "Flag Ponds Unit MD-37P Cove Point Marsh Unit MD-38/MD-38P" and dated December 18, 2020.

(125) The map entitled "Cherryfield Unit MD-64, Piney Point Creek Unit MD-51 McKay Cove Unit MD-52, Blake Creek Unit MD-53 Belvedere Creek Unit MD-54" and dated December 18, 2020.

(126) The map entitled "St. Clements Island Unit MD-55P St. Catherine Island Unit MD-56" and dated December 18, 2020.

(127) The map entitled "Assateague Island Unit VA-01P (1 of 4)" and dated December 18, 2020.

(128) The map entitled “Assateague Island Unit VA-01P (2 of 4)” and dated December 18, 2020.

(129) The map entitled “Assateague Island Unit VA-01P (3 of 4)” and dated December 18, 2020.

(130) The map entitled “Assateague Island Unit VA-01P (4 of 4) Assawoman Island Unit VA-02P (1 of 3)” and dated December 18, 2020.

(131) The map entitled “Assawoman Island Unit VA-02P (2 of 3)” and dated December 18, 2020.

(132) The map entitled “Assawoman Island Unit VA-02P (3 of 3) Metompkin Island Unit VA-03P Cedar Island Unit K03 (1 of 3)” and dated December 18, 2020.

(133) The map entitled “Cedar Island Unit K03 (2 of 3) Parramore/Hog/Cobb Islands Unit VA-04P (1 of 5)” and dated December 18, 2020.

(134) The map entitled “Cedar Island Unit K03 (3 of 3) Parramore/Hog/Cobb Islands Unit VA-04P (2 of 5)” and dated December 18, 2020.

(135) The map entitled “Parramore/Hog/Cobb Islands Unit VA-04P (3 of 5)” and dated December 18, 2020.

(136) The map entitled “Parramore/Hog/Cobb Islands Unit VA-04P (4 of 5)” and dated December 18, 2020.

(137) The map entitled “Parramore/Hog/Cobb Islands Unit VA-04P (5 of 5) Little Cobb Island Unit K04 Wreck Island Unit VA-05P (1 of 4)” and dated December 18, 2020.

(138) The map entitled “Wreck Island Unit VA-05P (2 of 4)” and dated December 18, 2020.

(139) The map entitled “Wreck Island Unit VA-05P (3 of 4) Smith Island Unit VA-06P (1 of 3)” and dated December 18, 2020.

(140) The map entitled “Wreck Island Unit VA-05P (4 of 4) Smith Island Unit VA-06P (2 of 3) Fishermans Island Unit K05/K05P (1 of 2)” and dated December 18, 2020.

(141) The map entitled “Smith Island Unit VA-06P (3 of 3) Fishermans Island Unit K05/K05P (2 of 2)” and dated December 18, 2020.

(142) The map entitled “Elliotts Creek Unit VA-09 Old Plantation Creek Unit VA-10 Wescoat Point Unit VA-11” and dated December 18, 2020.

(143) The map entitled “Great Neck Unit VA-12 Westerhouse Creek Unit VA-13 Shooting Point Unit VA-14” and dated December 18, 2020.

(144) The map entitled “Scarborough Neck Unit VA-16/VA-16P Craddock Neck Unit VA-17/VA-17P (1 of 2)” and dated December 18, 2020.

(145) The map entitled “Craddock Neck Unit VA-17 (2 of 2) Hacks Neck Unit VA-18 Parkers/Finneys Islands Unit VA-19 Parkers Marsh Unit VA-20/VA-20P (1 of 3)” and dated December 18, 2020.

(146) The map entitled “Parkers Marsh Unit VA-20 (2 of 3) Beach Island Unit VA-21 (1 of 2) Russell Island Unit VA-22/VA-22P Simpson Bend Unit VA-23” and dated December 18, 2020.

(147) The map entitled “Parkers Marsh Unit VA-20/VA-20P (3 of 3) Beach Island Unit VA-21 (2 of 2) Watts Island Unit VA-27” and dated December 18, 2020.

(148) The map entitled “Drum Bay Unit VA-24” and dated December 18, 2020.

(149) The map entitled “Fox Islands Unit VA-25” and dated December 18, 2020.

(150) The map entitled “Cheeseman Island Unit VA-26” and dated December 18, 2020.

(151) The map entitled “Tangier Island Unit VA-28/VA-28P” and dated December 18, 2020.

(152) The map entitled “Elbow Point Unit VA-29 White Point Unit VA-30 Cabin Point Unit VA-31 Glebe Point Unit VA-32” and dated December 18, 2020.

(153) The map entitled “Sandy Point Unit VA-33 Judith Sound Unit VA-34” and dated December 18, 2020.

(154) The map entitled “Cod Creek Unit VA-35 Presley Creek Unit VA-36 Cordreys

Beach Unit VA-37 Marshalls Beach Unit VA-38” and dated December 18, 2020.

(155) The map entitled “Ginny Beach Unit VA-39P, Gaskin Pond Unit VA-40 Owens Pond Unit VA-41, Chesapeake Beach Unit VA-42 Fleet Point Unit VA-43 Bussel Point Unit VA-44” and dated December 18, 2020.

(156) The map entitled “Harveys Creek Unit VA-45, Dameron Marsh Unit VA-63P Ingram Cove Unit VA-46 Bluff Point Neck Unit VA-47/VA-47P Barnes Creek Unit VA-48” and dated December 18, 2020.

(157) The map entitled “Little Bay Unit VA-64, North Point Unit VA-49 White Marsh Unit VA-65P, Windmill Point Unit VA-50 Deep Hole Point Unit VA-51, Sturgeon Creek Unit VA-52 Jackson Creek Unit VA-53” and dated December 18, 2020.

(158) The map entitled “Rigby Island/Bethal Beach Unit VA-55/VA-55P (1 of 2)” and dated December 18, 2020.

(159) The map entitled “Rigby Island/Bethal Beach Unit VA-55 (2 of 2) New Point Comfort Unit VA-56” and dated December 18, 2020.

(160) The map entitled “Lone Point Unit VA-66 Oldhouse Creek Unit VA-67 Ware Neck Unit VA-57 Severn River Unit VA-58 (1 of 2)” and dated December 18, 2020.

(161) The map entitled “Severn River Unit VA-58 (2 of 2) Bay Tree Beach Unit VA-68/VA-68P Plum Tree Island Unit VA-59P (1 of 2)” and dated December 18, 2020.

(162) The map entitled “Plum Tree Island Unit VA-59P (2 of 2) Long Creek Unit VA-60/VA-60P” and dated December 18, 2020.

(163) The map entitled “Cape Henry Unit VA-61P” and dated December 18, 2020.

(164) The map entitled “Back Bay Unit VA-62P (1 of 2)” and dated December 18, 2020.

(165) The map entitled “Back Bay Unit VA-62P (2 of 2)” and dated December 18, 2020.

(166) The map entitled “Onslow Beach Complex L05 (2 of 2) Topsail Unit L06 (1 of 2)” and dated April 30, 2021.

(167) The map entitled “Morris Island Unit M06/M06P” and dated April 29, 2021.

(168) The map entitled “Hunting Island Unit SC-09P (1 of 2) Harbor Island Unit M11 (1 of 2) St. Phillips Island Unit M12/M12P (1 of 3)” and dated April 29, 2021.

(169) The map entitled “Hunting Island Unit SC-09P (2 of 2) Harbor Island Unit M11 (2 of 2) St. Phillips Island Unit M12/M12P (2 of 3)” and dated April 29, 2021.

(170) The map entitled “St. Phillips Island Unit M12 (3 of 3)” and dated April 29, 2021.

(171) The map entitled “Grayton Beach Unit FL-95P Draper Lake Unit FL-96” and dated April 30, 2021.

(172) The map entitled “Moreno Point Unit P32/P32P” and dated April 29, 2021.

(173) The map entitled “Isle au Pitre Unit LA-01” and dated March 18, 2016.

(174) The map entitled “Half Moon Island Unit LA-02” and dated March 18, 2016.

(175) The map entitled “Timbalier Bay Unit S04 Timbalier Islands Unit S05 (1 of 3)” and dated March 18, 2016.

(176) The map entitled “Timbalier Islands Unit S05 (2 of 3)” and dated March 18, 2016.

(177) The map entitled “Timbalier Islands Unit S05 (3 of 3)” and dated March 18, 2016.

(178) The map entitled “Isles Dernieres Unit S06 (1 of 3)” and dated March 18, 2016.

(179) The map entitled “Isles Dernieres Unit S06 (2 of 3)” and dated March 18, 2016.

(180) The map entitled “Isles Dernieres Unit S06 (3 of 3)” and dated March 18, 2016.

(181) The map entitled “Point au Fer Unit S07 (1 of 4)” and dated March 18, 2016.

(182) The map entitled “Point au Fer Unit S07 (2 of 4)” and dated March 18, 2016.

(183) The map entitled “Point au Fer Unit S07 (3 of 4)” and dated March 18, 2016.

(184) The map entitled “Point au Fer Unit S07 (4 of 4)” and dated March 18, 2016.

(c) NEW MAPS DESCRIBED.—The new maps referred to in subsection (a)(2) are the following:

(1) The map entitled “Odiorne Point Unit NH-01P” and dated December 18, 2020.

(2) The map entitled “Guilford Harbor Unit CT-19P” and dated December 18, 2020.

(3) The map entitled “Silver Sands Unit CT-21P” and dated December 18, 2020.

(4) The map entitled “Calf Islands Unit CT-20P” and dated December 18, 2020.

(5) The map entitled “Malibu Beach Unit NJ-19P” and dated December 18, 2020.

(6) The map entitled “Egg Island Unit NJ-22P (1 of 2)” and dated December 18, 2020.

(7) The map entitled “Egg Island Unit NJ-22P (2 of 2) Dix Unit NJ-23P (1 of 3)” and dated December 18, 2020.

(8) The map entitled “Dix Unit NJ-23P (2 of 3)” and dated December 18, 2020.

(9) The map entitled “Dix Unit NJ-23P (3 of 3) Greenwich Unit NJ-24P” and dated December 18, 2020.

(10) The map entitled “Woodland Beach Unit DE-09P Fraland Beach Unit DE-10 Bombay Hook Unit DE-11P (1 of 2)” and dated December 18, 2020.

(11) The map entitled “Swan Point Unit MD-65 Lower Cedar Point Unit MD-66” and dated December 18, 2020.

(d) AVAILABILITY.—The Secretary of the Interior shall keep the maps described in subsections (b) and (c) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

SA 1836. Mr. LEE (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 7888, to reform the Foreign Intelligence Surveillance Act of 1978; which was ordered to lie on the table; as follows:

On page 19, strike line 22 and all that follows through page 24, line 10, and insert the following:

(b) USE OF AMICI CURIAE IN FOREIGN INTELLIGENCE SURVEILLANCE COURT PROCEEDINGS.—

(1) EXPANSION OF APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Section 103(i)(2) is amended—

(i) by striking subparagraph (A) and inserting the following:

“(A) shall, unless the court issues a finding that appointment is not appropriate, appoint 1 or more individuals who have been designated under paragraph (1), not fewer than 1 of whom possesses privacy and civil liberties expertise, unless the court finds that such a qualification is inappropriate, to serve as amicus curiae to assist the court in the consideration of any application or motion for an order or review that, in the opinion of the court—

“(i) presents a novel or significant interpretation of the law;

“(ii) presents significant concerns with respect to the activities of a United States person that are protected by the first amendment to the Constitution of the United States;

“(iii) presents or involves a sensitive investigative matter;

“(iv) presents a request for approval of a new program, a new technology, or a new use of existing technology;

“(v) presents a request for reauthorization of programmatic surveillance; or

“(vi) otherwise presents novel or significant civil liberties issues; and”;

(ii) in subparagraph (B), by striking “an individual or organization” each place the term appears and inserting “1 or more individuals or organizations”.

(B) DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.—Section 103(i) is amended by adding at the end the following:

“(12) DEFINITION.—In this subsection, the term ‘sensitive investigative matter’ means—

“(A) an investigative matter involving the activities of—

“(i) a domestic public official or political candidate, or an individual serving on the staff of such an official or candidate;

“(ii) a domestic religious or political organization, or a known or suspected United States person prominent in such an organization; or

“(iii) the domestic news media; or

“(B) any other investigative matter involving a domestic entity or a known or suspected United States person that, in the judgment of the applicable court established under subsection (a) or (b), is as sensitive as an investigative matter described in subparagraph (A).”.

(2) AUTHORITY TO SEEK REVIEW.—Section 103(i), as amended by paragraph (1) of this subsection, is amended—

(A) in paragraph (4)—

(i) in the paragraph heading, by inserting “; AUTHORITY” after “DUTIES”;

(ii) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and adjusting the margins accordingly;

(iii) in the matter preceding clause (i), as so redesignated, by striking “the amicus curiae shall” and inserting the following: “the amicus curiae—

“(A) shall”;

(iv) in subparagraph (A)(i), as so redesignated, by inserting before the semicolon at the end the following: “, including legal arguments regarding any privacy or civil liberties interest of any United States person that would be significantly impacted by the application or motion”; and

(v) by striking the period at the end and inserting the following: “; and

“(B) may seek leave to raise any novel or significant privacy or civil liberties issue relevant to the application or motion or other issue directly impacting the legality of the proposed electronic surveillance with the court, regardless of whether the court has requested assistance on that issue.”;

(B) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(C) by inserting after paragraph (6) the following:

“(7) AUTHORITY TO SEEK REVIEW OF DECISIONS.—

“(A) FISA COURT DECISIONS.—

“(i) PETITION.—Following issuance of an order under this Act by the Foreign Intelligence Surveillance Court, an amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court to certify for review to the Foreign Intelligence Surveillance Court of Review a question of law pursuant to subsection (j).

“(ii) WRITTEN STATEMENT OF REASONS.—If the Foreign Intelligence Surveillance Court denies a petition under this subparagraph, the Foreign Intelligence Surveillance Court shall provide for the record a written statement of the reasons for the denial.

“(iii) APPOINTMENT.—Upon certification of any question of law pursuant to this subparagraph, the Court of Review shall appoint the amicus curiae to assist the Court of Review in its consideration of the certified question, unless the Court of Review issues a finding that such appointment is not appropriate.

“(C) DECLASSIFICATION OF REFERRALS.—For purposes of section 602, a petition filed under subparagraph (A) or (B) of this paragraph and all of its content shall be considered a

decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in paragraph (2) of section 602(a).”.

(3) ACCESS TO INFORMATION.—

(A) APPLICATION AND MATERIALS.—Section 103(i)(6) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—

“(i) RIGHT OF AMICUS.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

“(I) shall have access, to the extent such information is available to the Government, to—

“(aa) the application, certification, petition, motion, and other information and supporting materials, including any information described in section 901, submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed, including access to any relevant legal precedent (including any such precedent that is cited by the Government, including in such an application);

“(bb) an unredacted copy of each relevant decision made by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review in which the court decides a question of law, without regard to whether the decision is classified; and

“(cc) any other information or materials that the court determines are relevant to the duties of the amicus curiae; and

“(II) may make a submission to the court requesting access to any other particular materials or information (or category of materials or information) that the amicus curiae believes to be relevant to the duties of the amicus curiae.

“(ii) SUPPORTING DOCUMENTATION REGARDING ACCURACY.—The Foreign Intelligence Surveillance Court, upon the motion of an amicus curiae appointed under paragraph (2) or upon its own motion, may require the Government to make available the supporting documentation described in section 902.”.

(B) CLARIFICATION OF ACCESS TO CERTAIN INFORMATION.—Section 103(i)(6) is amended—

(i) in subparagraph (B), by striking “may” and inserting “shall”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) CLASSIFIED INFORMATION.—An amicus curiae designated or appointed by the court shall have access, to the extent such information is available to the Government, to unredacted copies of each opinion, order, transcript, pleading, or other document of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review, including, if the individual is eligible for access to classified information, any classified documents, information, and other materials or proceedings.”.

(4) DEFINITIONS.—Section 101 is amended by adding at the end the following:

“(q) The term ‘Foreign Intelligence Surveillance Court’ means the court established under section 103(a).

“(r) The term ‘Foreign Intelligence Surveillance Court of Review’ means the court established under section 103(b).”.

(5) TECHNICAL AMENDMENTS RELATING TO STRIKING SECTION 5(C) OF THE BILL.—

(A) Subsection (e) of section 603, as added by section 12(a) of this Act, is amended by striking “section 103(m)” and inserting “section 103(l)”.

(B) Section 110(a), as added by section 15(b) of this Act, is amended by striking “section 103(m)” and inserting “section 103(l)”.

(C) Section 103 is amended by redesignating subsection (m), as added by section 17 of this Act, as subsection (l).

(6) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act and shall apply with respect to proceedings under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that take place on or after, or are pending on, that date.

(c) REQUIRED DISCLOSURE OF RELEVANT INFORMATION IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 APPLICATIONS.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

“TITLE IX—REQUIRED DISCLOSURE OF RELEVANT INFORMATION
“SEC. 901. DISCLOSURE OF RELEVANT INFORMATION.

“The Attorney General or any other Federal officer or employee making an application for a court order under this Act shall provide the court with—

“(1) all information in the possession of the Government that is material to determining whether the application satisfies the applicable requirements under this Act, including any exculpatory information; and

“(2) all information in the possession of the Government that might reasonably—

“(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

“(B) otherwise raise doubts with respect to the findings that are required to be made under the applicable provision of this Act in order for the court order to be issued.”.

(2) CERTIFICATION REGARDING ACCURACY PROCEDURES.—Title IX, as added by paragraph (1) of this subsection, is amended by adding at the end the following:

“SEC. 902. CERTIFICATION REGARDING ACCURACY PROCEDURES.

“(a) DEFINITION OF ACCURACY PROCEDURES.—In this section, the term ‘accuracy procedures’ means specific procedures, adopted by the Attorney General, to ensure that an application for a court order under this Act, including any application for renewal of an existing order, is accurate and complete, including procedures that ensure, at a minimum, that—

“(1) the application reflects all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings;

“(2) the application reflects all material information that might reasonably call into question the reliability and reporting of any information from a confidential human source that is used in the application;

“(3) a complete file documenting each factual assertion in an application is maintained;

“(4) the applicant coordinates with the appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), concerning any prior or existing relationship with the target of any surveillance, search, or other means of investigation, and discloses any such relationship in the application;

“(5) before any application targeting a United States person (as defined in section 101) is made, the applicant Federal officer shall document that the officer has collected and reviewed for accuracy and completeness supporting documentation for each factual assertion in the application; and

“(6) the applicant Federal agency establish compliance and auditing mechanisms on an

annual basis to assess the efficacy of the accuracy procedures that have been adopted and report such findings to the Attorney General.

“(b) STATEMENT AND CERTIFICATION OF ACCURACY PROCEDURES.—Any Federal officer making an application for a court order under this Act shall include with the application—

“(1) a description of the accuracy procedures employed by the officer or the officer’s designee; and

“(2) a certification that the officer or the officer’s designee has collected and reviewed for accuracy and completeness—

“(A) supporting documentation for each factual assertion contained in the application;

“(B) all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings; and

“(C) all material information that might reasonably call into question the reliability and reporting of any information from any confidential human source that is used in the application.

“(c) NECESSARY FINDING FOR COURT ORDERS.—A judge may not enter an order under this Act unless the judge finds, in addition to any other findings required under this Act, that the accuracy procedures described in the application for the order, as required under subsection (b)(1), are actually accuracy procedures as defined in this section.”.

(3) TECHNICAL AMENDMENTS TO ELIMINATE AMENDMENTS MADE BY SECTION 10 OF THE BILL.—

(A) Subsection (a) of section 104 is amended—

(i) in paragraph (9), as amended by section 6(d)(1)(B) of this Act, by striking “and” at the end;

(ii) in paragraph (10), as added by section 6(d)(1)(C) of this Act, by adding “and” at the end;

(iii) in paragraph (11), as added by section 6(e)(1) of this Act, by striking “; and” and inserting a period;

(iv) by striking paragraph (12), as added by section 10(a)(1) of this Act; and

(v) by striking paragraph (13), as added by section 10(b)(1) of this Act.

(B) Subsection (a) of section 303 is amended—

(i) in paragraph (8), as amended by section 6(e)(2)(B) of this Act, by adding “and” at the end;

(ii) in paragraph (9), as added by section 6(e)(2)(C) of this Act, by striking “; and” and inserting a period;

(iii) by striking paragraph (10), as added by section 10(a)(2) of this Act; and

(iv) by striking paragraph (11), as added by section 10(b)(2) of this Act.

(C) Subsection (c) of section 402, as amended by subsections (a)(3) and (b)(3) of section 10 of this Act, is amended—

(i) in paragraph (2), by adding “and” at the end;

(ii) in paragraph (3), by striking the semicolon and inserting a period;

(iii) by striking paragraph (4), as added by section 10(a)(3)(C) of this Act; and

(iv) by striking paragraph (5), as added by section 10(b)(3)(C) of this Act.

(D) Subsection (b)(2) of section 502, as amended by subsections (a)(4) and (b)(4) of section 10 of this Act, is amended—

(i) in subparagraph (A), by adding “and” at the end;

(ii) in subparagraph (B), by striking the semicolon and inserting a period;

(iii) by striking subparagraph (E), as added by section 10(a)(4)(C) of this Act; and

(iv) by striking subparagraph (F), as added by section 10(b)(4)(C) of this Act.

(E) Subsection (b)(1) of section 703, as amended by subsections (a)(5)(A) and (b)(5)(A) of section 10 of this Act, is amended—

(i) in subparagraph (I), by adding “and” at the end;

(ii) in subparagraph (J), by striking the semicolon and inserting a period;

(iii) by striking subparagraph (K), as added by section 10(a)(5)(A)(iii) of this Act; and

(iv) by striking subparagraph (L), as added by section 10(b)(5)(A)(iii) of this Act.

(F) Subsection (b) of section 704, as amended by subsections (a)(5)(B) and (b)(5)(B) of section 10 of this Act, is amended—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon and inserting a period;

(iii) by striking paragraph (8), as added by section 10(a)(5)(B)(iii) of this Act; and

(iv) by striking paragraph (9), as added by section 10(b)(5)(B)(iii) of this Act.

(G)(i) The Attorney General shall not be required to issue procedures under paragraph (7) of section 10(a) of this Act.

(ii) Nothing in clause (i) shall be construed to modify the requirement for the Attorney General to issue accuracy procedures under section 902(a) of the Foreign Intelligence Surveillance Act of 1978, as added by paragraph (2) of this subsection.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have four requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

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

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet in open and closed session during the session of the Senate on Thursday, April 18, 2024, at 9 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, April 18, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, April 18, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, April 18, 2024, at 10 a.m., to conduct an executive business meeting.

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Madam President, I ask unanimous consent that Scott Chamberlain, a fellow on the Senate Judiciary Committee, be granted floor privileges until May 16, 2024.

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

ORDERS FOR FRIDAY, APRIL 19, 2024

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that when the Senate completes its business today, it stand adjourned under the provisions of S. Res. 655 until 11 a.m. on Friday, April 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed to Calendar No. 365, H.R. 7888, postcloture; further, that all time during adjournment, recess, morning business, and leader remarks count toward postcloture time.

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

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. SCHUMER. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, as a further mark of respect to the late Joseph Isadore Lieberman, former Senator from the State of Connecticut, the Senate, at 7:48 p.m., adjourned until Friday, April 19, 2024, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

CURTIS RAYMOND RIED, OF CALIFORNIA, A FOREIGN SERVICE OFFICER OF CLASS ONE, TO BE U.S. REPRESENTATIVE TO THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE, WITH THE RANK OF AMBASSADOR.

THE JUDICIARY

CARMEN G. IGUINA GONZALEZ, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS, VICE LOREN L. ALIKHAN.

JOSEPH RUSSELL PALMORE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS, VICE KATHRYN A. OBERLY, RETIRED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

JOHN BRADFORD WIEGMANN, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE CHRISTOPHER CHARLES FONZONE, RESIGNED.

DEPARTMENT OF JUSTICE

MIRANDA L. HOLLOWAY-BAGGETT, OF ALABAMA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS, VICE MARK F. SLOKE, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ROBERT T. WOOLDRIDGE II

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY L. RIEGER