and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1971. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1972. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1973. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1974. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1975. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1976. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1977. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1978. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1979. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1980. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1981. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1982. Mr. ROUNDS (for himself and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1983. Mr. HAWLEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1984. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1985. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1986. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1987. Mr. MARKEY (for himself, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1988. Mr. WELCH (for himself and Mr. VANCE) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1989. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1990. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1991. Ms. CORTEZ MASTO (for herself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1992. Ms. CORTEZ MASTO (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1993. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1994. Ms. CORTEZ MASTO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1995. Mrs. GILLIBRAND (for herself, Mr. CRUZ, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1996. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1997. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1998. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1999. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 2000. Mr. MERKLEY (for himself, Mr. KENNEDY, and Mr. MARSHALL) submitted an amendment intended to be proposed by him to the bill H.R. 3935, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1944. Mr. MULLIN (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA–1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 920(b), add the following new paragraph:

(3) ADDITIONAL WAIVER AUTHORITY.—In carrying out an expansion of the Program, the Administrator may waive the requirements of section 44711 of title 49, United States Code, including related regulations, under any BEYOND program agreement to the extent consistent with aviation safety.

SA 1945. Mr. CORNYN (for himself, Mr. CASEY, Mr. SULLIVAN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTION OF COVERED SECTORS UNDER DEFENSE PRODUCTION ACT.

The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by adding at the end the following:

"TITLE VIII—PROTECTION OF COVERED SECTORS

"SEC. 801. DEFINITIONS.

''In this title:

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

''(A) the Committee on Armed Services, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Ways and Means, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

''(2) COUNTRY OF CONCERN.—The term 'country of concern' means, subject to such regulations as may be prescribed in accordance with section 806, a country specified in section 4872(d)(2) of title 10, United States Code.

''(3) COVERED ACTIVITY.—

''(A) IN GENERAL.—Subject to such regulations as may be prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered activity' means any activity engaged in by a United States person in a related to a covered sector that involves—

''(i) an acquisition by such United States person of an equity interest or contingent equity interest, or monetary capital contribution, in a covered foreign entity, directly or indirectly, by contractual commitment or otherwise, with the goal of generating income or gain;

''(ii) an arrangement for an interest held by such United States person in the short- or long-term debt obligations of a covered foreign entity that includes governance rights that are characteristic of an equity investment, management, or other important rights, as defined in regulations prescribed in accordance with section 806;

''(iii) the establishment of a wholly owned subsidiary in a country of concern, such as a greenfield investment, for the purpose of production, design, testing, manufacturing, fabrication, or development related to one or more covered sectors;

''(iv) the establishment by such United States person of a joint venture in a country of concern or with a covered foreign entity for the purpose of production, design, testing, manufacturing, fabrication, or research involving one or more covered sectors, or other contractual or other commitments involving a covered foreign entity to jointly research and develop new innovation, including through the transfer of capital or intellectual property or other business proprietary information; or

''(v) the acquisition by a United States person with a covered foreign entity of—

''(I) operational cooperation, such as through supply or support arrangements;

''(II) the right to board representation (as an observer, even if limited, or as a member) or an executive role (as may be defined through regulation) in a covered foreign entity;

''(III) the ability to direct or influence such operational decisions as may be defined through such regulations;

''(IV) formal governance representation in any operating affiliate, like a portfolio company, of a covered foreign entity; or

''(V) a new relationship to share or provide business services, such as but not limited to financial services, marketing services, maintenance, or assembly functions, related to a covered sectors.

''(B) EXCEPTIONS.—The term 'covered activity' does not include—

''(i) any transaction the value of which the Secretary of the Treasury determines is de minimis, as defined in regulations prescribed in accordance with section 806;

''(ii) any category of transactions that the Secretary determines is in the national interest of the United States, as may be defined in regulations prescribed in accordance with section 806; or

''(iii) any ordinary or administrative business transaction as may be defined in such regulations.

''(4) COVERED FOREIGN ENTITY.—

''(A) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered foreign entity' means—

''(i) any entity that is incorporated in, has a principal place of business in, or is organized under the laws of a country of concern;

''(ii) any entity the equity securities of which are primarily traded in the ordinary course of business on one or more exchanges in a country of concern;

''(iii) any entity in which any entity described in subclause (i) or (ii) holds, individually or in the aggregate, directly or indirectly, an ownership interest of greater than 50 percent; or

''(iv) any other entity that is not a United States person and that meets such criteria as may be specified by the Secretary of the Treasury in such regulations.

''(B) EXCEPTION.—The term 'covered foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in the entity is ultimately owned by—

''(i) nationals of the United States; or

''(ii) nationals of such countries (other than countries of concern) as are identified for purposes of this subparagraph pursuant to regulations prescribed in accordance with section 806.

''(5) COVERED SECTORS.—Subject to regulations prescribed in accordance with section 806, the term 'covered sectors' includes sectors within the following areas, as specified in such regulations:

''(A) Advanced semiconductors and microelectronics.

''(B) Artificial intelligence.

''(C) Quantum information science and technology.

''(D) Hypersonics.

''(E) Satellite-based communications.

''(F) Networked laser scanning systems with dual-use applications.

''(6) PARTY.—The term 'party', with respect to an activity, has the meaning given that term in regulations prescribed in accordance with section 806.

''(7) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

''(8) UNITED STATES PERSON.—The term 'United States person' means—

''(A) an individual who is a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(B) any corporation, partnership, or other entity organized under the laws of the United States or the laws of any jurisdiction within the United States.

''SEC. 802. ADMINISTRATION OF UNITED STATES INVESTMENT NOTIFICATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this title to the Secretary of the Treasury.

''(b) COORDINATION.—In carrying out the duties of the Secretary under this title, the Secretary shall—

''(1) coordinate with the Secretary of Commerce; and

''(2) consult with the United States Trade Representative, the Secretary of Defense, the Secretary of State, and the Director of National Intelligence.

''SEC. 803. MANDATORY NOTIFICATION OF COVERED ACTIVITIES.

''(a) MANDATORY NOTIFICATION.—

''(1) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, beginning on the date that is 90 days after such regulations take effect, a United States person that plans to engage in a covered activity shall—

''(A) if such covered activity is not a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days before the anticipated completion date of the activity; and

''(B) if such covered activity is a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days after the completion date of the activity.

''(2) CIRCULATION OF NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall, upon receipt of a notification under paragraph (1), promptly inspect the notification for completeness.

''(B) INCOMPLETE NOTIFICATIONS.—If a notification submitted under paragraph (1) is incomplete, the Secretary shall promptly inform the United States person that submits the notification that the notification is not complete and provide an explanation of relevant material respects in which the notification is not complete.

''(3) IDENTIFICATION OF NON-NOTIFIED ACTIVITY.—The Secretary shall establish a process to identify covered activity for which—

''(A) a notification is not submitted to the Secretary under paragraph (1); and

''(B) information is reasonably available.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any information or documentary material filed with the Secretary of the Treasury pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public by any government agency or Member of Congress.

''(2) EXCEPTIONS.—The exemption from disclosure provided by paragraph (1) shall not prevent the disclosure of the following:

''(A) Information relevant to any administrative or judicial action or proceeding.

''(B) Information provided to Congress or any of the appropriate congressional committees.

''(C) Information important to the national security analysis or actions of the President to any domestic governmental entity, or to any foreign governmental entity of an ally or partner of the United States, under the direction and authorization of the President or the Secretary, only to the extent necessary for national security purposes, and subject to appropriate confidentiality and classification requirements.

''(D) Information that the parties have consented to be disclosed to third parties.

''SEC. 804. REPORTING REQUIREMENTS.

''(a) IN GENERAL.—Not later than 360 days after the date on which the regulations prescribed under section 806 take effect, and not less frequently than annually thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

''(1) lists all notifications submitted under section 803(a) during the year preceding submission of the report and includes, with respect to each such notification—

''(A) basic information on each party to the covered activity with respect to which the notification was submitted; and

''(B) the nature of the covered activity that was the subject to the notification, including the elements of the covered activity that necessitated a notification;

''(2) includes a summary of those notifications, disaggregated by sector, by covered activity, and by country of concern;

''(3) provides additional context and information regarding trends in the sectors, the

types of covered activities, and the countries involved in those notifications;

''(4) includes a description of the national security risks associated with—

''(A) the covered activities with respect to which those notifications were submitted; or

''(B) categories of such activities; and

''(5) assesses the overall impact of those notifications, including recommendations for—

''(A) expanding existing Federal programs to support the production or supply of covered sectors in the United States, including the potential of existing authorities to address any related national security concerns;

''(B) investments needed to enhance covered sectors and reduce dependence on countries of concern regarding those sectors; and

''(C) the continuation, expansion, or modification of the implementation and administration of this title, including recommendations with respect to whether the definition of 'country of concern' under section 801(2) should be amended to add or remove countries.

''(b) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

''(c) TESTIMONY REQUIRED.—Not later than one year after the date of enactment of this title, and annually thereafter, the Secretary of the Treasury and the Secretary of Commerce shall each provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives testimony with respect to the national security threats relating to investments by the United States persons in countries of concern and broader international capital flows.

''SEC. 805. PENALTIES AND ENFORCEMENT.

''(a) PENALTIES WITH RESPECT TO UNLAWFUL ACTS.—Subject to regulations prescribed in accordance with section 806, it shall be unlawful—

''(1) to fail to submit a notification under subsection (a) of section 803 with respect to a covered activity or to submit other information as required by the Secretary of the Treasury; or

''(2) to make a material misstatement or to omit a material fact in any information submitted to the Secretary under this title.

''(b) ENFORCEMENT.—The President may direct the Attorney General to seek appropriate relief in the district courts of the United States, in order to implement and enforce this title.

''SEC. 806. REQUIREMENT FOR REGULATIONS.

''(a) IN GENERAL.—Not later than 360 days after the date of the enactment of this title, the Secretary of the Treasury shall finalize regulations to carry out this title.

''(b) ELEMENTS.—Regulations prescribed to carry out this title shall include specific examples of the types of—

''(1) activities that will be considered to be covered activities; and

''(2) the specific sectors and subsectors that may be considered to be covered sectors.

''(c) REQUIREMENTS FOR CERTAIN REGULATIONS.—The Secretary of the Treasury shall prescribe regulations further defining the terms used in this title, including 'covered activity', 'covered foreign entity', and 'party', in accordance with subchapter II of chapter 5 and chapter 7 of title 5 (commonly known as the 'Administrative Procedure Act').

''(d) PUBLIC PARTICIPATION IN RULEMAKING.—The provisions of section 709 shall apply to any regulations issued under this title.

''(e) LOW-BURDEN REGULATIONS.—In prescribing regulations under this section, the Secretary of the Treasury shall structure the regulations—

''(1) to minimize the cost and complexity of compliance for affected parties;

''(2) to ensure the benefits of the regulations outweigh their costs;

''(3) to adopt the least burdensome alternative that achieves regulatory objectives;

''(4) to prioritize transparency and stakeholder involvement in the process of prescribing the regulations; and

''(5) to regularly review and streamline existing regulations to reduce redundancy and complexity.

''SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this section to the Secretary of State.

''(b) AUTHORITIES.—The Secretary of State, in coordination with the Secretary of the Treasury, the Secretary of Commerce, the United States Trade Representative, and the Director of National Intelligence, shall—

''(1) conduct bilateral and multilateral engagement with the governments of countries that are allies and partners of the United States to ensure coordination of protocols and procedures with respect to covered activities with countries of concern and covered foreign entities; and

''(2) upon adoption of protocols and procedures described in paragraph (1), work with those governments to establish mechanisms for sharing information, including trends, with respect to such activities.

''(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND INVESTMENT SCREENING MECHANISMS.—The Secretary of State, in coordination with the Secretary of the Treasury and in consultation with the Attorney General, shall—

''(1) develop a strategy to work with countries that are allies and partners of the United States to develop mechanisms comparable to this title for the notification of covered activities; and

''(2) provide technical assistance to those countries with respect to the development of those mechanisms.

''(d) REPORT.—Not later than 90 days after the development of the strategy required by subsection (b), and annually thereafter for a period of 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that includes the strategy, the status of implementing the strategy, and a description of any impediments to the establishment of mechanisms comparable to this title by allies and partners.

''SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

''(b) HIRING AUTHORITY.—The head of any agency designated as a lead agency under section 802(b) may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, not more than 25 candidates directly to positions in the competitive service (as defined in section 2102 of that title) in that agency. The primary responsibility of individuals in positions authorized under the preceding sentence shall be to administer this title.

''SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

''Nothing in this title may be construed to restrain or deter foreign investment in the United States, United States investment abroad, or trade in goods or services, if such investment and trade do not pose a risk to the national security of the United States.''.

SA 1946. Mr. HEINRICH (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XIV—GOOD SAMARITAN REMEDIATION OF ABANDONED HARDROCK MINES ACT OF 2024

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024''.

SEC. 1402. DEFINITIONS.

In this title:

(1) ABANDONED HARDROCK MINE SITE.—

(A) IN GENERAL.—The term ''abandoned hardrock mine site'' means an abandoned or inactive hardrock mine site and any facility associated with an abandoned or inactive hardrock mine site—

(i) that was used for the production of a mineral other than coal conducted on Federal land under sections 2319 through 2352 of the Revised Statutes (commonly known as the ''Mining Law of 1872''; 30 U.S.C. 22 et seq.) or on non-Federal land; and

(ii) for which, based on information supplied by the Good Samaritan after review of publicly available data and after review of other information in the possession of the Administrator, the Administrator or, in the case of a site on land owned by the United States, the Federal land management agency, determines that no responsible owner or operator has been identified—

(I) who is potentially liable for, or has been required to perform or pay for, environmental remediation activities under applicable law; and

(II) other than, in the case of a mine site located on land owned by the United States, a Federal land management agency that has not been involved in mining activity on that land, except that the approval of a plan of operations under the hardrock mining regulations of the applicable Federal land management agency shall not be considered involvement in the mining activity.

(B) INCLUSION.—The term ''abandoned hardrock mine site'' includes a hardrock mine site (including associated facilities) that was previously the subject of a completed response action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or a similar Federal and State reclamation or cleanup program, including the remediation of mine-scarred land under the brownfields revitalization program under section 104(k) of that Act (42 U.S.C. 9604(k)).

(C) EXCLUSIONS.—The term ''abandoned hardrock mine site'' does not include a mine site (including associated facilities)—

(i) in a temporary shutdown or cessation;

(ii) included on the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)(B)) or proposed for inclusion on that list;

(iii) that is the subject of a planned or ongoing response action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or a similar Federal and State reclamation or cleanup program;

(iv) that has a responsible owner or operator; or

(v) that actively mined or processed minerals after December 11, 1980.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) APPLICABLE WATER QUALITY STANDARDS.—The term ''applicable water quality standards'' means the water quality standards promulgated by the Administrator or adopted by a State or Indian tribe and approved by the Administrator pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(4) BASELINE CONDITIONS.—The term ''baseline conditions'' means the concentrations, locations, and releases of any hazardous substances, pollutants, or contaminants, as described in the Good Samaritan permit, present at an abandoned hardrock mine site prior to undertaking any action under this title.

(5) COOPERATING PERSON.—

(A) IN GENERAL.—The term ''cooperating person'' means any person that is named by the Good Samaritan in the permit application as a cooperating entity.

(B) EXCLUSIONS.—The term ''cooperating person'' does not include—

(i) a responsible owner or operator with respect to the abandoned hardrock mine site described in the permit application;

(ii) a person that had a role in the creation of historic mine residue at the abandoned hardrock mine site described in the permit application; or

(iii) a Federal agency.

(6) COVERED PERMIT.—The term ''covered permit'' means—

(A) a Good Samaritan permit; and

(B) an investigative sampling permit.

(7) FEDERAL LAND MANAGEMENT AGENCY.—The term ''Federal land management agency'' means any Federal agency authorized by law or executive order to exercise jurisdiction, custody, or control over land owned by the United States.

(8) GOOD SAMARITAN.—The term ''Good Samaritan'' means a person that, with respect to historic mine residue, as determined by the Administrator—

(A) is not a past or current owner or operator of—

(i) the abandoned hardrock mine site at which the historic mine residue is located; or

(ii) a portion of that abandoned hardrock mine site;

(B) had no role in the creation of the historic mine residue; and

(C) is not potentially liable under any Federal, State, Tribal, or local law for the remediation, treatment, or control of the historic mine residue.

(9) GOOD SAMARITAN PERMIT.—The term ''Good Samaritan permit'' means a permit granted by the Administrator under section 1404(a)(1).

(10) HISTORIC MINE RESIDUE.—

(A) IN GENERAL.—The term ''historic mine residue'' means mine residue or any condition at an abandoned hardrock mine site resulting from hardrock mining activities.

(B) INCLUSIONS.—The term ''historic mine residue'' includes—

(i) previously mined ores and minerals other than coal that contribute to acid mine drainage or other pollution;

(ii) equipment (including materials in equipment);

(iii) any tailings facilities, heap leach piles, dump leach piles, waste rock, overburden, slag piles, or other waste or material resulting from any extraction, beneficiation, or other processing activity that occurred during the active operation of an abandoned hardrock mine site;

(iv) any acidic or otherwise polluted flow in surface water or groundwater that originates from, or is pooled and contained in, an inactive or abandoned hardrock mine site, such as underground workings, open pits, in-situ leaching operations, ponds, or impoundments;

(v) any hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601));

(vi) any pollutant or contaminant (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)); and

(vii) any pollutant (as defined in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362)).

(11) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in—

(A) section 518(h) of the Federal Water Pollution Control Act (33 U.S.C. 1377(h)); or

(B) section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(12) INVESTIGATIVE SAMPLING PERMIT.—The term ''investigative sampling permit'' means a permit granted by the Administrator under section 1404(d)(1).

(13) PERSON.—The term ''person'' means any entity described in—

(A) section 502(5) of the Federal Water Pollution Control Act (33 U.S.C. 1362(5)); or

(B) section 101(21) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(21)).

(14) REMEDIATION.—

(A) IN GENERAL.—The term ''remediation'' means any action taken to investigate, characterize, or cleanup, in whole or in part, a discharge, release, or threat of release of a hazardous substance, pollutant, or contaminant into the environment at or from an abandoned hardrock mine site, or to otherwise protect and improve human health and the environment.

(B) INCLUSION.—The term ''remediation'' includes any action to remove, treat, or contain historic mine residue to prevent, minimize, or reduce—

(i) the release or threat of release of a hazardous substance, pollutant, or contaminant that would harm human health or the environment; or

(ii) a migration or discharge of a hazardous substance, pollutant, or contaminant that would harm human health or the environment.

(C) EXCLUSION.—The term ''remediation'' does not include any action that requires plugging, opening, or otherwise altering the portal or adit of the abandoned hardrock mine site.

(15) RESERVATION.—The term ''reservation'' has the meaning given the term ''Indian country'' in section 1151 of title 18, United States Code.

(16) RESPONSIBLE OWNER OR OPERATOR.—The term ''responsible owner or operator'' means a person that is—

(A)(i) legally responsible under section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311) for a discharge that originates from an abandoned hardrock mine site; and

(ii) financially able to comply with each requirement described in that section; or

(B)(i) a present or past owner or operator or other person that is liable with respect to a release or threat of release of a hazardous substance, pollutant, or contaminant associated with the historic mine residue at or from an abandoned hardrock mine site under section 104, 106, 107, or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604, 9606, 9607, 9613); and

(ii) financially able to comply with each requirement described in those sections, as applicable.

SEC. 1403. SCOPE.

Nothing in this title—

(1) except as provided in section 1404(n), reduces any existing liability under Federal, State, or local law;

(2) except as provided in section 1404(n), releases any person from liability under Federal, State, or local law, except in compliance with this title;

(3) authorizes the conduct of any mining or processing other than the conduct of any processing of previously mined ores, minerals, wastes, or other materials that is authorized by a Good Samaritan permit;

(4) imposes liability on the United States or a Federal land management agency pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) or section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311); or

(5) relieves the United States or any Federal land management agency from any liability under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) or section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311) that exists apart from any action undertaken pursuant to this title.

SEC. 1404. ABANDONED HARDROCK MINE SITE GOOD SAMARITAN PILOT PROJECT AUTHORIZATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Administrator shall establish a pilot program under which the Administrator shall grant not more than 15 Good Samaritan permits to carry out projects to remediate historic mine residue at any portions of abandoned hardrock mine sites in accordance with this title.

(2) OVERSIGHT OF PERMITS.—The Administrator may oversee the remediation project under paragraph (1), and any action taken by the applicable Good Samaritan or any cooperating person under the applicable Good Samaritan permit, for the duration of the Good Samaritan permit, as the Administrator determines to be necessary to review the status of the project.

(3) SUNSET.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the pilot program described in paragraph (1) shall terminate on the date that is 7 years after the date of enactment of this Act.

(B) EXCEPTION.—Notwithstanding subparagraph (A), the Administrator may grant a Good Samaritan permit pursuant to this title after the date identified in subparagraph (A) if the application for the Good Samaritan permit—

(i) was submitted not later than 180 days before that date; and

(ii) was completed in accordance with subsection (c) by not later than 7 years after the date of enactment of this Act.

(C) EFFECT ON CERTAIN PERMITS.—Any Good Samaritan permit granted by the deadline prescribed in subparagraph (A) or (B), as applicable, that is in effect on the date that is 7 years after the date of enactment of this Act shall remain in effect after that date in accordance with—

(i) the terms and conditions of the Good Samaritan permit; and

(ii) this title.

(b) GOOD SAMARITAN PERMIT ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a Good Samaritan permit to carry out a project to remediate an abandoned hardrock mine site, a person shall demonstrate that, as determined by the Administrator—

(A) the abandoned hardrock mine site that is the subject of the application for a Good

Samaritan permit is located in the United States;

(B) the purpose of the proposed project is the remediation at that abandoned hardrock mine site of historic mine residue;

(C) the proposed activities are designed to result in the partial or complete remediation of historic mine residue at the abandoned hardrock mine site within the term of the Good Samaritan permit;

(D) the proposed project poses a low risk to the environment, as determined by the Administrator;

(E) to the satisfaction of the Administrator, the person—

(i) possesses, or has the ability to secure, the financial and other resources necessary—

(I) to complete the permitted work, as determined by the Administrator; and

(II) to address any contingencies identified in the Good Samaritan permit application described in subsection (c);

(ii) possesses the proper and appropriate experience and capacity to complete the permitted work; and

(iii) will complete the permitted work; and

(F) the person is a Good Samaritan with respect to the historic mine residue proposed to be covered by the Good Samaritan permit.

(2) IDENTIFICATION OF ALL RESPONSIBLE OWNERS OR OPERATORS.—

(A) IN GENERAL.—A Good Samaritan shall make reasonable and diligent efforts to identify, from a review of publicly available information in land records or on internet websites of Federal, State, and local regulatory authorities, all responsible owners or operators of an abandoned hardrock mine site proposed to be remediated by the Good Samaritan under this section.

(B) EXISTING RESPONSIBLE OWNER OR OPERATOR.—If the Administrator determines, based on information provided by a Good Samaritan or otherwise, that a responsible owner or operator exists for an abandoned hardrock mine site proposed to be remediated by the Good Samaritan, the Administrator shall deny the application for a Good Samaritan permit.

(c) APPLICATION FOR PERMITS.—To obtain a Good Samaritan permit, a person shall submit to the Administrator an application, signed by the person and any cooperating person, that provides, to the extent known or reasonably discoverable by the person on the date on which the application is submitted—

(1) a description of the abandoned hardrock mine site (including the boundaries of the abandoned hardrock mine site) proposed to be covered by the Good Samaritan permit;

(2) a description of all parties proposed to be involved in the remediation project, including any cooperating person and each member of an applicable corporation, association, partnership, consortium, joint venture, commercial entity, or nonprofit association;

(3) evidence that the person has or will acquire all legal rights or the authority necessary to enter the relevant abandoned hardrock mine site and perform the remediation described in the application;

(4) a detailed description of the historic mine residue to be remediated;

(5) a detailed description of the expertise and experience of the person and the resources available to the person to successfully implement and complete the remediation plan under paragraph (7);

(6) to the satisfaction of the Administrator and subject to subsection (d), a description of the baseline conditions caused by the historic mine residue to be remediated that includes—

(A) the nature and extent of any adverse impact on the water quality of any body of water caused by the drainage of historic mine residue or other discharges from the abandoned hardrock mine site;

(B) the flow rate and concentration of any drainage of historic mine residue or other discharge from the abandoned hardrock mine site in any body of water that has resulted in an adverse impact described in subparagraph (A); and

(C) any other release or threat of release of historic mine residue that has resulted in an adverse impact to human health or the environment;

(7) subject to subsection (d), a remediation plan for the abandoned hardrock mine site that describes—

(A) the nature and scope of the proposed remediation activities, including—

(i) any historic mine residue to be addressed by the remediation plan; and

(ii) a description of the goals of the remediation including, if applicable, with respect to—

(I) the reduction or prevention of a release, threat of release, or discharge to surface waters; or

(II) other appropriate goals relating to water or soil;

(B) each activity that the person proposes to take that is—

(i) designed to—

(I) improve or enhance water quality or site-specific soil or sediment quality relevant to the historic mine residue addressed by the remediation plan, including making measurable progress toward achieving applicable water quality standards; or

(II) otherwise protect human health and the environment (including through the prevention of a release, discharge, or threat of release to water, sediment, or soil); and

(ii) otherwise necessary to carry out an activity described in subclause (I) or (II) of clause (i);

(C) a plan describing the monitoring or other forms of assessment that will be undertaken by the person to evaluate the success of the activities described in subparagraph (A) during and after the remediation, with respect to the baseline conditions, as described in paragraph (6);

(D) to the satisfaction of the Administrator, detailed engineering plans for the project;

(E) detailed plans for any proposed recycling or reprocessing of historic mine residue to be conducted by the person (including a description of how all proposed recycling or reprocessing activities contribute to the remediation of the abandoned hardrock mine site); and

(F) identification of any proposed contractor that will perform any remediation activity;

(8) subject to subsection (d), a schedule for the work to be carried out under the project, including a schedule for periodic reporting by the person on the remediation of the abandoned hardrock mine site;

(9) a health and safety plan that is specifically designed for mining remediation work;

(10) a specific contingency plan that—

(A) includes provisions on response and notification to Federal, State, Tribal, and local authorities with jurisdiction over downstream waters that have the potential to be impacted by an unplanned release or discharge of hazardous substances, pollutants, or contaminants; and

(B) is designed to respond to unplanned adverse events (such as adverse weather events or a potential fluid release that may result from addressing pooled water or hydraulic pressure situations), including the sudden release of historic mine residue;

(11) subject to subsection (d), a project budget and description of financial resources that demonstrate that the permitted work, including any operation and maintenance, will be completed;

(12) subject to subsection (d), information demonstrating that the applicant has the financial resources to carry out the remediation (including any long-term monitoring that may be required by the Good Samaritan permit) or the ability to secure an appropriate third-party financial assurance, as determined by the Administrator, to ensure completion of the permitted work, including any long-term operations and maintenance of remediation activities that may be—

(A) proposed in the application for the Good Samaritan permit; or

(B) required by the Administrator as a condition of granting the permit;

(13) subject to subsection (d), a detailed plan for any required operation and maintenance of any remediation, including a timeline, if necessary;

(14) subject to subsection (d), a description of any planned post-remediation monitoring, if necessary; and

(15) subject to subsection (d), any other appropriate information, as determined by the Administrator or the applicant.

(d) INVESTIGATIVE SAMPLING.—

(1) INVESTIGATIVE SAMPLING PERMITS.—The Administrator may grant an investigative sampling permit for a period determined by the Administrator to authorize a Good Samaritan to conduct investigative sampling of historic mine residue, soil, sediment, or water to determine—

(A) baseline conditions; and

(B) whether the Good Samaritan—

(i) is willing to perform further remediation to address the historic mine residue; and

(ii) will proceed with a permit conversion under subsection (e)(1).

(2) NUMBER OF PERMITS.—

(A) LIMITATION.— Subject to subparagraph (B), the Administrator may grant not more than 15 investigative sampling permits.

(B) APPLICABILITY TO CONVERTED PERMITS.—An investigative sampling permit that is not converted to a Good Samaritan permit pursuant to paragraph (5) may be eligible for reissuance by the Administrator subject to the overall total of not more than 15 investigative sampling permits allowed at any 1 time described in subparagraph (A).

(3) APPLICATION.—If a Good Samaritan proposes to conduct investigative sampling, the Good Samaritan shall submit to the Administrator an investigative sampling permit application that contains, to the satisfaction of the Administrator—

(A) each description required under paragraphs (1), (2), and (5) of subsection (c);

(B) to the extent reasonably known to the applicant, any previously documented water quality data describing conditions at the abandoned hardrock mine site;

(C) the evidence required under subsection (c)(3);

(D) each plan required under paragraphs (9) and (10) of subsection (c); and

(E) a detailed plan of the investigative sampling.

(4) REQUIREMENTS.—

(A) IN GENERAL.—If a person submits an application that proposes only investigative sampling of historic mine residue, soil, sediment, or water that only includes the requirements described in paragraph (1), the Administrator may grant an investigative sampling permit that authorizes the person only to carry out the plan of investigative sampling of historic mine residue, soil, sediment, or water, as described in the investigative sampling permit application under paragraph (3).

(B) REPROCESSING.—An investigative sampling permit—

(i) shall not authorize a Good Samaritan or cooperating person to conduct any reprocessing of material; and

(ii) may authorize metallurgical testing of historic mine residue to determine whether reprocessing under subsection (f)(4)(B) is feasible.

(C) REQUIREMENTS RELATING TO SAMPLES.—In conducting investigative sampling of historic mine residue, soil, sediment, or water, a Good Samaritan shall—

(i) collect samples that are representative of the conditions present at the abandoned hardrock mine site that is the subject of the investigative sampling permit; and

(ii) retain publicly available records of all sampling events for a period of not less than 3 years.

(5) PERMIT CONVERSION.—Not later than 1 year after the date on which the investigative sampling under the investigative sampling permit concludes, a Good Samaritan to whom an investigative sampling permit is granted under paragraph (1) may apply to convert an investigative sampling permit into a Good Samaritan permit under subsection (e)(1).

(6) PERMIT NOT CONVERTED.—

(A) IN GENERAL.—Subject to subparagraph (B)(ii)(I), a Good Samaritan who obtains an investigative sampling permit may decline—

(i) to apply to convert the investigative sampling permit into a Good Samaritan permit under paragraph (5); and

(ii) to undertake remediation activities on the site where investigative sampling was conducted on conclusion of investigative sampling.

(B) EFFECT OF LACK OF CONVERSION.—

(i) IN GENERAL.—Notwithstanding a refusal by a Good Samaritan to convert an investigative sampling permit into a Good Samaritan permit under subparagraph (A), but subject to clause (ii), the provisions of paragraphs (1) through (4) of subsection (n) shall continue to apply to the Good Samaritan and any cooperating persons after the refusal to convert.

(ii) DEGRADATION OF SURFACE WATER QUALITY.—

(I) OPPORTUNITY TO CORRECT.—If, before the date on which a Good Samaritan refuses to convert an investigative sampling permit under subparagraph (A), actions by the Good Samaritan or any cooperating person have caused conditions at the abandoned hardrock mine site to be measurably worse, as determined by the Administrator, when compared to conditions described pursuant to paragraph (3)(B), if applicable, the Administrator shall provide the Good Samaritan or cooperating person, as applicable, the opportunity to return the conditions at the abandoned hardrock mine site to those conditions.

(II) EFFECT.—If, pursuant to subclause (I), the applicable Good Samaritan or cooperating person does not return the surface water quality at the abandoned hardrock mine site to conditions described pursuant to paragraph (3)(B), if applicable, as determined by the Administrator, clause (i) shall not apply to the Good Samaritan or any cooperating persons.

(e) INVESTIGATIVE SAMPLING CONVERSION.—

(1) IN GENERAL.—A person to which an investigative sampling permit was granted may submit to the Administrator an application in accordance with paragraph (2) to convert the investigative sampling permit into a Good Samaritan permit.

(2) APPLICATION.—

(A) INVESTIGATIVE SAMPLING.—An application for the conversion of an investigative sampling permit under paragraph (1) shall include any requirement described in subsection (c) that was not included in full in the application submitted under subsection (d)(3).

(B) PUBLIC NOTICE AND COMMENT.—An application for permit conversion under this paragraph shall be subject to—

(i) environmental review and public comment procedures required by subsection (l); and

(ii) a public hearing, if requested.

(f) CONTENT OF PERMITS.—

(1) IN GENERAL.—A Good Samaritan permit shall contain—

(A) the information described in subsection (c), including any modification required by the Administrator;

(B)(i) a provision that states that the Good Samaritan is responsible for securing, for all activities authorized under the Good Samaritan permit, all authorizations, licenses, and permits that are required under applicable law except for—

(I) section 301, 302, 306, 307, 402, or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1316, 1317, 1342, 1344); and

(II) authorizations, licenses, and permits that would not need to be obtained if the remediation was conducted pursuant to section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621); or

(ii) in the case of an abandoned hardrock mine site in a State that is authorized to implement State law pursuant to section 402 or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344) or on land of an Indian tribe that is authorized to implement Tribal law pursuant to that section, a provision that states that the Good Samaritan is responsible for securing, for all activities authorized under the Good Samaritan permit, all authorizations, licenses, and permits that are required under applicable law, except for—

(I) the State or Tribal law, as applicable; and

(II) authorizations, licenses, and permits that would not need to be obtained if the remediation was conducted pursuant to section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621);

(C) specific public notification requirements, including the contact information for all appropriate response centers in accordance with subsection (o);

(D) in the case of a project on land owned by the United States, a notice that the Good Samaritan permit serves as an agreement for use and occupancy of Federal land that is enforceable by the applicable Federal land management agency; and

(E) any other terms and conditions determined to be appropriate by the Administrator or the Federal land management agency, as applicable.

(2) FORCE MAJEURE.—A Good Samaritan permit may include, at the request of the Good Samaritan, a provision that a Good Samaritan may assert a claim of force majeure for any violation of the Good Samaritan permit caused solely by—

(A) an act of God;

(B) an act of war;

(C) negligence on the part of the United States;

(D) an act or omission of a third party, if the Good Samaritan—

(i) exercises due care with respect to the actions of the Good Samaritan under the Good Samaritan permit, as determined by the Administrator;

(ii) took precautions against foreseeable acts or omissions of the third party, as determined by the Administrator; and

(iii) uses reasonable efforts—

(I) to anticipate any potential force majeure; and

(II) to address the effects of any potential force majeure; or

(E) a public health emergency declared by the Federal Government or a global government, such as a pandemic or an epidemic.

(3) MONITORING.—

(A) IN GENERAL.—The Good Samaritan shall take such actions as the Good Samaritan permit requires to ensure appropriate baseline conditions monitoring, monitoring during the remediation project, and post-remediation monitoring of the environment under paragraphs (7) and (14) of subsection (c).

(B) MULTIPARTY MONITORING.—The Administrator may approve in a Good Samaritan permit the monitoring by multiple cooperating persons if, as determined by the Administrator—

(i) the multiparty monitoring will effectively accomplish the goals of this section; and

(ii) the Good Samaritan remains responsible for compliance with the terms of the Good Samaritan permit.

(4) OTHER DEVELOPMENT.—

(A) NO AUTHORIZATION OF MINING ACTIVITIES.—No mineral exploration, processing, beneficiation, or mining shall be—

(i) authorized by this title; or

(ii) covered by any waiver of liability provided by this title from applicable law.

(B) REPROCESSING OF MATERIALS.—A Good Samaritan may reprocess materials recovered during the implementation of a remediation plan only if—

(i) the project under the Good Samaritan permit is on land owned by the United States;

(ii) the applicable Federal land management agency has signed a decision document under subsection (l)(2)(G) approving reprocessing as part of a remediation plan;

(iii) the proceeds from the sale or use of the materials are used—

(I) to defray the costs of the remediation; and

(II) to the extent required by the Good Samaritan permit, to reimburse the Administrator or the head of a Federal land management agency for the purpose of carrying out this title;

(iv) any remaining proceeds are deposited into the appropriate Good Samaritan Mine Remediation Fund established by section 1405(a); and

(v) the materials only include historic mine residue.

(C) CONNECTION WITH OTHER ACTIVITIES.—The commingling or association of any other discharge of water or historic mine residue or any activity, project, or operation conducted on or after the date of enactment of this Act with any aspect of a project subject to a Good Samaritan permit shall not limit or reduce the liability of any person associated with the other discharge of water or historic mine residue or activity, project, or operation.

(g) ADDITIONAL WORK.—A Good Samaritan permit may (subject to subsection (r)(5) in the case of a project located on Federal land) allow the Good Samaritan to return to the abandoned hardrock mine site after the completion of the remediation to perform operations and maintenance or other work—

(1) to ensure the functionality of completed remediation activities at the abandoned hardrock mine site; or

(2) to protect public health and the environment.

(h) TIMING.—Work authorized under a Good Samaritan permit—

(1) shall commence, as applicable—

(A) not later than the date that is 18 months after the date on which the Administrator granted the Good Samaritan permit, unless the Administrator grants an extension under subsection (r)(2)(A); or

(B) if the grant of the Good Samaritan permit is the subject of a petition for judicial review, not later than the date that is 18 months after the date on which the judicial review, including any appeals, has concluded; and

(2) shall continue until completed, with temporary suspensions permitted during adverse weather or other conditions specified in the Good Samaritan permit.

(i) TRANSFER OF PERMITS.—A Good Samaritan permit may be transferred to another person only if—

(1) the Administrator determines that the transferee qualifies as a Good Samaritan;

(2) the transferee signs, and agrees to be bound by the terms of, the permit;

(3) the Administrator includes in the transferred permit any additional conditions necessary to meet the goals of this section; and

(4) in the case of a project under the Good Samaritan permit on land owned by the United States, the head of the applicable Federal land management agency approves the transfer.

(j) ROLE OF ADMINISTRATOR AND FEDERAL LAND MANAGEMENT AGENCIES.—In carrying out this section—

(1) the Administrator shall—

(A) consult with prospective applicants;

(B) convene, coordinate, and lead the application review process;

(C) maintain all records relating to the Good Samaritan permit and the permit process;

(D) in the case of a proposed project on State, Tribal, or private land, provide an opportunity for cooperating persons and the public to participate in the Good Samaritan permit process, including—

(i) carrying out environmental review and public comment procedures pursuant to subsection (l); and

(ii) a public hearing, if requested; and

(E) enforce and otherwise carry out this section; and

(2) the head of an applicable Federal land management agency shall—

(A) in the case of a proposed project on land owned by the United States, provide an opportunity for cooperating persons and the public to participate in the Good Samaritan permit process, including—

(i) carrying out environmental review and public comment procedures pursuant to subsection (l); and

(ii) a public hearing, if requested; and

(B) in coordination with the Administrator, enforce Good Samaritan permits issued under this section for projects on land owned by the United States.

(k) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—As soon as practicable, but not later than 14 days after the date on which the Administrator receives an application for the remediation of an abandoned hardrock mine site under this section that, as determined by the Administrator, is complete and meets all applicable requirements of subsection (c), the Administrator shall provide notice and a copy of the application to—

(1) each local government with jurisdiction over a drinking water utility, and each Indian tribe with reservation or off-reservation treaty rights to land or water, located downstream from or otherwise near a proposed remediation project that is reasonably anticipated to be impacted by the remediation project or a potential release of contaminants from the abandoned hardrock mine site, as determined by the Administrator;

(2) each Federal, State, and Tribal agency that may have an interest in the application; and

(3) in the case of an abandoned hardrock mine site that is located partially or entirely on land owned by the United States, the Federal land management agency with jurisdiction over that land.

(l) ENVIRONMENTAL REVIEW AND PUBLIC COMMENT.—

(1) IN GENERAL.—Before the issuance of a Good Samaritan permit to carry out a project for the remediation of an abandoned hardrock mine site, the Administrator shall ensure that environmental review and public comment procedures are carried out with respect to the proposed project.

(2) RELATION TO NEPA.—

(A) MAJOR FEDERAL ACTION.—Subject to subparagraph (F), the issuance or modification of a Good Samaritan permit by the Administrator shall be considered a major Federal action for purposes of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(B) LEAD AGENCY.—The lead agency for purposes of an environmental assessment and public comment under this subsection shall be—

(i) in the case of a proposed project on land owned by the United States that is managed by only 1 Federal land management agency, the applicable Federal land management agency;

(ii) in the case of a proposed project entirely on State, Tribal, or private land, the Administrator;

(iii) in the case of a proposed project partially on land owned by the United States and partially on State, Tribal, or private land, the applicable Federal land management agency; and

(iv) in the case of a proposed project on land owned by the United States that is managed by more than 1 Federal land management agency, the Federal land management agency selected by the Administrator to be the lead agency, after consultation with the applicable Federal land management agencies.

(C) COORDINATION.—To the maximum extent practicable, the lead agency described in subparagraph (B) shall coordinate procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with State, Tribal, and Federal cooperating agencies, as applicable.

(D) COOPERATING AGENCY.—In the case of a proposed project on land owned by the United States, the Administrator shall be a cooperating agency for purposes of an environmental assessment and public comment under this subsection.

(E) SINGLE NEPA DOCUMENT.—The lead agency described in subparagraph (B) may conduct a single environmental assessment for—

(i) the issuance of a Good Samaritan permit;

(ii) any activities authorized by a Good Samaritan permit; and

(iii) any applicable permits required by the Secretary of the Interior or the Secretary of Agriculture.

(F) NO SIGNIFICANT IMPACT.—

(i) IN GENERAL.—A Good Samaritan permit may only be issued if, after an environmental assessment, the head of the lead agency issues a finding of no significant impact (as defined in section 111 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336e)).

(ii) SIGNIFICANT IMPACT.—If the head of the lead agency is unable to issue a finding of no significant impact (as so defined), the head of the lead agency shall not issue a Good Samaritan permit for the proposed project.

(G) DECISION DOCUMENT.—An approval or denial of a Good Samaritan permit may be issued as a single decision document that is signed by—

(i) the Administrator; and

(ii) in the case of a project on land owned by the United States, the head of the applicable Federal land management agency.

(H) LIMITATION.—Nothing in this paragraph exempts the Secretary of Agriculture or the Secretary of the Interior, as applicable, from any other requirements of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(m) PERMIT GRANT.—

(1) IN GENERAL.—The Administrator may grant a Good Samaritan permit to carry out a project for the remediation of an abandoned hardrock mine site only if—

(A) the Administrator determines that—

(i) the person seeking the permit is a Good Samaritan;

(ii) the application described in subsection (c) is complete;

(iii) the project is designed to remediate historic mine residue at the abandoned hardrock mine site to protect human health and the environment;

(iv) the proposed project is designed to meet all other goals, as determined by the Administrator, including any goals set forth in the application for the Good Samaritan permit that are accepted by the Administrator;

(v) the proposed activities, as compared to the baseline conditions described in the permit, will make measurable progress toward achieving—

(I) applicable water quality standards;

(II) improved soil quality;

(III) improved sediment quality;

(IV) other improved environmental or safety conditions; or

(V) reductions in threats to soil, sediment, or water quality or other environmental or safety conditions;

(vi) the applicant has—

(I) demonstrated that the applicant has the proper and appropriate experience and capacity to complete the permitted work;

(II) demonstrated that the applicant will complete the permitted work;

(III) the financial and other resources to address any contingencies identified in the Good Samaritan permit application described in subsections (b) and (c);

(IV) granted access and provided the authority to review the records of the applicant relevant to compliance with the requirements of the Good Samaritan permit; and

(V) demonstrated, to the satisfaction of the Administrator, that—

(aa) the applicant has, or has access to, the financial resources to complete the project described in the Good Samaritan permit application, including any long-term monitoring and operations and maintenance that the Administrator may require the applicant to perform in the Good Samaritan permit; or

(bb) the applicant has established a third-party financial assurance mechanism, such as a corporate guarantee from a parent or other corporate affiliate, letter of credit, trust, surety bond, or insurance to assure that funds are available to complete the permitted work, including for operations and maintenance and to address potential contingencies, that—

(AA) establishes the Administrator or the head of the Federal land management agency as the beneficiary of the third-party financial assurance mechanism; and

(BB) allows the Administrator to retain and use the funds from the financial assurance mechanism in the event the Good Samaritan does not complete the remediation under the Good Samaritan permit; and

(vii) the project meets the requirements of this title;

(B) the State or Indian tribe with jurisdiction over land on which the abandoned hardrock mine site is located has been given

an opportunity to review and, if necessary, comment on the grant of the Good Samaritan permit;

(C) in the case of a project proposed to be carried out under the Good Samaritan permit partially or entirely on land owned by the United States, pursuant to subsection (l), the head of the applicable Federal land management agency has signed a decision document approving the proposed project; and

(D) the Administrator or head of the Federal land management agency, as applicable, has provided—

(i) environmental review and public comment procedures required by subsection (l); and

(ii) a public hearing under that subsection, if requested.

(2) DEADLINE.—

(A) IN GENERAL.—The Administrator shall grant or deny a Good Samaritan permit by not later than—

(i) the date that is 180 days after the date of receipt by the Administrator of an application for the Good Samaritan permit that, as determined by the Administrator, is complete and meets all applicable requirements of subsection (c); or

(ii) such later date as may be determined by the Administrator with notification provided to the applicant.

(B) CONSTRUCTIVE DENIAL.—If the Administrator fails to grant or deny a Good Samaritan permit by the applicable deadline described in subparagraph (A), the application shall be considered to be denied.

(3) DISCRETIONARY ACTION.—The issuance of a permit by the Administrator and the approval of a project by the head of an applicable Federal land management agency shall be considered to be discretionary actions taken in the public interest.

(n) EFFECT OF PERMITS.—

(1) IN GENERAL.—A Good Samaritan and any cooperating person undertaking remediation activities identified in, carried out pursuant to, and in compliance with, a covered permit—

(A) shall be considered to be in compliance with all requirements (including permitting requirements) under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (including any law or regulation implemented by a State or Indian tribe under section 402 or 404 of that Act (33 U.S.C. 1342, 1344)) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) during the term of the covered permit, after the termination of the Good Samaritan permit, and after declining to convert an investigative sampling permit into a Good Samaritan permit, as applicable;

(B) shall not be required to obtain a permit under, or to comply with, section 301, 302, 306, 307, 402, or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1316, 1317, 1342, 1344), or any State or Tribal standards or regulations approved by the Administrator under those sections of that Act, during the term of the covered permit, after the termination of the Good Samaritan permit, and after declining to convert an investigative sampling permit into a Good Samaritan permit, as applicable; and

(C) shall not be required to obtain any authorizations, licenses, or permits that would otherwise not need to be obtained if the remediation was conducted pursuant to section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621).

(2) UNAUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—Any person (including a Good Samaritan or any cooperating person) that carries out any activity, including activities relating to mineral exploration, processing, beneficiation, or mining, including development, that is not authorized by the applicable covered permit shall be subject to all applicable law.

(B) LIABILITY.—Any activity not authorized by a covered permit, as determined by the Administrator, may be subject to liability and enforcement under all applicable law, including—

(i) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(3) NO ENFORCEMENT OR LIABILITY FOR GOOD SAMARITANS.—

(A) IN GENERAL.—Subject to subparagraphs (D) and (E), a Good Samaritan or cooperating person that is conducting a remediation activity identified in, pursuant to, and in compliance with a covered permit shall not be subject to enforcement or liability described in subparagraph (B) for—

(i) any actions undertaken that are authorized by the covered permit; or

(ii) any past, present, or future releases, threats of releases, or discharges of hazardous substances, pollutants, or contaminants at or from the abandoned hardrock mine site that is the subject of the covered permit (including any releases, threats of releases, or discharges that occurred prior to the grant of the covered permit).

(B) ENFORCEMENT OR LIABILITY DESCRIBED.—Enforcement or liability referred to in subparagraph (A) is enforcement, civil or criminal penalties, citizen suits and any liabilities for response costs, natural resource damage, or contribution under—

(i) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (including under any law or regulation administered by a State or Indian tribe under that Act); or

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(C) DURATION OF APPLICABILITY.—Subparagraph (A) shall apply during the term of the covered permit, after the termination of the Good Samaritan permit, and after declining to convert an investigative sampling permit into a Good Samaritan permit, as applicable.

(D) OTHER PARTIES.—Nothing in subparagraph (A) limits the liability of any person that is not described in that subparagraph.

(E) DECLINE IN ENVIRONMENTAL CONDITIONS.—Notwithstanding subparagraph (A), if a Good Samaritan or cooperating person fails to comply with any term, condition, or limitation of a covered permit and that failure results in surface water quality or other environmental conditions that the Administrator determines are measurably worse than the baseline conditions as described in the permit (in the case of a Good Samaritan permit) or the conditions as described pursuant to subsection (d)(3)(B), if applicable (in the case of an investigative sampling permit), at the abandoned hardrock mine site, the Administrator shall—

(i) notify the Good Samaritan or cooperating person, as applicable, of the failure to comply; and

(ii) require the Good Samaritan or the cooperating person, as applicable, to undertake reasonable measures, as determined by the Administrator, to return surface water quality or other environmental conditions to those conditions.

(F) FAILURE TO CORRECT.—Subparagraph (A) shall not apply to a Good Samaritan or cooperating person that fails to take any actions required under subparagraph (E)(ii) within a reasonable period of time, as established by the Administrator.

(G) MINOR OR CORRECTED PERMIT VIOLATIONS.—For purposes of this paragraph, the failure to comply with a term, condition, or limitation of a Good Samaritan permit or investigative sampling permit shall not be considered a permit violation or noncompliance with that permit if—

(i) that failure or noncompliance does not result in a measurable adverse impact, as determined by the Administrator, on water quality or other environmental conditions; or

(ii) the Good Samaritan or cooperating person complies with subparagraph (E)(ii).

(o) PUBLIC NOTIFICATION OF ADVERSE EVENT.—A Good Samaritan shall notify all appropriate Federal, State, Tribal, and local entities of any unplanned or previously unknown release of historic mine residue caused by the actions of the Good Samaritan or any cooperating person in accordance with—

(1) section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9603);

(2) section 304 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11004);

(3) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(4) any other applicable provision of Federal law; and

(5) any other applicable provision of State, Tribal, or local law.

(p) GRANT ELIGIBILITY.—A remediation project conducted under a Good Samaritan permit shall be eligible for funding pursuant to—

(1) section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329), for activities that are eligible for funding under that section; and

(2) section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)), subject to the condition that the recipient of the funding is otherwise eligible under that section to receive a grant to assess or remediate contamination at the site covered by the Good Samaritan permit.

(q) EMERGENCY AUTHORITY AND LIABILITY.—

(1) EMERGENCY AUTHORITY.—Nothing in this section affects the authority of—

(A) the Administrator to take any responsive action authorized by law; or

(B) a Federal, State, Tribal, or local agency to carry out any emergency authority, including an emergency authority provided under Federal, State, Tribal, or local law.

(2) LIABILITY.—Except as specifically provided in this title, nothing in this title, a Good Samaritan permit, or an investigative sampling permit limits the liability of any person (including a Good Samaritan or any cooperating person) under any provision of law.

(r) TERMINATION OF GOOD SAMARITAN PERMIT.—

(1) IN GENERAL.—A Good Samaritan permit shall terminate, as applicable—

(A) on inspection and notice from the Administrator to the recipient of the Good Samaritan permit that the permitted work has been completed in accordance with the terms of the Good Samaritan permit, as determined by the Administrator;

(B) if the Administrator terminates a permit under paragraph (4)(B); or

(C) except as provided in paragraph (2)—

(i) on the date that is 18 months after the date on which the Administrator granted the Good Samaritan permit, if the permitted work has not commenced by that date; or

(ii) if the grant of the Good Samaritan permit was the subject of a petition for judicial review, on the date that is 18 months after the date on which the judicial review, including any appeals, has concluded, if the permitted work has not commenced by that date.

(2) EXTENSION.—

(A) IN GENERAL.—If the Administrator is otherwise required to terminate a Good Samaritan permit under paragraph (1)(C), the Administrator may grant an extension of the Good Samaritan permit.

(B) LIMITATION.—Any extension granted under subparagraph (A) shall be not more than 180 days for each extension.

(3) EFFECT OF TERMINATION.—

(A) IN GENERAL.—Notwithstanding the termination of a Good Samaritan permit under paragraph (1), but subject to subparagraph (B), the provisions of paragraphs (1) through (4) of subsection (n) shall continue to apply to the Good Samaritan and any cooperating persons after the termination, including to any long-term operations and maintenance pursuant to the agreement under paragraph (5).

(B) DEGRADATION OF SURFACE WATER QUALITY.—

(i) OPPORTUNITY TO RETURN TO BASELINE CONDITIONS.—If, at the time that 1 or more of the conditions described in paragraph (1) are met but before the Good Samaritan permit is terminated, actions by the Good Samaritan or cooperating person have caused surface water quality at the abandoned hardrock mine site to be measurably worse, as determined by the Administrator, when compared to baseline conditions described in the permit, the Administrator shall, before terminating the Good Samaritan permit, provide the Good Samaritan or cooperating person, as applicable, the opportunity to return surface water quality to those baseline conditions.

(ii) EFFECT.—If, pursuant to clause (i), the applicable Good Samaritan or cooperating person does not return the surface water quality at the abandoned hardrock mine site to the baseline conditions described in the permit, as determined by the Administrator, subparagraph (A) shall not apply to the Good Samaritan or any cooperating persons.

(4) UNFORESEEN CIRCUMSTANCES.—

(A) IN GENERAL.—The recipient of a Good Samaritan permit may seek to modify or terminate the Good Samaritan permit to take into account any event or condition that—

(i) significantly reduces the feasibility or significantly increases the cost of completing the remediation project that is the subject of the Good Samaritan permit;

(ii) was not—

(I) reasonably contemplated by the recipient of the Good Samaritan permit; or

(II) taken into account in the remediation plan of the recipient of the Good Samaritan permit; and

(iii) is beyond the control of the recipient of the Good Samaritan permit, as determined by the Administrator.

(B) TERMINATION.—The Administrator shall terminate a Good Samaritan permit if—

(i) the recipient of the Good Samaritan permit seeks termination of the permit under subparagraph (A);

(ii) the factors described in subparagraph (A) are satisfied; and

(iii) the Administrator determines that remediation activities conducted by the Good Samaritan or cooperating person pursuant to the Good Samaritan permit may result in surface water quality conditions, or any other environmental conditions, that will be worse than the baseline conditions, as described in the Good Samaritan permit, as applicable.

(5) LONG-TERM OPERATIONS AND MAINTENANCE.—In the case of a project that involves long-term operations and maintenance at an abandoned hardrock mine site located on land owned by the United States, the project may be considered complete and the Administrator, in coordination with the applicable Federal land management agency, may terminate the Good Samaritan permit under this subsection if the applicable Good Samaritan has entered into an agreement with the applicable Federal land management agency or a cooperating person for the long-term operations and maintenance that includes sufficient funding for the long-term operations and maintenance.

(s) REGULATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator, in consultation with the Secretary of the Interior and the Secretary of Agriculture, and appropriate State, Tribal, and local officials, may promulgate any regulations that the Administrator determines to be necessary to carry out this title.

(2) GUIDANCE IF NO REGULATIONS PROMULGATED.—

(A) IN GENERAL.—If the Administrator does not initiate a regulatory process to promulgate regulations under paragraph (1) within 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary of the Interior, the Secretary of Agriculture, and appropriate State, Tribal, and local officials, shall issue guidance establishing specific requirements that the Administrator determines would facilitate the implementation of this section.

(B) PUBLIC COMMENTS.—Before finalizing any guidance issued under subparagraph (A), the Administrator shall hold a 30-day public comment period.

SEC. 1405. SPECIAL ACCOUNTS.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a Good Samaritan Mine Remediation Fund (referred to in this section as a ''Fund'') for—

(1) each Federal land management agency that authorizes a Good Samaritan to conduct a project on Federal land under the jurisdiction of that Federal land management agency under a Good Samaritan permit; and

(2) the Environmental Protection Agency.

(b) DEPOSITS.—Each Fund shall consist of—

(1) amounts provided in appropriation Acts;

(2) any proceeds from reprocessing deposited under section 1404(f)(4)(B)(iv);

(3) any financial assurance funds collected from an agreement described in section 1404(m)(1)(A)(vi)(V)(bb);

(4) any funds collected for long-term operations and maintenance under an agreement under section 1404(r)(5);

(5) any interest earned under an investment under subsection (c);

(6) any proceeds from the sale or redemption of investments held in the Fund; and

(7) any amounts donated to the Fund by any person.

(c) UNUSED FUNDS.—Amounts in each Fund not currently needed to carry out this title shall be—

(1) maintained as readily available or on deposit;

(2) invested in obligations of the United States or guaranteed by the United States; or

(3) invested in obligations, participations, or other instruments that are lawful investments for a fiduciary, a trust, or public funds.

(d) RETAIN AND USE AUTHORITY.—The Administrator and each head of a Federal land management agency, as appropriate, may, notwithstanding any other provision of law, retain and use money deposited in the applicable Fund without fiscal year limitation for the purpose of carrying out this title.

SEC. 1406. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 8 years after the date of enactment of this Act, the Administrator, in consultation with the heads of Federal land management agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources of the House of Representatives a report evaluating the Good Samaritan pilot program under this title.

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

(1) a description of—

(A) the number, types, and objectives of Good Samaritan permits granted pursuant to this title; and

(B) each remediation project authorized by those Good Samaritan permits;

(2) interim or final qualitative and quantitative data on the results achieved under the Good Samaritan permits before the date of issuance of the report;

(3) a description of—

(A) any problems encountered in administering this title; and

(B) whether the problems have been or can be remedied by administrative action (including amendments to existing law);

(4) a description of progress made in achieving the purposes of this title; and

(5) recommendations on whether the Good Samaritan pilot program under this title should be continued, including a description of any modifications (including amendments to existing law) required to continue administering this title.

SA 1947. Mr. LEE (for Mr. JOHNSON (for himself and Ms. BALDWIN)) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XIII, add the following:

SEC. 13____. PAYMENT TO CERTAIN INDIVIDUALS WHO DYE FUEL.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6434. DYED FUEL.

''(a) IN GENERAL.—If a person establishes to the satisfaction of the Secretary that such person meets the requirements of subsection (b) with respect to diesel fuel or kerosene, then the Secretary shall pay to such person an amount (without interest) equal to the tax described in subsection (b)(2)(A) with respect to such diesel fuel or kerosene.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—A person meets the requirements of this subsection with respect to diesel fuel or kerosene if such person removes from a terminal eligible indelibly dyed diesel fuel or kerosene.

''(2) ELIGIBLE INDELIBLY DYED DIESEL FUEL OR KEROSENE DEFINED.—The term 'eligible indelibly dyed diesel fuel or kerosene' means diesel fuel or kerosene—

''(A) with respect to which a tax under section 4081 was previously paid (and not credited or refunded), and

''(B) which is exempt from taxation under section 4082(a).

''(c) CROSS REFERENCE.—For civil penalty for excessive claims under this section, see section 6675.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6206 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''or 6427'' each place it appears and inserting ''6427, or 6434''; and

(B) by striking ''6420 and 6421'' and inserting ''6420, 6421, and 6434''.

(2) Section 6430 of such Code is amended—

(A) by striking ''or'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', or'', and by adding at the end the following new paragraph:

''(4) which are removed as eligible indelibly dyed diesel fuel or kerosene under section 6434.''.

(3) Section 6675 of such Code is amended—

(A) in subsection (a), by striking ''or 6427 (relating to fuels not used for taxable purposes)'' and inserting ''6427 (relating to fuels not used for taxable purposes), or 6434 (relating to eligible indelibly dyed fuel)''; and

(B) in subsection (b)(1), by striking ''6421, or 6427,'' and inserting ''6421, 6427, or 6434,''.

(4) The table of sections for subchapter B of chapter 65 of such Code is amended by adding at the end the following new item:

''Sec. 6434. Dyed fuel.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to eligible indelibly dyed diesel fuel or kerosene removed on or after the date that is 180 days after the date of the enactment of this section.

SA 1948. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 221, add the following:

(d) DATA COLLECTION AND REPORTING.—

(1) DEFINITIONS.—In this subsection:

(A) FAA OFFICE.—The term ''FAA office'' means any office space owned or leased by the FAA at which 1 or more employees of the FAA or employees of any contractor with the FAA regularly perform their duties.

(B) TELEWORKING EMPLOYEE.—The term ''teleworking employee'' means an employee of the FAA or of any contractor with the FAA who is covered by a telework agreement.

(C) WORKING REMOTELY.—The term ''working remotely'' means performing work duties on a computer outside of an FAA office.

(2) INITIATION OF DATA COLLECTION.—Not later than September 1, 2024, the Administrator shall—

(A) establish policies requiring the login activity and traffic on Federal information technology equipment of each teleworking employee working remotely to be recorded; and

(B) establish best practices for managers of teleworking employees to periodically review each teleworking employee's traffic log while working remotely.

(3) RETENTION OF DATA COLLECTION.—The Administrator shall retain the data collected under paragraph (2) for a period of not less than 3 years from the date on which the data is collected. The information collected and retained during such period shall include, with respect to each teleworking employee working remotely, at minimum, the following:

(A) The average number of logins made each day by the teleworking employee.

(B) The average daily connection duration for the teleworking employee.

(C) The network traffic the teleworking employee generates while working remotely.

(4) REPORT.—The Secretary shall include in the budget justification materials (as defined in section 3(b)(2) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note)) of the Department of Transportation the data collected under paragraph (2) in an aggregated format which protects personally identifiable information and compares the data to the average utilization rates of teleworking employees working remotely on each weekday to the average utilization rates of all Federal employees with a telework agreement who work remotely, for the most recent period for which such data is available.

SA 1949. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IMPLEMENTATION OF ANTI-TERRORIST AND NARCOTIC AIR EVENTS PROGRAMS.

(a) IMPLEMENTATION.—

(1) PRIORITY RECOMMENDATIONS.—Not later than 180 days after the date of enactment of this section, the Administrator shall—

(A) implement recommendations 6, 7, 13, 14, and 15 set forth in the Government Accountability Office report entitled ''Aviation: FAA Needs to Better Prevent, Detect, and Respond to Fraud and Abuse Risks in Aircraft Registration,'' (dated March 25, 2020); and

(B) to the extent that rulemaking is necessary to implement such recommendations, issue a notice of proposed rulemaking pursuant to the rulemaking authority of the FAA.

(2) REMAINING RECOMMENDATIONS.—The Administrator shall implement the remaining recommendations set forth in the Government Accountability Office report described in paragraph (1) and, to the extent that rulemaking is necessary to implement such recommendations, issue a notice of proposed rulemaking pursuant to the rulemaking authority of the FAA, on the earlier of—

(A) the date that is 90 days after the date on which the FAA implements the Civil Aviation Registry Electronic Services system; or

(B) January 1, 2026.

(b) REPORTS.—

(1) PRIORITY RECOMMENDATIONS.—Not later than 60 days after the date on which the Administrator implements the recommendations under subsection (a)(1), the Administrator shall submit to the Committees on the Judiciary and Commerce, Science, and Transportation of the Senate, the Committees on the Judiciary and Energy and Commerce of the House of Representatives, and the Caucus on International Narcotics Control of the Senate a report on such implementation, including a description of any steps taken by the Administrator to complete such implementation.

(2) REMAINING RECOMMENDATIONS.—Not later than 60 days after the date on which the Administrator implements the recommendations under subsection (a)(2), the Administrator shall submit to the Committees on the Judiciary and Commerce, Science, and Transportation of the Senate, the Committees on the Judiciary and Energy and Commerce of the House of Representatives, and the Caucus on International Narcotics Control of the Senate a report on such implementation, including a description of any steps taken by the Administrator to complete such implementation.

SA 1950. Mr. CORNYN (for himself, Mr. OSSOFF, Mr. GRASSLEY, Mr. PETERS, Mr. COONS, and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XIV—LAW ENFORCEMENT AND VICTIM SUPPORT ACT OF 2024

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Law Enforcement and Victim Support Act of 2024''.

SEC. 1402. PREVENTING CHILD TRAFFICKING ACT OF 2024.

(a) DEFINED TERM.—In this section, the term ''anti-trafficking recommendations'' means the recommendations set forth in the report of the Government Accountability Office entitled ''Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support'', which was published on December 11, 2023.

(b) IMPLEMENTATION OF ANTI-TRAFFICKING PROGRAMS FOR CHILDREN.—Not later than 180 days after the date of the enactment of this Act, the Office for Victims of Crime of the Department of Justice, in coordination with the Office on Trafficking in Persons of the Administration for Children and Families, shall implement the anti-trafficking recommendations.

(c) REPORT.—Not later than 60 days after the date on which the Office for Victims of Crime implements the anti-trafficking recommendations pursuant to subsection (c), the Director of the Office for Victims of Crime shall submit a report to the Committee on the Judiciary of the Senate and Committee on the Judiciary of the House of Representatives that explicitly describes the steps taken by the Office to complete such implementation.

SEC. 1403. PROJECT SAFE CHILDHOOD ACT.

Section 143 of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20942) is amended to read as follows:

''SEC. 143. PROJECT SAFE CHILDHOOD.

''(a) DEFINITIONS.—In this section:

''(1) CHILD SEXUAL ABUSE MATERIAL.—The term 'child sexual abuse material' has the meaning given the term 'child pornography' in section 2256 of title 18, United States Code.

''(2) CHILD SEXUAL EXPLOITATION OFFENSE.—The term 'child sexual exploitation offense' means—

''(A)(i) an offense involving a minor under section 1591 or chapter 117 of title 18, United States Code;

''(ii) an offense under subsection (a), (b), or (c) of section 2251 of title 18, United States Code;

''(iii) an offense under section 2251A or 2252A(g) of title 18, United States Code; or

''(iv) any attempt or conspiracy to commit an offense described in clause (i) or (ii); or

''(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

''(3) CIRCLE OF TRUST OFFENDER.—The term 'circle of trust offender' means an offender who is related to, or in a position of trust, authority, or supervisory control with respect to, a child.

''(4) COMPUTER.—The term 'computer' has the meaning given the term in section 1030 of title 18, United States Code.

''(5) CONTACT SEXUAL OFFENSE.—The term 'contact sexual offense' means—

''(A) an offense involving a minor under chapter 109A of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

''(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

''(6) DUAL OFFENDER.—The term 'dual offender' means—

''(A) a person who commits—

''(i) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; and

''(ii) a contact sexual offense; and

''(B) without regard to whether the offenses described in clauses (i) and (ii) of subparagraph (A)—

''(i) are committed as part of the same course of conduct; or

''(ii) involve the same victim.

''(7) FACILITATOR.—The term 'facilitator' means an individual who facilitates the commission by another individual of—

''(A) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; or

''(B) a contact sexual offense.

''(8) ICAC AFFILIATE PARTNER.—The term 'ICAC affiliate partner' means a law enforcement agency that has entered into a formal operating agreement with the ICAC Task Force Program.

''(9) ICAC TASK FORCE.—The term 'ICAC task force' means a task force that is part of the ICAC Task Force Program.

''(10) ICAC TASK FORCE PROGRAM.—The term 'ICAC Task Force Program' means the National Internet Crimes Against Children Task Force Program established under section 102 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21112).

''(11) OFFENSE INVOLVING CHILD SEXUAL ABUSE MATERIAL.—The term 'offense involving child sexual abuse material' means—

''(A) an offense under section 2251(d), section 2252, or paragraphs (1) through (6) of section 2252A(a) of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

''(B) an offense under a State or Tribal statute that is similar to a provision described in subparagraph (A).

''(12) SERIOUS OFFENDER.—The term 'serious offender' means—

''(A) an offender who has committed a contact sexual offense or child sexual exploitation offense;

''(B) a dual offender, circle of trust offender, or facilitator; or

''(C) an offender with a prior conviction for a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material.

''(13) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(14) TECHNOLOGY-FACILITATED.—The term 'technology-facilitated', with respect to an offense, means an offense that is committed through the use of a computer, even if the use of a computer is not an element of the offense.

''(b) ESTABLISHMENT OF PROGRAM.—The Attorney General shall create and maintain a nationwide initiative to align Federal, State, and local entities to combat the growing epidemic of online child sexual exploitation and abuse, to be known as the 'Project Safe Childhood program', in accordance with this section.

''(c) BEST PRACTICES.—The Attorney General, in coordination with the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and in consultation with training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General and with appropriate nongovernmental organizations, shall—

''(1) develop best practices to adopt a balanced approach to the investigation of suspect leads involving contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenses, prioritizing when feasible the identification of a child victim or a serious offender, which approach shall incorporate the use of—

''(A) proactively generated leads, including leads generated by current and emerging technology;

''(B) in-district investigative referrals; and

''(C) CyberTipline reports from the National Center for Missing and Exploited Children;

''(2) develop best practices to be used by each United States Attorney and ICAC task force to assess the likelihood that an individual could be a serious offender or that a child victim may be identified;

''(3) develop and implement a tracking and communication system for Federal, State, and local law enforcement agencies and prosecutor's offices to report successful cases of victim identification and child rescue to the Department of Justice and the public; and

''(4) encourage the submission of all lawfully seized visual depictions to the Child Victim Identification Program of the National Center for Missing and Exploited Children.

''(d) IMPLEMENTATION.—Except as authorized under subsection (e), funds authorized under this section may only be used for the following 4 purposes:

''(1) Integrated Federal, State, and local efforts to investigate and prosecute contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, including—

''(A) the partnership by each United States Attorney with each Internet Crimes Against Children Task Force within the district of such attorney;

''(B) training of Federal, State, and local law enforcement officers and prosecutors through—

''(i) programs facilitated by the ICAC Task Force Program;

''(ii) ICAC training programs supported by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

''(iii) programs facilitated by appropriate nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to serious offenders, contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; and

''(iv) any other program that provides training—

''(I) on the investigation and identification of serious offenders or victims of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; or

''(II) that specifically addresses the use of existing and emerging technologies to commit or facilitate contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

''(C) the development by each United States Attorney of a district-specific strategic plan to coordinate with State and local law enforcement agencies and prosecutor's offices, including ICAC task forces and their ICAC affiliate partners, on the investigation of suspect leads involving serious offenders, contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenders and offenses, which plan—

''(i) shall include—

''(I) the use of the best practices developed under paragraphs (1) and (2) of subsection (c);

''(II) the development of plans and protocols to target and rapidly investigate cases involving potential serious offenders or the identification and rescue of a victim of a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material;

''(III) the use of training and technical assistance programs to incorporate victim-centered, trauma-informed practices in cases involving victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, which may include the use of child protective services, children's advocacy centers, victim support specialists, or other supportive services;

''(IV) the development of plans to track, report, and clearly communicate successful cases of victim identification and child rescue to the Department of Justice and the public;

''(V) an analysis of the investigative and forensic capacity of law enforcement agencies and prosecutor's offices within the district, and goals for improving capacity and effectiveness;

''(VI) a written policy describing the criteria for referrals for prosecution from Federal, State, or local law enforcement agencies, particularly when the investigation may involve a potential serious offender or the identification or rescue of a child victim;

''(VII) plans and budgets for training of relevant personnel on contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material;

''(VIII) plans for coordination and cooperation with State, local, and Tribal law enforcement agencies and prosecutorial offices; and

''(IX) evidence-based programs that educate the public about and increase awareness of such offenses; and

''(ii) shall be developed in consultation, as appropriate, with—

''(I) the local ICAC task force;

''(II) the United States Marshals Service Sex Offender Targeting Center;

''(III) training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General;

''(IV) nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

''(V) any relevant component of Homeland Security Investigations;

''(VI) any relevant component of the Federal Bureau of Investigation;

''(VII) the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

''(VIII) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

''(IX) the United States Postal Inspection Service;

''(X) the United States Secret Service; and

''(XI) each military criminal investigation organization of the Department of Defense; and

''(D) a quadrennial assessment by each United States Attorney of the investigations within the district of such attorney of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material—

''(i) with consideration of—

''(I) the variety of sources for leads;

''(II) the proportion of work involving proactive or undercover law enforcement investigations;

''(III) the number of serious offenders identified and prosecuted; and

''(IV) the number of children identified or rescued; and

''(ii) information from which may be used by the United States Attorney, as appropriate, to revise the plan described in subparagraph (C).

''(2) Major case coordination by the Department of Justice (or other Federal agencies as appropriate), including specific cooperation, as appropriate, with—

''(A) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

''(B) any relevant component of Homeland Security Investigations;

''(C) any relevant component of the Federal Bureau of Investigation;

''(D) the ICAC task forces and ICAC affiliate partners;

''(E) the United States Marshals Service, including the Sex Offender Targeting Center;

''(F) the United States Postal Inspection Service;

''(G) the United States Secret Service;

''(H) each Military Criminal Investigation Organization of the Department of Defense; and

''(I) any task forces established in connection with the Project Safe Childhood program set forth under subsection (b).

''(3) Increased Federal involvement in, and commitment to, the prevention and prosecution of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material by—

''(A) using technology to identify victims and serious offenders;

''(B) developing processes and tools to identify victims and offenders; and

''(C) taking measures to improve information sharing among Federal law enforcement agencies, including for the purposes of implementing the plans and protocols described in paragraph (1)(C)(i)(II) to identify and rescue—

''(i) victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material; or

''(ii) victims of serious offenders.

''(4) The establishment, development, and implementation of a nationally coordinated 'Safer Internet Day' every year developed in collaboration with the Department of Education, national and local internet safety organizations, parent organizations, social media companies, and schools to provide—

''(A) national public awareness and evidence-based educational programs about the threats posed by circle of trust offenders and the threat of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material, and the use of technology to facilitate those offenses;

''(B) information to parents and children about how to avoid or prevent technology-facilitated child sexual exploitation offenses; and

''(C) information about how to report possible technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material through—

''(i) the National Center for Missing and Exploited Children;

''(ii) the ICAC Task Force Program; and

''(iii) any other program that—

''(I) raises national awareness about the threat of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material; and

''(II) provides information to parents and children seeking to report possible violations of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material.

''(e) EXPANSION OF PROJECT SAFE CHILDHOOD.—Notwithstanding subsection (d), funds authorized under this section may be also be used for the following purposes:

''(1) The addition of not less than 20 Assistant United States Attorneys at the Department of Justice, relative to the number of such positions as of the day before the date of enactment of the Law Enforcement and Victim Support Act of 2024, who shall be—

''(A) dedicated to the prosecution of cases in connection with the Project Safe Childhood program set forth under subsection (b); and

''(B) responsible for assisting and coordinating the plans and protocols of each district under subsection (d)(1)(C)(i)(II).

''(2) Such other additional and related purposes as the Attorney General determines appropriate.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated—

''(A) for the activities described under paragraphs (1), (2), and (3) of subsection (d), $28,550,000 for each of fiscal years 2023 through 2028;

''(B) for the activities described under subsection (d)(4), $4,000,000 for each of fiscal years 2023 through 2028; and

''(C) for the activities described under subsection (e), $29,100,000 for each of fiscal years 2023 through 2028.

''(2) SUPPLEMENT, NOT SUPPLANT.—Amounts made available to State and local agencies, programs, and services under this section shall supplement, and not supplant, other Federal, State, or local funds made available for those agencies, programs, and services.''.

SEC. 1404. STRONG COMMUNITIES ACT OF 2023.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended by adding at the end the following:

''(o) COPS STRONG COMMUNITIES PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(i) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), that, in coordination or through an agreement with a local law enforcement agency, offers a law enforcement training program; or

''(ii) a local law enforcement agency that offers a law enforcement training program.

''(B) LOCAL LAW ENFORCEMENT AGENCY.—The term 'local law enforcement agency' means an agency of a State, unit of local government, or Indian Tribe that is authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

''(2) GRANTS.—The Attorney General may use amounts otherwise appropriated to carry out this section for a fiscal year (beginning with fiscal year 2024) to make competitive grants to local law enforcement agencies to be used for officers and recruits to attend law enforcement training programs at eligible entities if the officers and recruits agree to serve in law enforcement agencies in their communities.

''(3) ELIGIBILITY.—To be eligible for a grant through a local law enforcement agency under this subsection, each officer or recruit described in paragraph (2) shall—

''(A) serve as a full-time law enforcement officer for a total of not fewer than 4 years during the 8-year period beginning on the date on which the officer or recruit completes a law enforcement training program for which the officer or recruit receives benefits;

''(B) complete the service described in subparagraph (A) in a local law enforcement agency located within—

''(i) 7 miles of the residence of the officer or recruit where the officer or recruit has resided for not fewer than 5 years; or

''(ii) if the officer or recruit resides in a county with fewer than 150,000 residents, within 20 miles of the residence of the officer or recruit where the officer or recruit has resided for not fewer than 5 years; and

''(C) submit to the eligible entity providing a law enforcement training program to the officer or recruit evidence of employment of the officer or recruit in the form of a certification by the chief administrative officer of the local law enforcement agency where the officer or recruit is employed.

''(4) REPAYMENT.—

''(A) IN GENERAL.—If an officer or recruit does not complete the service described in paragraph (3), the officer or recruit shall submit to the local law enforcement agency an amount equal to any benefits the officer or recruit received through the local law enforcement agency under this subsection.

''(B) REGULATIONS.—The Attorney General shall promulgate regulations that establish categories of extenuating circumstances under which an officer or recruit may be excused from repayment under subparagraph (A).''.

SEC. 1405. FIGHTING POST-TRAUMATIC STRESS DISORDER ACT OF 2023.

(a) FINDINGS.—Congress finds the following:

(1) Public safety officers serve their communities with bravery and distinction in order to keep their communities safe.

(2) Public safety officers, including police officers, firefighters, emergency medical technicians, and 911 dispatchers, are on the front lines of dealing with situations that are stressful, graphic, harrowing, and life-threatening.

(3) The work of public safety officers puts them at risk for developing post-traumatic stress disorder and acute stress disorder.

(4) It is estimated that 30 percent of public safety officers develop behavioral health conditions at some point in their lifetimes, including depression and post-traumatic stress disorder, in comparison to 20 percent of the general population that develops such conditions.

(5) Victims of post-traumatic stress disorder and acute stress disorder are at a higher risk of dying by suicide.

(6) Firefighters have been reported to have higher suicide attempt and ideation rates than the general population.

(7) It is estimated that between 125 and 300 police officers die by suicide every year.

(8) In 2019, pursuant to section 2(b) of the Law Enforcement Mental Health and Wellness Act of 2017 (Public Law 115–113; 131 Stat. 2276), the Director of the Office of Community Oriented Policing Services of the Department of Justice developed a report (referred to in this section as the ''LEMHWA report'') that expressed that many law enforcement agencies do not have the capacity

or local access to the mental health professionals necessary for treating their law enforcement officers.

(9) The LEMHWA report recommended methods for establishing remote access or regional mental health check programs at the State or Federal level.

(10) Individual police and fire departments generally do not have the resources to employ full-time mental health experts who are able to treat public safety officers with state-of-the-art techniques for the purpose of treating job-related post-traumatic stress disorder and acute stress disorder.

(b) PROGRAMMING FOR POST-TRAUMATIC STRESS DISORDER.—

(1) DEFINITIONS.—In this subsection:

(A) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(i) has the meaning given the term in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284); and

(ii) includes Tribal public safety officers.

(B) PUBLIC SAFETY TELECOMMUNICATOR.—The term ''public safety telecommunicator'' means an individual who—

(i) operates telephone, radio, or other communication systems to receive and communicate requests for emergency assistance at 911 public safety answering points and emergency operations centers;

(ii) takes information from the public and other sources relating to crimes, threats, disturbances, acts of terrorism, fires, medical emergencies, and other public safety matters; and

(iii) coordinates and provides information to law enforcement and emergency response personnel.

(2) REPORT.—Not later than 150 days after the date of enactment of this Act, the Attorney General, acting through the Director of the Office of Community Oriented Policing Services of the Department of Justice, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

(A) not fewer than 1 proposed program, if the Attorney General determines it appropriate and feasible to do so, to be administered by the Department of Justice for making state-of-the-art treatments or preventative care available to public safety officers and public safety telecommunicators with regard to job-related post-traumatic stress disorder or acute stress disorder by providing public safety officers and public safety telecommunicators access to evidence-based trauma-informed care, peer support, counselor services, and family supports for the purpose of treating or preventing post-traumatic stress disorder or acute stress disorder;

(B) a draft of any necessary grant conditions required to ensure that confidentiality is afforded to public safety officers on account of seeking the care or services described in paragraph (1) under the proposed program;

(C) how each proposed program described in subparagraph (A) could be most efficiently administered throughout the United States at the State, Tribal, territorial, and local levels, taking into account in-person and telehealth capabilities;

(D) a draft of legislative language necessary to authorize each proposed program described in subparagraph (A); and

(E) an estimate of the amount of annual appropriations necessary for administering each proposed program described in subparagraph (A).

(3) DEVELOPMENT.—In developing the report required under paragraph (2), the Attorney General shall consult relevant stakeholders, including—

(A) Federal, State, Tribal, territorial, and local agencies employing public safety officers and public safety telecommunicators; and

(B) non-governmental organizations, international organizations, academies, or other entities, including organizations that support the interests of public safety officers and public safety telecommunicators and the interests of family members of public safety officers and public safety telecommunicators.

SEC. 1406. RECRUIT AND RETAIN ACT.

(a) IMPROVING COPS GRANTS FOR POLICE HIRING PURPOSES.—

(1) GRANT USE EXPANSION.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)) is amended—

(A) by redesignating paragraphs (5) through (23) as paragraphs (6) through (24), respectively; and

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

''(5) to support hiring activities by law enforcement agencies experiencing declines in officer recruitment applications by reducing application-related fees, such as fees for background checks, psychological evaluations, and testing;''.

(2) TECHNICAL AMENDMENT.—Section 1701(b)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)(23)), as so redesignated, is amended by striking ''(21)'' and inserting ''(22)''.

(b) ADMINISTRATIVE COSTS.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381), as amended by section 1404, is amended—

(1) by redesignating subsections (i) through (o) as subsections (k) through (p), respectively; and

(2) by inserting after subsection (h) the following:

''(i) ADMINISTRATIVE COSTS.—Not more than 2 percent of a grant made for the hiring or rehiring of additional career law enforcement officers may be used for costs incurred to administer such grant.''.

(c) PIPELINE PARTNERSHIP PROGRAM.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381), as amended by section 1404 and subsection (b), is amended by inserting after subsection (p) the following:

''(q) COPS PIPELINE PARTNERSHIP PROGRAM.—

''(1) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means a law enforcement agency in partnership with not less than 1 educational institution, which may include 1 or any combination of the following:

''(A) An elementary school.

''(B) A secondary school.

''(C) An institution of higher education.

''(D) A Hispanic-serving institution.

''(E) A historically Black college or university.

''(F) A Tribal college.

''(2) GRANTS.—The Attorney General shall award competitive grants to eligible entities for recruiting activities that—

''(A) support substantial student engagement for the exploration of potential future career opportunities in law enforcement;

''(B) strengthen recruitment by law enforcement agencies experiencing a decline in recruits, or high rates of resignations or retirements;

''(C) enhance community interactions between local youth and law enforcement agencies that are designed to increase recruiting; and

''(D) otherwise improve the outcomes of local law enforcement recruitment through activities such as dedicated programming for students, work-based learning opportunities, project-based learning, mentoring, community liaisons, career or job fairs, work site visits, job shadowing, apprenticeships, or skills-based internships.

''(3) FUNDING.—Of the amounts made available to carry out this part for a fiscal year, the Attorney General may use not more than $3,000,000 to carry out this subsection.''.

(d) COPS GRANT GUIDANCE FOR AGENCIES OPERATING BELOW BUDGETED STRENGTH.—Section 1704 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10384) is amended by adding at the end the following:

''(d) GUIDANCE FOR UNDERSTAFFED LAW ENFORCEMENT AGENCIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED APPLICANT.—The term 'covered applicant' means an applicant for a hiring grant under this part seeking funding for a law enforcement agency operating below the budgeted strength of the law enforcement agency.

''(B) BUDGETED STRENGTH.—The term 'budgeted strength' means the employment of the maximum number of sworn law enforcement officers the budget of a law enforcement agency allows the agency to employ.

''(2) PROCEDURES.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall establish consistent procedures for covered applicants, including guidance that—

''(A) clarifies that covered applicants remain eligible for funding under this part; and

''(B) enables covered applicants to attest that the funding from a grant awarded under this part is not being used by the law enforcement agency to supplant State or local funds, as described in subsection (a).

''(3) PAPERWORK REDUCTION.—In developing the procedures and guidance under paragraph (2), the Attorney General shall take measures to reduce paperwork requirements for grants to covered applicants.''.

(e) STUDY ON POLICE RECRUITMENT.—

(1) STUDY.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study to consider the comprehensive effects of recruitment and attrition rates on Federal, State, Tribal, and local law enforcement agencies in the United States, to identify—

(i) the primary reasons that law enforcement officers—

(I) join law enforcement agencies; and

(II) resign or retire from law enforcement agencies;

(ii) how the reasons described in clause (i) may have changed over time;

(iii) the effects of recruitment and attrition on public safety;

(iv) the effects of electronic media on recruitment efforts;

(v) barriers to the recruitment and retention of Federal, State, and local law enforcement officers; and

(vi) recommendations for potential ways to address barriers to the recruitment and retention of law enforcement officers, including the barriers identified in clause (v).

(B) REPRESENTATIVE CROSS-SECTION.—

(i) IN GENERAL.—The Comptroller General of the United States shall endeavor to ensure accurate representation of law enforcement agencies in the study conducted pursuant to subparagraph (A) by surveying a broad cross-section of law enforcement agencies—

(I) from various regions of the United States;

(II) of different sizes; and

(III) from rural, suburban, and urban jurisdictions.

(ii) METHODS DESCRIPTION.—The study conducted pursuant to subparagraph (A) shall

include in the report under paragraph (2) a description of the methods used to identify a representative sample of law enforcement agencies.

(2) REPORT.—Not later than 540 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the study conducted under paragraph (1); and

(B) make the report submitted under subparagraph (A) publicly available online.

(3) CONFIDENTIALITY.—The Comptroller General of the United States shall ensure that the study conducted under paragraph (1) protects the privacy of participating law enforcement agencies.

SEC. 1407. ADMINISTRATIVE FALSE CLAIMS ACT OF 2023.

(a) CHANGE IN SHORT TITLE.—

(1) IN GENERAL.—Subtitle B of title VI of the Omnibus Budget Reconciliation Act of 1986 (Public Law 99–509; 100 Stat. 1934) is amended—

(A) in the subtitle heading, by striking ''**Program Fraud Civil Remedies**'' and inserting ''**Administrative False Claims**''; and

(B) in section 6101 (31 U.S.C. 3801 note), by striking ''Program Fraud Civil Remedies Act of 1986'' and inserting ''Administrative False Claims Act''.

(2) REFERENCES.—Any reference to the Program Fraud Civil Remedies Act of 1986 in any provision of law, regulation, map, document, record, or other paper of the United States shall be deemed a reference to the Administrative False Claims Act.

(b) REVERSE FALSE CLAIMS.—Chapter 38 of title 31, United States Code, is amended—

(1) in section 3801(a)(3), by amending subparagraph (C) to read as follows:

''(C) made to an authority which has the effect of concealing or improperly avoiding or decreasing an obligation to pay or transmit property, services, or money to the authority,''; and

(2) in section 3802(a)(3)—

(A) by striking ''An assessment'' and inserting ''(A) Except as provided in subparagraph (B), an assessment''; and

(B) by adding at the end the following:

''(B) In the case of a claim described in section 3801(a)(3)(C), an assessment shall not be made under the second sentence of paragraph (1) in an amount that is more than double the value of the property, services, or money that was wrongfully withheld from the authority.''.

(c) INCREASING DOLLAR AMOUNT OF CLAIMS.—Section 3803(c) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking ''$150,000'' each place that term appears and inserting ''$1,000,000''; and

(2) by adding at the end the following:

''(3) ADJUSTMENT FOR INFLATION.—The maximum amount in paragraph (1) shall be adjusted for inflation in the same manner and to the same extent as civil monetary penalties under the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. 2461 note).''.

(d) RECOVERY OF COSTS.—Section 3806(g)(1) of title 31, United States Code, is amended to read as follows:

''(1)(A) Except as provided in paragraph (2)—

''(i) any amount collected under this chapter shall be credited first to reimburse the authority or other Federal entity that expended costs in support of the investigation or prosecution of the action, including any court or hearing costs; and

''(ii) amounts reimbursed under clause (i) shall—

''(I) be deposited in—

''(aa) the appropriations account of the authority or other Federal entity from which the costs described in subparagraph (A) were obligated;

''(bb) a similar appropriations account of the authority or other Federal entity; or

''(cc) if the authority or other Federal entity expended nonappropriated funds, another appropriate account; and

''(II) remain available until expended.

''(B) Any amount remaining after reimbursements described in subparagraph (A) shall be deposited as miscellaneous receipts in the Treasury of the United States.''.

(e) SEMIANNUAL REPORTING.—Section 405(c) of title 5, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

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

''(5) information relating to cases under chapter 38 of title 31, including—

''(A) the number of reports submitted by investigating officials to reviewing officials under section 3803(a)(1) of such title;

''(B) actions taken in response to reports described in subparagraph (A), which shall include statistical tables showing—

''(i) pending cases;

''(ii) resolved cases;

''(iii) the average length of time to resolve each case;

''(iv) the number of final agency decisions that were appealed to a district court of the United States or a higher court; and

''(v) if the total number of cases in a report is greater than 2—

''(I) the number of cases that were settled; and

''(II) the total penalty or assessment amount recovered in each case, including through a settlement or compromise; and

''(C) instances in which the reviewing official declined to proceed on a case reported by an investigating official; and''.

(f) INCREASING EFFICIENCY OF DOJ PROCESSING.—Section 3803(j) of title 31, United States Code, is amended—

(1) by inserting ''(1)'' before ''The reviewing''; and

(2) by adding at the end the following:

''(2) A reviewing official shall notify the Attorney General in writing not later than 30 days before entering into any agreement to compromise or settle allegations of liability under section 3802 and before the date on which the reviewing official is permitted to refer allegations of liability to a presiding officer under subsection (b).''.

(g) REVISION OF DEFINITION OF HEARING OFFICIALS.—

(1) IN GENERAL.—Chapter 38 of title 31, United States Code, is amended—

(A) in section 3801(a)(7)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B)(vii), by adding ''or'' at the end; and

(iii) by adding at the end the following:

''(C) a member of the board of contract appeals pursuant to section 7105 of title 41, if the authority does not employ an available presiding officer under subparagraph (A);''; and

(B) in section 3803(d)(2)—

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

(ii) in subparagraph (B)—

(I) by striking ''the presiding'' and inserting ''(i) in the case of a referral to a presiding officer described in subparagraph (A) or (B) of section 3801(a)(7), the presiding'';

(II) in clause (i), as so designated, by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(ii) in the case of a referral to a presiding officer described in subparagraph (C) of section 3801(a)(7)—

''(I) the reviewing official shall submit a copy of the notice required by under paragraph (1) and of the response of the person receiving such notice requesting a hearing—

''(aa) to the board of contract appeals that has jurisdiction over matters arising from the agency of the reviewing official pursuant to section 7105(e)(1) of title 41; or

''(bb) if the Chair of the board of contract appeals declines to accept the referral, to any other board of contract appeals; and

''(II) the reviewing official shall simultaneously mail, by registered or certified mail, or shall deliver, notice to the person alleged to be liable under section 3802 that the referral has been made to an agency board of contract appeals with an explanation as to where the person may obtain the relevant rules of procedure promulgated by the board; and''; and

(iii) by adding at the end the following:

''(C) in the case of a hearing conducted by a presiding officer described in subparagraph (C) of section 3801(a)(7)—

''(i) the presiding officer shall conduct the hearing according to the rules and procedures promulgated by the board of contract appeals; and

''(ii) the hearing shall not be subject to the provisions in subsection (g)(2), (h), or (i).''.

(2) AGENCY BOARDS.—Section 7105(e) of title 41, United States Code, is amended—

(A) in paragraph (1), by adding at the end the following:

''(E) ADMINISTRATIVE FALSE CLAIMS ACT.—

''(i) IN GENERAL.—The boards described in subparagraphs (B), (C), and (D) shall have jurisdiction to hear any case referred to a board of contract appeals under section 3803(d) of title 31.

''(ii) DECLINING REFERRAL.—If the Chair of a board described in subparagraph (B), (C), or (D) determines that accepting a case under clause (i) would prevent adequate consideration of other cases being handled by the board, the Chair may decline to accept the referral.''; and

(B) in paragraph (2), by inserting ''or, in the event that a case is filed under chapter 38 of title 31, any relief that would be available to a litigant under that chapter'' before the period at the end.

(3) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, and each board of contract appeals of a board described in subparagraph (B), (C), or (D) of section 7105(e) of title 41, United States Code, shall amend procedures regarding proceedings as necessary to implement the amendments made by this subsection.

(h) REVISION OF LIMITATIONS.—Section 3808 of title 31, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) A notice to the person alleged to be liable with respect to a claim or statement shall be mailed or delivered in accordance with section 3803(d)(1) not later than the later of—

''(1) 6 years after the date on which the violation of section 3802 is committed; or

''(2) 3 years after the date on which facts material to the action are known or reasonably should have been known by the authority head, but in no event more than 10 years after the date on which the violation is committed.''.

(i) DEFINITIONS.—Section 3801 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (8), by striking ''and'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(10) 'material' has the meaning given the term in section 3729(b) of this title; and

''(11) 'obligation' has the meaning given the term in section 3729(b) of this title.''; and

(2) by adding at the end the following:

''(d) For purposes of subsection (a)(10), materiality shall be determined in the same manner as under section 3729 of this title.''.

(j) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, shall—

(1) promulgate regulations and procedures to carry out this Act and the amendments made by this Act; and

(2) review and update existing regulations and procedures of the authority to ensure compliance with this Act and the amendments made by this Act.

SEC. 1408. JUSTICE FOR MURDER VICTIMS ACT.

(a) IN GENERAL.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''§ 1123. No maximum time period between act or omission and death of victim

''(a) IN GENERAL.—A prosecution may be instituted for any homicide offense under this title without regard to the time that elapsed between—

''(1) the act or omission that caused the death of the victim; and

''(2) the death of the victim.

''(b) RELATION TO STATUTE OF LIMITATIONS.—Nothing in subsection (a) shall be construed to supersede the limitations period under section 3282(a), to the extent applicable.

''(c) MAXIMUM TIME PERIOD APPLICABLE IF DEATH PENALTY IMPOSED.—A sentence of death may not be imposed for a homicide offense under this title unless the Government proves beyond a reasonable doubt that not more than 1 year and 1 day elapsed between—

''(1) the act or omission that caused the death of the victim; and

''(2) the death of the victim.''.

(b) TABLE OF CONTENTS.—The table of sections for chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''1123. No maximum time period between act or omission and death of victim.''.

(c) APPLICABILITY.—Section 1123(a) of title 18, United States Code, as added by subsection (a), shall apply with respect to an act or omission described in that section that occurs after the date of enactment of this Act.

(d) MAXIMUM PENALTY FOR FIRST-DEGREE MURDER BASED ON TIME PERIOD BETWEEN ACT OR OMISSION AND DEATH OF VICTIM.—Section 1111(b) of title 18, United States Code, is amended by inserting after ''imprisonment for life'' the following: '', unless the death of the victim occurred more than 1 year and 1 day after the act or omission that caused the death of the victim, in which case the punishment shall be imprisonment for any term of years or for life''.

SEC. 1409. PROJECT SAFE NEIGHBORHOODS REAUTHORIZATION ACT OF 2023.

(a) FINDINGS.—Congress finds the following:

(1) Launched in 2001, the Project Safe Neighborhoods program is a nationwide initiative that brings together Federal, State, local, and Tribal law enforcement officials, prosecutors, community leaders, and other stakeholders to identify the most pressing crime problems in a community and work collaboratively to address those problems.

(2) The Project Safe Neighborhoods program—

(A) operates in all 94 Federal judicial districts throughout the 50 States and territories of the United States; and

(B) implements 4 key components to successfully reduce violent crime in communities, including community engagement, prevention and intervention, focused and strategic enforcement, and accountability.

(b) REAUTHORIZATION.—

(1) DEFINITIONS.—Section 2 of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60701) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

''(1) the term crime analyst means an individual employed by a law enforcement agency for the purpose of separating information into key components and contributing to plans of action to understand, mitigate, and neutralize criminal threats;''; and

(C) by inserting after paragraph (2), as so redesignated, the following:

''(3) the term law enforcement assistant means an individual employed by a law enforcement agency or a prosecuting agency for the purpose of aiding law enforcement officers in investigative or administrative duties;''.

(2) USE OF FUNDS.—Section 4(b) of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60703(b)) is amended—

(A) in paragraph (3), by striking or at the end;

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

(C) by adding at the end the following:

''(5) hiring crime analysts to assist with violent crime reduction efforts;

''(6) the cost of overtime for law enforcement officers, prosecutors, and law enforcement assistants that assist with the Program; and

''(7) purchasing, implementing, and using technology to assist with violent crime reduction efforts.''.

(3) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60705) is amended by striking ''fiscal years 2019 through 2021'' and inserting ''fiscal years 2023 through 2028''.

(c) TASK FORCE SUPPORT.—

(1) SHORT TITLE.—This subsection may be cited as the Officer Ella Grace French and Sergeant Jim Smith Task Force Support Act of 2023.

(2) AMENDMENT.—Section 4(b) of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (? 34 U.S.C. 60703(b)), as amended by subsection (c)(2), is amended—

(A) in paragraph (6), by striking and at the end;

(B) in paragraph (7), by striking the period at the end and inserting ; and; and

(C) by adding at the end the following:

''(8) support for multi-jurisdictional task forces.''.

(d) TRANSPARENCY.—Not less frequently than annually, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that details, for each area in which the Project Safe Neighborhoods Block Grant Program operates and with respect to the 1-year period preceding the date of the report—

(1) how the area spent funds under the Project Safe Neighborhoods Block Grant Program;

(2) the community outreach efforts performed in the area; and

(3) the number and a description of the violent crime offenses committed in the area, including murder, non-negligent manslaughter, rape, robbery, and aggravated assault.

SEC. 1410. FEDERAL JUDICIARY STABILIZATION ACT OF 2024.

(a) EXISTING JUDGESHIPS.—The existing judgeships for the district of Hawaii, the district of Kansas, and the eastern district of Missouri authorized by section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) and the existing judgeships for the northern district of Alabama, the district of Arizona, the central district of California, the southern district of Florida, the district of New Mexico, the western district of North Carolina, and the eastern district of Texas authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) shall, as of the effective date of this Act, be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(b) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsection (a) of this section, such table is amended—

(1) by striking the items relating to Alabama and inserting the following:

''Alabama:	
Northern	8
Middle	3
Southern	3'';

(2) by striking the item relating to Arizona and inserting the following:

''Arizona	13'';

(3) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	6
Central	28
Southern	13'';

(4) by striking the items relating to Florida and inserting the following:

''Florida:	
Northern	4
Middle	15
Southern	18'';

(5) by striking the item relating to Hawaii and inserting the following:

''Hawaii	4'';

(6) by striking the item relating to Kansas and inserting the following:

''Kansas	6'';

(7) by striking the items relating to Missouri and inserting the following:

''Missouri:	
Eastern	7
Western	5
Eastern and Western	2'';

(8) by striking the item relating to New Mexico and inserting the following:

''New Mexico	7'';

(9) by striking the items relating to North Carolina and inserting the following:

''North Carolina:	
Eastern	4
Middle	4
Western	5''; and

(10) by striking the items relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	19
Eastern	8
Western	13'';

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section and the amendments made by this section.

SA 1951. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ALASKA OFFSHORE PARITY.

(a) DEFINITIONS.—In this section:

(1) COASTAL POLITICAL SUBDIVISION.—The term ''coastal political subdivision'' means—

(A) a county-equivalent subdivision of the State—

(i) all or part of which lies within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)) of the State; and

(ii) the closest coastal point of which is not more than 200 nautical miles from the geographical center of any leased tract in the Alaska outer Continental Shelf region; and

(B) a municipal subdivision of the State that is determined by the State to be a significant staging area for oil and gas servicing, supply vessels, operations, suppliers, or workers.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(3) QUALIFIED REVENUES.—

(A) IN GENERAL.—The term ''qualified revenues'' means all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in the Alaska outer Continental Shelf region.

(B) EXCLUSIONS.—The term ''qualified revenues'' does not include—

(i) revenues generated from leases subject to section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)); or

(ii) revenues from the forfeiture of a bond or other surety securing obligations other than royalties, civil penalties, or royalties taken by the Secretary in-kind and not sold.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Alaska.

(b) DISPOSITION OF QUALIFIED REVENUES IN ALASKA.—

(1) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to the other provisions of this section, for fiscal year 2024 and each fiscal year thereafter, the Secretary of the Treasury shall deposit—

(A) 50 percent of qualified revenues in the general fund of the Treasury;

(B) 30 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to the State;

(C) 7.5 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to coastal political subdivisions; and

(D) 12.5 percent of qualified revenues in the National Oceans and Coastal Security Fund established under section 904(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7503(a)).

(2) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS.—Of the amount paid by the Secretary to coastal political subdivisions under paragraph (1)(C)—

(A) 90 percent shall be allocated among costal political subdivisions described in subsection (a)(1)(A) in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point in each coastal political subdivision that is closest to the geographic center of the applicable leased tract and not more than 200 miles from the geographic center of the leased tract; and

(B) 10 percent shall be divided equally among each coastal political subdivision described in subsection (a)(1)(B).

(3) TIMING.—The amounts required to be deposited under paragraph (1) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

(4) AUTHORIZED USES.—

(A) IN GENERAL.—Subject to subparagraph (B), the State shall use all amounts received under paragraph (1)(B) in accordance with all applicable Federal and State laws, for 1 or more of the following purposes:

(i) Projects and activities for the purposes of coastal protection, conservation, and restoration, including onshore infrastructure and relocation of communities directly affected by coastal erosion, melting permafrost, or climate change-related losses.

(ii) Mitigation of damage to fish, wildlife, or natural resources.

(iii) Mitigation of the impact of outer Continental Shelf activities through the funding of onshore infrastructure projects and related rights-of-way.

(iv) Adaptation planning, vulnerability assessments, and emergency preparedness assistance to build healthy and resilient communities.

(v) Installation and operation of energy systems to reduce energy costs and greenhouse gas emissions compared to systems in use as of the date of enactment of this Act.

(vi) Programs at institutions of higher education in the State.

(vii) Other purposes, as determined by the Governor of the State, with approval from the State legislature.

(viii) Planning assistance and the administrative costs of complying with this section.

(B) LIMITATION.—Not more than 3 percent of amounts received by the State under paragraph (1)(B) may be used for the purposes described in subparagraph (A)(viii).

(5) ADMINISTRATION.—Amounts made available under subparagraphs (B) and (C) of paragraph (1) shall—

(A) be made available, without further appropriation, in accordance with this section;

(B) remain available until expended; and

(C) be in addition to any amounts appropriated under any other provision of law.

(6) REPORTING REQUIREMENT FOR FISCAL YEAR 2025 AND THEREAFTER.—

(A) IN GENERAL.—Beginning with fiscal year 2025, not later than 180 days after the end of each fiscal year in which the State receives amounts under paragraph (1)(B), the State shall submit to the Secretary a report that describes the use of the amounts by the State during the preceding fiscal year covered by the report.

(B) PUBLIC AVAILABILITY.—On receipt of a report required under subparagraph (A), the Secretary shall make the report available to the public on the website of the Department of the Interior.

(C) LIMITATION.—If the State fails to submit the report required under subparagraph (A) by the deadline specified in that subparagraph, any amounts that would otherwise be provided to the State under paragraph (1)(B) for the succeeding fiscal year shall be withheld for the succeeding fiscal year until the date on which the report is submitted.

(D) CONTENTS OF REPORT.—Each report required under subparagraph (A) shall include, for each project funded in whole or in part using amounts received under paragraph (1)(B)—

(i) the name and description of the project;

(ii) the amount received under paragraph (1)(B) that is allocated to the project; and

(iii) a description of how each project is consistent with the authorized uses under paragraph (4).

(E) CLARIFICATION.—Nothing in this paragraph—

(i) requires or provides authority for the Secretary to delay, modify, or withhold payment under this paragraph, other than for failure to submit a report as required under this paragraph;

(ii) requires or provides authority for the Secretary to review or approve uses of funds reported under this paragraph;

(iii) requires or provides authority for the Secretary to approve individual projects that receive funds reported under this paragraph;

(iv) requires the State to obtain the approval of, or review by, the Secretary prior to spending funds disbursed under paragraph (1)(B);

(v) requires or provides authority for the Secretary to issue guidance relating to the contents of, or to determine the completeness of, the report required under this paragraph;

(vi) requires the State to obligate or expend funds disbursed under paragraph (1)(B) by a certain date; or

(vii) requires or provides authority for the Secretary to request the State to return unobligated funds.

SA 1952. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DESIGNATION OF ADDITIONAL PORT OF ENTRY FOR THE IMPORTATION AND EXPORTATION OF WILDLIFE AND WILDLIFE PRODUCTS BY THE UNITED STATES FISH AND WILDLIFE SERVICE.

(a) IN GENERAL.—Subject to the availability of funding and in accordance with subsection (b), the Director of the United States Fish and Wildlife Service shall designate 1 additional port as a ''port of entry

designated for the importation and exportation of wildlife and wildlife products'' under section 14.12 of title 50, Code of Federal Regulations.

(b) CRITERIA FOR SELECTING ADDITIONAL DESIGNATED PORT.—The Director shall select the additional port to be designated pursuant to subsection (a) from among the United States airports that handled more than 8,000,000,000 pounds of cargo during 2022, as reported by the Federal Aviation Administration Air Carrier Activity Information System, and based upon the analysis submitted to Congress by the Director pursuant to the Wildlife Trafficking reporting directive under title I of Senate Report 114–281.

(c) AUTHORITY TO ACCEPT DONATIONS.—The Director may accept donations from private entities and, notwithstanding section 3302 of title 31, United States Code, may use those donations to fund the designation of the additional port pursuant to subsection (a).

SA 1953. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 430, strike line 21 and all that follows through page 431, line 15, and insert the following:

''(e) APPLICATION TO TICKET AGENTS.—

''(1) FINAL RULE.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue a final rule to apply refund requirements to ticket agents in the case of cancelled flights and significantly delayed or changed flights.

''(B) CLARIFICATION.—In issuing the final rule under subparagraph (A), the Secretary shall clarify that a ticket agent shall provide such a refund only when such ticket agent possesses, or has access to, the funds of a passenger.

''(2) TRANSFER OF FUNDS.—The Secretary shall issue regulations requiring air carriers and foreign air carriers to promptly transfer funds to a ticket agent if—

''(A) the Secretary has determined that the ticket agent is responsible for providing the refund; and

''(B) the ticket agent does not possess the funds of the passenger.

''(3) TIMING AND ALTERNATIVES.—A refund provided by a ticket agent shall comply with the requirements in subsections (b) and (c) of this section, provided that the ticket agent possesses, or has access to, the funds of the passenger.''.

SA 1954. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

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''(2) TRANSFER OF FUNDS.—Not later than 180 days after the date of enactment of this seciton, the Secretary shall issue regulations requiring air carriers and foreign air carriers to promptly transfer funds to a ticket agent if—

''(A) the Secretary has determined that the ticket agent is responsible for providing the refund; and

''(B) the ticket agent does not possess the funds of the passenger.

''(3) TIMING AND ALTERNATIVES.—A refund provided by a ticket agent shall comply with the requirements in subsections (b) and (c) of this section, provided that the ticket agent possesses, or has access to, the funds of the passenger.''.

SA 1955. Mr. ROUNDS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REVIEW AND PROHIBITIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF CERTAIN TRANSACTIONS RELATING TO AGRICULTURE.

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

(1) in subsection (a), by adding at the end the following:

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

(2) in subsection (b)(1), by adding at the end the following:

''(I) CONSIDERATION OF CERTAIN AGRICULTURAL LAND TRANSACTIONS.—

''(i) IN GENERAL.—Not later than 30 days after receiving notification from the Secretary of Agriculture of a reportable agricultural land transaction, the Committee shall determine—

''(I) whether the transaction is a covered transaction; and

''(II) if the Committee determines that the transaction is a covered transaction, whether to—

''(aa) request the submission of a notice under clause (i) of subparagraph (C) or a declaration under clause (v) of such subparagraph pursuant to the process established under subparagraph (H); or

''(bb) initiate a review pursuant to subparagraph (D).

''(ii) REPORTABLE AGRICULTURAL LAND TRANSACTION DEFINED.—In this subparagraph, the term 'reportable agricultural land transaction' means a transaction—

''(I) that the Secretary of Agriculture has reason to believe is a covered transaction;

''(II) that involves the acquisition of an interest in agricultural land by a foreign person, other than an excepted investor or an excepted real estate investor, as such terms are defined in regulations prescribed by the Committee; and

''(III) with respect to which a person is required to submit a report to the Secretary of Agriculture under section 2(a) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501(a)).'';

(3) in subsection (k)(2)—

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

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

''(H) The Secretary of Agriculture, with respect to any covered transaction related to the purchase of agricultural land or agricultural biotechnology or otherwise related to the agriculture industry in the United States.''; and

(4) by adding at the end the following:

''(r) PROHIBITIONS RELATING TO PURCHASES OF AGRICULTURAL LAND AND AGRICULTURAL BUSINESSES.—

''(1) IN GENERAL.—If the Committee, in conducting a review under this section, determines that a transaction described in clause (i), (ii), or (iv) of subsection (a)(4)(B) would result in the purchase or lease by a covered foreign person of real estate described in paragraph (2) or would result in control by a covered foreign person of a United States business engaged in agriculture, the President shall prohibit the transaction unless a party to the transaction voluntarily chooses to abandon the transaction.

''(2) REAL ESTATE DESCRIBED.—Subject to regulations prescribed by the Committee, real estate described in this paragraph is agricultural land (as defined in section 9 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508)) in the United States that is in close proximity (subject to subsection (a)(4)(C)(ii)) to a United States military installation or another facility or property of the United States Government that is—

''(A) sensitive for reasons relating to national security for purposes of subsection (a)(4)(B)(ii)(II)(bb); and

''(B) identified in regulations prescribed by the Committee.

''(3) WAIVER.—The President may waive, on a case-by-case basis, the requirement to prohibit a transaction under paragraph (1) after the President determines and reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that the waiver is in the national interest of the United States.

''(4) COVERED FOREIGN PERSON DEFINED.—

''(A) IN GENERAL.—In this subsection, subject to regulations prescribed by the Committee, the term 'covered foreign person'—

''(i) means any foreign person (including a foreign entity) that acts as an agent, representative, or employee of, or acts at the direction or control of, the government of a covered country; and

''(ii) does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.

''(B) COVERED COUNTRY DEFINED.—For purposes of subparagraph (A), the term 'covered country' means any of the following countries, if the country is determined to be a foreign adversary pursuant to section 7.4 of title 15, Code of Federal Regulations (or a successor regulation):

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

''(ii) The Russian Federation.

''(iii) The Islamic Republic of Iran.

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

(b) SPENDING PLANS.—Not later than 60 days after the date of the enactment of this Act, each department or agency represented on the Committee on Foreign Investment in the United States shall submit to the chairperson of the Committee a copy of the most recent spending plan required under section 1721(b) of the Foreign Investment Risk Review Modernization Act of 2018 (50 U.S.C. 4565 note).

(c) REGULATIONS.—

(1) IN GENERAL.—The President shall direct, subject to section 553 of title 5, United States Code, the issuance of regulations to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The regulations prescribed under paragraph (1) shall take effect not later than one year after the date of the enactment of this Act.

(d) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(1) take effect on the date that is 30 days after the effective date of the regulations under subsection (c)(2); and

(2) apply with respect to a covered transaction (as defined in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565)) that is proposed, pending, or completed on or after the date described in paragraph (1).

(e) SUNSET.—The amendments made by this section, and any regulations prescribed to carry out those amendments, shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

SA 1956. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—CHILDREN AND TEENS' ONLINE PRIVACY PROTECTION ACT

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Children and Teens' Online Privacy Protection Act''.

SEC. ___2. ONLINE COLLECTION, USE, DISCLOSURE, AND DELETION OF PERSONAL INFORMATION OF CHILDREN AND TEENS.

(a) DEFINITIONS.—Section 1302 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) OPERATOR.—The term 'operator'—

''(A) means any person—

''(i) who, for commercial purposes, in interstate or foreign commerce operates or provides a website on the internet, an online service, an online application, or a mobile application; and

''(ii) who—

''(I) collects or maintains, either directly or through a service provider, personal information from or about the users of that website, service, or application;

''(II) allows another person to collect personal information directly from users of that website, service, or application (in which case, the operator is deemed to have collected the information); or

''(III) allows users of that website, service, or application to publicly disclose personal information (in which case, the operator is deemed to have collected the information); and

''(B) does not include any nonprofit entity that would otherwise be exempt from coverage under section 5 of the Federal Trade Commission Act (15 U.S.C. 45).'';

(2) in paragraph (4)—

(A) by amending subparagraph (A) to read as follows:

''(A) the release of personal information collected from a child or teen by an operator for any purpose, except where the personal information is provided to a person other than an operator who—

''(i) provides support for the internal operations of the website, online service, online application, or mobile application of the operator, excluding any activity relating to individual-specific advertising to children or teens; and

''(ii) does not disclose or use that personal information for any other purpose; and''; and

(B) in subparagraph (B)—

(i) by inserting ''or teen'' after ''child'' each place the term appears;

(ii) by striking ''website or online service'' and inserting ''website, online service, online application, or mobile application''; and

(iii) by striking ''actual knowledge'' and inserting ''actual knowledge or knowledge fairly implied on the basis of objective circumstances'';

(3) by striking paragraph (8) and inserting the following:

''(8) PERSONAL INFORMATION.—

''(A) IN GENERAL.—The term 'personal information' means individually identifiable information about an individual collected online, including—

''(i) a first and last name;

''(ii) a home or other physical address including street name and name of a city or town;

''(iii) an e-mail address;

''(iv) a telephone number;

''(v) a Social Security number;

''(vi) any other identifier that the Commission determines permits the physical or online contacting of a specific individual;

''(vii) a persistent identifier that can be used to recognize a specific child or teen over time and across different websites, online services, online applications, or mobile applications, including but not limited to a customer number held in a cookie, an Internet Protocol (IP) address, a processor or device serial number, or unique device identifier, but excluding an identifier that is used by an operator solely for providing support for the internal operations of the website, online service, online application, or mobile application;

''(viii) a photograph, video, or audio file where such file contains a specific child's or teen's image or voice;

''(ix) geolocation information;

''(x) information generated from the measurement or technological processing of an individual's biological, physical, or physiological characteristics that is used to identify an individual, including—

''(I) fingerprints;

''(II) voice prints;

''(III) iris or retina imagery scans;

''(IV) facial templates;

''(V) deoxyribonucleic acid (DNA) information; or

''(VI) gait; or

''(xi) information linked or reasonably linkable to a child or teen or the parents of that child or teen (including any unique identifier) that an operator collects online from the child or teen and combines with an identifier described in this subparagraph.

''(B) EXCLUSION.—The term 'personal information' shall not include an audio file that contains a child's or teen's voice so long as the operator—

''(i) does not request information via voice that would otherwise be considered personal information under this paragraph;

''(ii) provides clear notice of its collection and use of the audio file and its deletion policy in its privacy policy;

''(iii) only uses the voice within the audio file solely as a replacement for written words, to perform a task, or engage with a website, online service, online application, or mobile application, such as to perform a search or fulfill a verbal instruction or request; and

''(iv) only maintains the audio file long enough to complete the stated purpose and then immediately deletes the audio file and does not make any other use of the audio file prior to deletion.

''(C) SUPPORT FOR THE INTERNAL OPERATIONS OF A WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(vii), the term 'support for the internal operations of a website, online service, online application, or mobile application' means those activities necessary to—

''(I) maintain or analyze the functioning of the website, online service, online application, or mobile application;

''(II) perform network communications;

''(III) authenticate users of, or personalize the content on, the website, online service, online application, or mobile application;

''(IV) serve contextual advertising, provided that any persistent identifier is only used as necessary for technical purposes to serve the contextual advertisement, or cap the frequency of advertising;

''(V) protect the security or integrity of the user, website, online service, online application, or mobile application;

''(VI) ensure legal or regulatory compliance, or

''(VII) fulfill a request of a child or teen as permitted by subparagraphs (A) through (C) of section 1303(b)(2).

''(ii) CONDITION.—Except as specifically permitted under clause (i), information collected for the activities listed in clause (i) cannot be used or disclosed to contact a specific individual, including through individual-specific advertising to children or teens, to amass a profile on a specific individual, in connection with processes that encourage or prompt use of a website or online service, or for any other purpose.'';

(4) by amending paragraph (9) to read as follows:

''(9) VERIFIABLE CONSENT.—The term 'verifiable consent' means any reasonable effort (taking into consideration available technology), including a request for authorization for future collection, use, and disclosure described in the notice, to ensure that, in the case of a child, a parent of the child, or, in the case of a teen, the teen—

''(A) receives direct notice of the personal information collection, use, and disclosure practices of the operator; and

''(B) before the personal information of the child or teen is collected, freely and unambiguously authorizes—

''(i) the collection, use, and disclosure, as applicable, of that personal information; and

''(ii) any subsequent use of that personal information.'';

(5) in paragraph (10)—

(A) in the paragraph header, by striking ''WEBSITE OR ONLINE SERVICE DIRECTED TO CHILDREN'' and inserting ''WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION DIRECTED TO CHILDREN'';

(B) by striking ''website or online service'' each place it appears and inserting ''website, online service, online application, or mobile application''; and

(C) by adding at the end the following new subparagraph:

''(C) RULE OF CONSTRUCTION.—In considering whether a website, online service, online application, or mobile application, or portion thereof, is directed to children, the Commission shall apply a totality of circumstances test and will also consider competent and reliable empirical evidence regarding audience composition and evidence regarding the intended audience of the website, online service, online application, or mobile application.''; and

(6) by adding at the end the following:

''(13) CONNECTED DEVICE.—The term 'connected device' means a device that is capable of connecting to the internet, directly or indirectly, or to another connected device.

''(14) ONLINE APPLICATION.—The term 'online application'—

''(A) means an internet-connected software program; and

''(B) includes a service or application offered via a connected device.

''(15) MOBILE APPLICATION.—The term 'mobile application'—

''(A) means a software program that runs on the operating system of—

''(i) a cellular telephone;

''(ii) a tablet computer; or

''(iii) a similar portable computing device that transmits data over a wireless connection; and

''(B) includes a service or application offered via a connected device.

''(16) GEOLOCATION INFORMATION.—The term 'geolocation information' means information sufficient to identify a street name and name of a city or town.

''(17) TEEN.—The term 'teen' means an individual who has attained age 13 and is under the age of 17.

''(18) INDIVIDUAL-SPECIFIC ADVERTISING TO CHILDREN OR TEENS.—

''(A) IN GENERAL.—The term 'individual-specific advertising to children or teens' means advertising or any other effort to market a product or service that is directed to a specific child or teen or a connected device that is linked or reasonably linkable to a child or teen based on—

''(i) the personal information from—

''(I) the child or teen; or

''(II) a group of children or teens who are similar in sex, age, household income level, race, or ethnicity to the specific child or teen to whom the product or service is marketed;

''(ii) profiling of a child or teen or group of children or teens; or

''(iii) a unique identifier of the connected device.

''(B) EXCLUSIONS.—The term 'individual-specific advertising to children or teens' shall not include—

''(i) advertising or marketing to an individual or the device of an individual in response to the individual's specific request for information or feedback, such as a child's or teen's current search query;

''(ii) contextual advertising, such as when an advertisement is displayed based on the content of the website, online service, online application, mobile application, or connected device in which the advertisement appears and does not vary based on personal information related to the viewer; or

''(iii) processing personal information solely for measuring or reporting advertising or content performance, reach, or frequency, including independent measurement.

''(C) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to prohibit an operator with actual knowledge or knowledge fairly implied on the basis of objective circumstances that a user is under the age of 17 from delivering advertising or marketing that is age-appropriate and intended for a child or teen audience, so long as the operator does not use any personal information other than whether the user is under the age of 17.''.

(b) ONLINE COLLECTION, USE, DISCLOSURE, AND DELETION OF PERSONAL INFORMATION OF CHILDREN AND TEENS.—Section 1303 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6502) is amended—

(1) by striking the heading and inserting the following: ''**ONLINE COLLECTION, USE, DISCLOSURE, AND DELETION OF PERSONAL INFORMATION OF CHILDREN AND TEENS.**'';

(2) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—It is unlawful for an operator of a website, online service, online application, or mobile application directed to children or for any operator of a website, online service, online application, or mobile application with actual knowledge or knowledge fairly implied on the basis of objective circumstances that a user is a child or teen—

''(A) to collect personal information from a child or teen in a manner that violates the regulations prescribed under subsection (b);

''(B) except as provided in subparagraphs (B) and (C) of section 1302(18), to collect, use, disclose to third parties, or maintain personal information of a child or teen for purposes of individual-specific advertising to children or teens (or to allow another person to collect, use, disclose, or maintain such information for such purpose);

''(C) to collect the personal information of a child or teen except when the collection of the personal information is—

''(i) consistent with the context of a particular transaction or service or the relationship of the child or teen with the operator, including collection necessary to fulfill a transaction or provide a product or service requested by the child or teen; or

''(ii) required or specifically authorized by Federal or State law; or

''(D) to store or transfer the personal information of a child or teen outside of the United States unless the operator provides direct notice to the parent of the child, in the case of a child, or to the teen, in the case of a teen, that the child's or teen's personal information is being stored or transferred outside of the United States; or

''(E) to retain the personal information of a child or teen for longer than is reasonably necessary to fulfill a transaction or provide a service requested by the child or teen except as required or specifically authorized by Federal or State law.''; and

(B) in paragraph (2)—

(i) in the header, by striking ''PARENT'' and inserting '' 'PARENT OR TEEN' ''

(ii) by striking ''Notwithstanding paragraph (1)'' and inserting ''Notwithstanding paragraph (1)(A)'';

(iii) by striking ''of such a website or online service''; and

(iv) by striking ''subsection (b)(1)(B)(iii) to the parent of a child'' and inserting ''subsection (b)(1)(B)(iv) to the parent of a child or under subsection (b)(1)(C)(iv) to a teen'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''operator of any website'' and all that follows through ''from a child'' and inserting ''operator of a website, online service, online application, or mobile application directed to children or that has actual knowledge or knowledge fairly implied on the basis of objective circumstances that a user is a child or teen'';

(II) in clause (i)—

(aa) by striking ''notice on the website'' and inserting ''clear and conspicuous notice on the website'';

(bb) by inserting ''or teens'' after ''children'';

(cc) by striking '', and the operator's'' and inserting '', the operator's''; and

(dd) by striking ''; and'' and inserting '', the rights and opportunities available to the parent of the child or teen under subparagraphs (B) and (C), and the procedures or mechanisms the operator uses to ensure that personal information is not collected from children or teens except in accordance with the regulations promulgated under this paragraph;'';

(III) in clause (ii)—

(aa) by striking ''parental'';

(bb) by inserting ''or teens'' after ''children'';

(cc) by striking the semicolon at the end and inserting ''; and''; and

(IV) by inserting after clause (ii) the following new clause:

''(iii) to obtain verifiable consent from a parent of a child or from a teen before using or disclosing personal information of the child or teen for any purpose that is a material change from the original purposes and disclosure practices specified to the parent of the child or the teen under clause (i);'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''website or online service'' and inserting ''operator'';

(II) in clause (i), by inserting ''and the method by which the operator obtained the personal information, and the purposes for which the operator collects, uses, discloses, and retains the personal information'' before the semicolon;

(III) in clause (ii)—

(aa) by inserting ''to delete personal information collected from the child or content or information submitted by the child to a website, online service, online application, or mobile application and'' after ''the opportunity at any time''; and

(bb) by striking ''; and'' and inserting a semicolon;

(IV) by redesignating clause (iii) as clause (iv) and inserting after clause (ii) the following new clause:

''(iii) the opportunity to challenge the accuracy of the personal information and, if the parent of the child establishes the inaccuracy of the personal information, to have the inaccurate personal information corrected;''; and

(V) in clause (iv), as so redesignated, by inserting '', if such information is available to the operator at the time the parent makes the request'' before the semicolon;

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(iv) by inserting after subparagraph (B) the following new subparagraph:

''(C) require the operator to provide, upon the request of a teen under this subparagraph who has provided personal information to the operator, upon proper identification of that teen—

''(i) a description of the specific types of personal information collected from the teen by the operator, the method by which the operator obtained the personal information, and the purposes for which the operator collects, uses, discloses, and retains the personal information;

''(ii) the opportunity at any time to delete personal information collected from the teen or content or information submitted by the teen to a website, online service, online application, or mobile application and to refuse to permit the operator's further use or maintenance in retrievable form, or online collection, of personal information from the teen;

''(iii) the opportunity to challenge the accuracy of the personal information and, if the teen establishes the inaccuracy of the personal information, to have the inaccurate personal information corrected; and

''(iv) a means that is reasonable under the circumstances for the teen to obtain any personal information collected from the teen, if such information is available to the operator at the time the teen makes the request;'';

(v) in subparagraph (D), as so redesignated—

(I) by striking ''a child's'' and inserting ''a child's or teen's''; and

(II) by inserting ''or teen'' after ''the child''; and

(vi) by amending subparagraph (E), as so redesignated, to read as follows:

''(E) require the operator to establish, implement, and maintain reasonable security practices to protect the confidentiality, integrity, and accessibility of personal information of children or teens collected by the operator, and to protect such personal information against unauthorized access.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''verifiable parental consent'' and inserting ''verifiable consent'';

(ii) in subparagraph (A)—

(I) by inserting ''or teen'' after ''collected from a child'';

(II) by inserting ''or teen'' after ''request from the child''; and

(III) by inserting ''or teen or to contact another child or teen'' after ''to recontact the child'';

(iii) in subparagraph (B)—

(I) by striking ''parent or child'' and inserting ''parent or teen''; and

(II) by striking ''parental consent'' each place the term appears and inserting ''verifiable consent'';

(iv) in subparagraph (C)—

(I) in the matter preceding clause (i), by inserting ''or teen'' after ''child'' each place the term appears;

(II) in clause (i)—

(aa) by inserting ''or teen'' after ''child'' each place the term appears; and

(bb) by inserting ''or teen, as applicable,'' after ''parent'' each place the term appears; and

(III) in clause (ii)—

(aa) by striking ''without notice to the parent'' and inserting ''without notice to the parent or teen, as applicable,''; and

(bb) by inserting ''or teen'' after ''child'' each place the term appears; and

(v) in subparagraph (D)—

(I) in the matter preceding clause (i), by inserting ''or teen'' after ''child'' each place the term appears;

(II) in clause (ii), by inserting ''or teen'' after ''child''; and

(III) in the flush text following clause (iii)—

(aa) by inserting ''or teen, as applicable,'' after ''parent'' each place the term appears; and

(bb) by inserting ''or teen'' after ''child'';

(C) by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following new paragraph:

''(3) APPLICATION TO OPERATORS ACTING UNDER AGREEMENTS WITH EDUCATIONAL AGENCIES OR INSTITUTIONS.—The regulations may provide that verifiable consent under paragraph (1)(A)(ii) is not required for an operator that is acting under a written agreement with an educational agency or institution (as defined in section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g(a)(3)) that, at a minimum, requires the—

''(A) operator to—

''(i) limit its collection, use, and disclosure of the personal information from a child or teen to solely educational purposes and for no other commercial purposes;

''(ii) provide the educational agency or institution with a notice of the specific types of personal information the operator will collect from the child or teen, the method by which the operator will obtain the personal information, and the purposes for which the operator will collect, use, disclose, and retain the personal information;

''(iii) provide the educational agency or institution with a link to the operator's online notice of information practices as required under subsection (b)(1)(A)(i); and

''(iv) provide the educational agency or institution, upon request, with a means to review the personal information collected from a child or teen, to prevent further use or maintenance or future collection of personal information from a child or teen, and to delete personal information collected from a child or teen or content or information submitted by a child or teen to the operator's website, online service, online application, or mobile application;

''(B) representative of the educational agency or institution to acknowledge and agree that they have authority to authorize the collection, use, and disclosure of personal information from children or teens on behalf of the educational agency or institution, along with such authorization, their name, and title at the educational agency or institution; and

''(C) educational agency or institution to—

''(i) provide on its website a notice that identifies the operator with which it has entered into a written agreement under this subsection and provides a link to the operator's online notice of information practices as required under paragraph (1)(A)(i);

''(ii) provide the operator's notice regarding its information practices, as required under subparagraph (A)(ii), upon request, to a parent, in the case of a child, or a parent or teen, in the case of a teen; and

''(iii) upon the request of a parent, in the case of a child, or a parent or teen, in the case of a teen, request the operator provide a means to review the personal information from the child or teen and provide the parent, in the case of a child, or parent or teen, in the case of the teen, a means to review the personal information.'';

(D) by amending paragraph (4), as so redesignated, to read as follows:

''(4) TERMINATION OF SERVICE.—The regulations shall permit the operator of a website, online service, online application, or mobile application to terminate service provided to a child whose parent has refused, or a teen who has refused, under the regulations prescribed under paragraphs (1)(B)(ii) and (1)(C)(ii), to permit the operator's further use or maintenance in retrievable form, or future online collection of, personal information from that child or teen.''; and

(E) by adding at the end the following new paragraphs:

''(5) CONTINUATION OF SERVICE.—The regulations shall prohibit an operator from discontinuing service provided to a child or teen on the basis of a request by the parent of the child or by the teen, under the regulations prescribed under subparagraph (B) or (C) of paragraph (1), respectively, to delete personal information collected from the child or teen, to the extent that the operator is capable of providing such service without such information.

''(6) RULE OF CONSTRUCTION.—A request made pursuant to subparagraph (B) or (C) of paragraph (1) to delete or correct personal information of a child or teen shall not be construed—

''(A) to limit the authority of a law enforcement agency to obtain any content or information from an operator pursuant to a lawfully executed warrant or an order of a court of competent jurisdiction;

''(B) to require an operator or third party delete or correct information that—

''(i) any other provision of Federal or State law requires the operator or third party to maintain; or

''(ii) was submitted to the website, online service, online application, or mobile application of the operator by any person other than the user who is attempting to erase or otherwise eliminate the content or information, including content or information submitted by the user that was republished or resubmitted by another person; or

''(C) to prohibit an operator from—

''(i) retaining a record of the deletion request and the minimum information necessary for the purposes of ensuring compliance with a request made pursuant to subparagraph (B) or (C);

''(ii) preventing, detecting, protecting against, or responding to security incidents, identity theft, or fraud, or reporting those responsible for such actions;

''(iii) protecting the integrity or security of a website, online service, online application or mobile application; or

''(iv) ensuring that the child's or teen's information remains deleted.

''(7) COMMON VERIFIABLE CONSENT MECHANISM.—

''(A) IN GENERAL.—

''(i) FEASIBILITY OF MECHANISM.—The Commission shall assess the feasibility, with notice and public comment, of allowing operators the option to use a common verifiable consent mechanism that fully meets the requirements of this title.

''(ii) REQUIREMENTS.—The feasibility assessment described in clause (i) shall consider whether a single operator could use a common verifiable consent mechanism to obtain verifiable consent, as required under this title, from a parent of a child or from a teen on behalf of multiple, listed operators that provide a joint or related service.

''(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Commission shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives with the findings of the assessment required by subparagraph (A).

''(C) REGULATIONS.—If the Commission finds that the use of a common verifiable consent mechanism is feasible and would meet the requirements of this title, the Commission shall issue regulations to permit the use of a common verifiable consent mechanism in accordance with the findings outlined in such report.'';

(4) in subsection (c), by striking ''a regulation prescribed under subsection (a)'' and inserting ''subparagraph (B), (C), (D), or (E) of subsection (a)(1), or of a regulation prescribed under subsection (b),''; and

(5) by striking subsection (d) and inserting the following:

''(d) RELATIONSHIP TO STATE LAW.—The provisions of this title shall preempt any State law, rule, or regulation only to the extent that such State law, rule, or regulation conflicts with a provision of this title. Nothing in this title shall be construed to prohibit any State from enacting a law, rule, or regulation that provides greater protection to children or teens than the provisions of this title.''.

(c) SAFE HARBORS.—Section 1304 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6503) is amended—

(1) in subsection (b)(1), by inserting ''and teens'' after ''children''; and

(2) by adding at the end the following:

''(d) PUBLICATION.—

''(1) IN GENERAL.—Subject to the restrictions described in paragraph (2), the Commission shall publish on the internet website of

the Commission any report or documentation required by regulation to be submitted to the Commission to carry out this section.

''(2) RESTRICTIONS ON PUBLICATION.—The restrictions described in section 6(f) and section 21 of the Federal Trade Commission Act (15 U.S.C. 46(f), 57b–2) applicable to the disclosure of information obtained by the Commission shall apply in same manner to the disclosure under this subsection of information obtained by the Commission from a report or documentation described in paragraph (1).''.

(d) ACTIONS BY STATES.—Section 1305 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6504) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by inserting ''section 1303(a)(1) or'' before ''any regulation''; and

(B) in subparagraph (B), by inserting ''section 1303(a)(1) or'' before ''the regulation''; and

(2) in subsection (d)—

(A) by inserting ''section 1303(a)(1) or'' before ''any regulation''; and

(B) by inserting ''section 1303(a)(1) or'' before ''that regulation''.

(e) ADMINISTRATION AND APPLICABILITY OF ACT.—Section 1306 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6505) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking '', in the case of'' and all that follows through ''the Board of Directors of the Federal Deposit Insurance Corporation;'' and inserting the following: ''by the appropriate Federal banking agency, with respect to any insured depository institution (as those terms are defined in section 3 of that Act (12 U.S.C. 1813));''; and

(B) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(2) in subsection (d)—

(A) by inserting ''section 1303(a)(1) or'' before ''a rule''; and

(B) by striking ''such rule'' and inserting ''section 1303(a)(1) or a rule of the Commission under section 1303''; and

(3) by adding at the end the following new subsections:

''(f) DETERMINATION OF WHETHER AN OPERATOR HAS KNOWLEDGE FAIRLY IMPLIED ON THE BASIS OF OBJECTIVE CIRCUMSTANCES.—

''(1) RULE OF CONSTRUCTION.—For purposes of enforcing this title or a regulation promulgated under this title, in making a determination as to whether an operator has knowledge fairly implied on the basis of objective circumstances that a specific user is a child or teen, the Commission or State attorneys general shall rely on competent and reliable evidence, taking into account any guidance issued by the Commission under paragraph (2) and the totality of the circumstances, including whether a reasonable and prudent person under the circumstances would have known that the user is a child or teen. Nothing in this title, including a determination described in the preceding sentence, shall be construed to require an operator to—

''(A) affirmatively collect any personal information with respect to the age of a child or teen that an operator is not already collecting in the normal course of business; or

''(B) implement an age gating or age verification functionality.

''(2) COMMISSION GUIDANCE.—

''(A) IN GENERAL.—Within 180 days of enactment, the Commission shall issue guidance to provide information, including best practices and examples for operators to understand the Commission's determination of whether an operator has knowledge fairly implied on the basis of objective circumstances that a user is a child or teen.

''(B) LIMITATION.—No guidance issued by the Commission with respect to this title shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this title, the Commission or State attorney general, as applicable, shall allege a specific violation of a provision of this title. The Commission or State attorney general, as applicable, may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidance, unless the practices allegedly violate this title. For purposes of enforcing this title or a regulation promulgated under this title, State attorneys general shall take into account any guidance issued by the Commission under subparagraph (A).

''(g) ADDITIONAL REQUIREMENT.—Any regulations issued under this title shall include a description and analysis of the impact of proposed and final Rules on small entities per the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.).''.

SEC. ___3. STUDY AND REPORTS OF MOBILE AND ONLINE APPLICATION OVERSIGHT AND ENFORCEMENT.

(a) OVERSIGHT REPORT.—Not later than 3 years after the date of enactment of this title, the Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the processes of platforms that offer mobile and online applications for ensuring that, of those applications that are websites, online services, online applications, or mobile applications directed to children, the applications operate in accordance with—

(1) this title, the amendments made by this title, and rules promulgated under this title; and

(2) rules promulgated by the Commission under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) relating to unfair or deceptive acts or practices in marketing.

(b) ENFORCEMENT REPORT.—Not later than 1 year after the date of enactment of this title, and each year thereafter, the Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that addresses, at a minimum—

(1) the number of actions brought by the Commission during the reporting year to enforce the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501) (referred to in this subsection as the ''Act'') and the outcome of each such action;

(2) the total number of investigations or inquiries into potential violations of the Act; during the reporting year;

(3) the total number of open investigations or inquiries into potential violations of the Act as of the time the report is submitted;

(4) the number and nature of complaints received by the Commission relating to an allegation of a violation of the Act during the reporting year; and

(5) policy or legislative recommendations to strengthen online protections for children and teens.

SEC. ___4. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States (in this section referred to as the ''Comptroller General'') shall conduct a study on the privacy of teens who use financial technology products. Such study shall—

(1) identify the type of financial technology products that teens are using;

(2) identify the potential risks to teens' privacy from using such financial technology products; and

(3) determine whether existing laws are sufficient to address such risks to teens' privacy.

(b) REPORT.—Not later than 1 year after the date of enactment of this section, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. ___5. SEVERABILITY.

If any provision of this title, or an amendment made by this title, is determined to be unenforceable or invalid, the remaining provisions of this title and the amendments made by this title shall not be affected.

SA 1957. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ATC SOAR.

(a) HIRING OF AIR TRAFFIC CONTROL SPECIALISTS.—Section 44506(f)(1)(B) of title 49, United States Code, is amended by adding at the end the following new clause:

''(iv) CONSIDERATION OF CANDIDATES.—The Administrator shall consider for the interview stage of the hiring process candidates in each applicant pool described in this subparagraph who—

''(I) score at or above a passing score as determined by the Administrator on the Air Traffic Skills Assessment (AT–SA); and

''(II) meet minimum qualifications established by the Administrator.''.

(b) ENSURING HIRING OF AIR TRAFFIC CONTROL SPECIALISTS IS BASED ON ASSESSMENT OF JOB-RELEVANT APTITUDES.—

(1) UPDATE OF THE AIR TRAFFIC SKILLS ASSESSMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise the Air Traffic Skills Assessment (in this subsection referred to as the ''AT–SA'') administered to air traffic controller applicants described in clauses (ii) and (iii) of section 44506(f)(1)(B) of title 49, United States Code, in accordance with the following requirements:

(A) The Administrator shall ensure that all questions on the AT–SA are supported by a peer-reviewed job analysis that ensures all questions test job-relevant aptitudes.

(B) The Administrator shall ensure that the AT–SA does not incorporate any biographical questionnaire or assessment or other questions of a biographical nature (other than basic identifiers such as first and last name) for applicants for the position of air traffic controller from the applicant pools described in clauses (ii) and (iii) of section 44506(f)(1)(B) of title 49, United States Code.

(2) CONFORMING AMENDMENTS ELIMINATING USE OF BIOGRAPHICAL ASSESSMENTS FOR ALL APPLICANTS.—Section 44506(f) of title 49, United States Code, as amended by subsection (a), is further amended—

(A) in paragraph (1)(C)—

(i) by striking clause (ii); and

(ii) by redesignating clause (iii) as clause (ii); and

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

''(B) NO BIOGRAPHICAL ASSESSMENTS.—The Administrator shall not use any biographical assessment when hiring under paragraph (1)(A) or paragraph (1)(B).''.

(c) DOT INSPECTOR GENERAL REPORT.—Not later than 180 days after the date on which the Administrator of the Federal Aviation Administration completes the revision of the Air Traffic Skills Assessment (AT–SA) required under subsection (b)(1), the Inspector General of the Department of Transportation shall submit a report to the Administrator, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and, upon request, to any member of Congress, that assesses the assumptions and methodologies used to develop such revisions, the job-relevant aptitudes measured, and the scoring process for the revised assessment, together with, if appropriate, a description of any actions taken or recommended to be taken to address the results of the report.

SA 1958. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REGULATIONS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise regulations to permit a person who holds a pilot certificate to communicate with the public, in any manner the person determines appropriate, to facilitate an aircraft flight for which the pilot and passengers share aircraft operating expenses in accordance with section 61.113(c) of title 14, Code of Federal Regulations (or any successor regulation) without requiring a certificate under part 119 of title 14, Code of Federal Regulations (or any successor regulation).

SA 1959. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1009 and insert the following:

SEC. 1009. DESIGNATION OF OVERLAND SUPERSONIC AND HYPERSONIC TESTING CORRIDOR.

(a) DESIGNATION.—

(1) IN GENERAL.—Notwithstanding section 91.817 of title 14, Code of Federal Regulations, not later than 180 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration (in this section referred to as the ''Administrator''), in consultation with the Secretary of Defense, shall designate an overland supersonic and hypersonic testing corridor in the United States that runs from Edwards Air Force Base, California to the Utah Test and Training Range and Dugway Proving Ground in Utah for the purposes described in subsection (b).

(2) REQUIREMENTS.—

(A) MILITARY OPERATION AREAS.—In designating the corridor under paragraph (1), the Administrator shall—

(i) to the extent practicable, designate the corridor within existing military operation areas (in this section referred to as ''MOA'') in the area described in such paragraph; or

(ii) if necessary, designate new MOA airspace to complete the corridor and ensure that the corridor is suitable for testing.

(B) INCREASED ALTITUDE.—The Administrator shall—

(i) set the vertical limits in the corridor designated under paragraph (1) at FL 1000; and

(ii) increase, as necessary, the vertical limit of any existing MOA in the corridor to FL 1000.

(b) PURPOSES OF DESIGNATED CORRIDOR.—The corridor designated under subsection (a)(1) shall be used for the following purposes:

(1) To test supersonic and hypersonic military passenger aircraft and military non-passenger aircraft.

(2) To test supersonic and hypersonic civil aircraft subject to subsection (e).

(c) TESTING REQUIREMENTS.—Any supersonic or hypersonic aircraft testing in the corridor designated under subsection (a)(1) shall meet the following requirements:

(1) The testing shall only occur from sunrise to sunset.

(2) The testing shall not include any commercial passengers or commercial cargo.

(d) SPECIAL FLIGHT AUTHORIZATION REQUIREMENTS.—With respect to special flight authorizations under section 91.818(c) of title 14, Code of Federal Regulations, for civil aircraft testing as described in subsection (b)(2), the Administrator shall do the following:

(1) PERMIT SONIC BOOM OVERPRESSURE.—In considering the environmental findings to grant a special flight authorization, the Administrator shall permit a measurable amount of sonic boom overpressure outside of the corridor designated under subsection (a)(1), as long as the available data is sufficient for the Administrator to determine that the sonic boom overpressure does not significantly affect the quality of the human environment.

(2) NOISE IMPACT DATA.—

(A) IN GENERAL.—Subject to subparagraph (B), in considering the environmental findings to grant a special flight authorization, the Administrator shall not require any additional environmental impact analysis regarding noise impact if—

(i) an applicant presents data generated from FAA-approved software; and

(ii) such data reasonably demonstrates that there is no additional noise impact due to the applicant's testing of supersonic or hypersonic civil aircraft.

(B) EXCEPTION.—The Administrator may require an additional environmental impact analysis regarding noise impact if the Administrator certifies that extraordinary circumstances exist to justify such additional analysis.

(3) REUSE OF RESEARCH AND FINDINGS.—The Administrator shall reuse any applicable research and findings from a prior supersonic or hypersonic civil aircraft test and incorporate such research and findings into any applicable analysis necessary to grant a special flight authorization if the prior supersonic or hypersonic civil aircraft test—

(A) was under similar conditions to the testing proposed by the applicant for the special flight authorization; and

(B) considered similar issues or decisions as the testing proposed by the applicant for the special flight authorization.

(e) CIVIL TESTING.—The Secretary of Defense shall allow civil aircraft testing as described in subsection (b)(2), unless—

(1) such testing would interfere with any military operations or testing in the corridor; or

(2) the Administrator has not granted a special flight authorization under section 91.818(c) of title 14, Code of Federal Regulations, for such testing.

SA 1960. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—SHIELD U

SEC. __01. SHORT TITLE.

This title may be cited as the ''Stopping Harmful Incidents to Enforce Lawful Drone Use Act'' or the ''SHIELD U Act''.

SEC. __02. DEFINITIONS.

In this Act:

(1) COMMERCIAL SERVICE AIRPORT.—The term ''commercial service airport'' has the meaning given that term in paragraph (7) of section 47102 of title 49, United States Code, and includes the area of navigable airspace necessary to ensure safety in the takeoff and landing of aircraft at the airport.

(2) COVERED AIR CARRIER.—The term ''covered air carrier'' means an air carrier or a foreign air carrier as those terms are defined in section 40102 of title 49, United States Code.

(3) COUNTER-UAS ACTIVITIES.—The term ''Counter-UAS activities'' means the following:

(A) Detecting, identifying, monitoring, and tracking an unmanned aircraft or unmanned aircraft system, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft or unmanned aircraft system.

(B) Warning an operator of an unmanned aircraft or unmanned aircraft system, including by passive or active, and direct or indirect physical, electronic, radio, and electromagnetic means.

(C) Disrupting control of an unmanned aircraft or unmanned aircraft system, without prior consent, including by disabling the unmanned aircraft or unmanned aircraft system by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft or unmanned aircraft system.

(D) Seizing or exercising control of an unmanned aircraft or unmanned aircraft system.

(E) Seizing or otherwise confiscating an unmanned aircraft or unmanned aircraft system.

(F) Using reasonable force to disable, damage, or destroy an unmanned aircraft or unmanned aircraft system.

(4) NAVIGABLE AIRSPACE.—The term ''navigable airspace'' has the meaning given that term in paragraph (32) of section 40102 of title 49, United States Code.

(5) NON-KINETIC EQUIPMENT.—The term ''non-kinetic equipment'' means equipment that is used to—

(A) intercept or otherwise access a wire communication, an oral communication, an

electronic communication, or a radio communication used to control an unmanned aircraft or unmanned aircraft system; and

(B) disrupt control of the unmanned aircraft or unmanned aircraft system, without prior consent, including by disabling the unmanned aircraft or unmanned aircraft system by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications that are used to control the unmanned aircraft or unmanned aircraft system.

(6) THREATS POSED BY AN UNMANNED AIRCRAFT OR UNMANNED AIRCRAFT SYSTEM.—The term ''threats posed by an unmanned aircraft or unmanned aircraft system'' means an unauthorized activity of an unmanned aircraft or unmanned aircraft system that is reasonably believed to—

(A) create the potential for bodily harm to, or loss of human life of, a person within property under the jurisdiction of—

(i) a commercial service airport; or

(ii) a State or locality; or

(B) have the potential to cause severe economic damage to—

(i) property of a commercial service airport; or

(ii) property under the jurisdiction of a State or locality.

(7) UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 44801 of title 49, United States Code.

SEC. _03. COUNTER-UAS ACTIVITIES ON COMMERCIAL SERVICE AIRPORT PROPERTY.

(a) COUNTER-UAS ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law and subject to paragraph (3), with respect to a commercial service airport, the following departments and agencies may, in a manner consistent with the Fourth Amendment to the Constitution of the United States, carry out Counter-UAS activities for purposes of detecting, identifying, and mitigating the threats posed by an unmanned aircraft or unmanned aircraft system to the safety or security of the airport:

(A) The Department of Homeland Security.

(B) The State and local law enforcement agencies in the State in which the airport is located.

(C) The law enforcement agency of the airport.

(2) TESTING AUTHORITY.—Subject to paragraphs (3) and (4), the Secretary of Homeland Security, the heads of the State or local law enforcement agencies of the State in which a commercial service airport is located, or the law enforcement agency of the commercial service airport, may research, test, provide training on, and evaluate any equipment, including any electronic equipment, to determine the capability and utility of the equipment to carry out Counter-UAS activities to detect, identify, and mitigate the threats posed by an unmanned aircraft or unmanned aircraft system to the safety or security of the airport.

(3) AIRPORT OPERATOR CONSENT REQUIRED.—Activities permitted under paragraph (1) or (2) shall only be carried out with the consent of, in consultation with, and with the participation of, the airport operator.

(4) CONSULTATION REQUIREMENT FOR TESTING OF NON-KINETIC EQUIPMENT.—Any testing of non-kinetic equipment carried out under the authority of this subsection shall be done in consultation with the Federal Communications Commission and the National Telecommunications and Information Administration.

(b) NON-KINETIC EQUIPMENT.—

(1) IN GENERAL.—Before adopting any standard operating procedures within a tactical response plan for use of non-kinetic equipment to carry out a Counter-UAS activity under the authority of this section, the Secretary of Homeland Security and the heads of the State, local, or airport law enforcement agencies of the State in which a commercial service airport is located, shall do the following:

(A) Consult with the Federal Communications Commission and the National Telecommunications and Information Administration about the use of non-kinetic equipment to carry out a Counter-UAS activity consistent with the tactical response plan updates required under subsection (c).

(B) Jointly, with the Federal Communications Commission and the National Telecommunications and Information Administration, create a process for an authorized designee of the commercial service airport to, consistent with procedures outlined in the tactical response plan (as updated under subsection (c)), notify the Commission when non-kinetic equipment has been used to carry out a Counter-UAS activity.

(2) FCC AND NTIA DUTIES.—The Federal Communications Commission and the National Telecommunications and Information Administration shall—

(A) not later than 30 days after the date of enactment of this title, assign to an office of the Commission and to an office of the Administration, respectively, responsibility for carrying out the consultation regarding the use of non-kinetic equipment to carry out Counter-UAS activities required by paragraph (1)(A) and the consultation regarding the testing of non-kinetic equipment required by subsection (a)(4); and

(B) not later than 180 days after the responsibility described in subparagraph (A) is assigned to each such office—

(i) publicly designate an office of the Commission and an office of the Administration, respectively, to receive the notifications from commercial service airports required under paragraph (1)(B); and

(ii) make publicly available the process for the Commission and the Administration to carry out any follow up consultation, if necessary.

(3) NONDUPLICATION.—To the greatest extent practicable, the Federal Communications Commission and the National Telecommunications and Information Administration shall coordinate with respect to the consultations, process creation, follow up consultations, and other requirements of this subsection and subsection (a)(4) so as to minimize duplication of requirements, efforts, and expenditures.

(c) TACTICAL RESPONSE PLAN UPDATES.—

(1) TASK FORCE.—Not later than 2 years after the date of enactment of this title, the airport director of each commercial service airport shall convene a task force for purposes of establishing or modifying the emergency action preparedness plan for the airport to include a tactical response plan for the detection, identification, and mitigation of threats posed by an unmanned aircraft or unmanned aircraft system.

(2) REQUIRED COORDINATION.—Each task force convened under paragraph (1) shall coordinate the establishing or modifying of the airport's emergency action preparedness plan with representatives of the following:

(A) The Department of Transportation.

(B) The Federal Aviation Administration.

(C) The Department of Homeland Security.

(D) The State and local law enforcement agencies in the State in which the airport is located.

(E) The law enforcement agency of the airport.

(F) The covered air carriers operating at the airport.

(G) Representatives of general aviation operators at the airport.

(H) Representatives of providers of telecommunications and broadband service with a service area that covers the airport property or the navigable airspace necessary to ensure safety in the takeoff and landing of aircraft at such airport.

(3) DUTIES.—As part of the inclusion of a tactical response plan in the emergency action preparedness plan for a commercial service airport, each task force convened under paragraph (1) shall do the following:

(A) Create and define the various threat levels posed by an unmanned aircraft or unmanned aircraft system to the airport.

(B) Create the standard operating procedures for responding to each threat level defined under subparagraph (A) that include a requirement to minimize collateral damage.

(C) Define and assign to each entity specified in paragraph (2), the role and responsibilities of the entity in carrying out the standard operating procedures for responding to a specified threat posed by an unmanned aircraft or unmanned aircraft system to the airport.

(D) Designate the applicable State and local law enforcement agencies, or the law enforcement agency of the airport, in coordination with the Department of Homeland Security, as the first responders to any specified threat posed by an unmanned aircraft or unmanned aircraft system to the airport.

(E) Narrowly tailor the use of non-kinetic Counter-UAS equipment (if applicable under the standard operating procedures) to only temporary activities necessary to mitigate an immediate threat posed by an unmanned aircraft or unmanned aircraft system to the airport.

(F) Incorporate any existing Federal guidance for updating airport emergency plans for responding to unauthorized unmanned aircraft system operations into 1 tactical response plan for addressing threats posed by an unmanned aircraft or unmanned aircraft system.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require multiple tactical response plans or emergency action preparedness plans for addressing the threats posed by an unmanned aircraft, an unmanned aircraft system, or unauthorized unmanned aircraft system operations.

(d) AIRPORT IMPROVEMENT PROGRAM ELIGIBILITY.—Notwithstanding section 47102 of title 49, United States Code, the definition of the term ''airport development'' under that section shall include the purchase of equipment necessary to carry out Counter-UAS activities at commercial service airports.

(e) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator of the Federal Aviation Administration and the Administrator of the Transportation Security Administration acting jointly and in collaboration with airport directors of commercial service airports, shall—

(A) publish guidance regarding best practices for use of Counter-UAS Activities at commercial service airports; and

(B) make such guidance available to the airport director for each commercial service airport in the United States.

(2) ANNUAL UPDATES.—The guidance issued under this subsection shall be annually updated to incorporate the most recent results and conclusions regarding best practices for the use of Counter-UAS activities at commercial service airports.

SEC. _04. COUNTER-UAS ACTIVITIES OFF COMMERCIAL SERVICE AIRPORT PROPERTY.

(a) IN GENERAL.—Notwithstanding any other provision of law, with respect to a

State, the State and local law enforcement agencies in the State may, in a manner consistent with the Fourth Amendment to the Constitution of the United States, carry out Counter-UAS activities for purposes of detecting, identifying, and mitigating the threats posed by an unmanned aircraft or unmanned aircraft system within the jurisdiction of the State or locality.

(b) TESTING AUTHORITY.—

(1) IN GENERAL.—

(A) STATES AND LOCALITIES.—Subject to paragraphs (2) and (3), any State or locality of a State may establish testing areas for purposes of researching, testing, providing training on, and evaluating of any equipment, including any electronic equipment, to determine the capability and utility of the equipment to carry out Counter-UAS activities to detect, identify, and mitigate the threats posed by an unmanned aircraft or unmanned aircraft system within the jurisdiction of the State or locality.

(B) PRIVATE SECTOR ENTITIES.—Subject to paragraphs (2) and (3), any private sector entity may establish testing areas for purposes of researching, testing, providing training on, and evaluating of any equipment, including any electronic equipment, to determine the capability and utility of the equipment to carry out Counter-UAS activities to detect, identify, and mitigate the threats posed by an unmanned aircraft or unmanned aircraft system, so long as such activities are carried out in accordance with applicable State and local laws.

(2) FAA COOPERATION.—The Federal Aviation Administration shall cooperate with any action by a State, a locality of a State, or a private sector entity to designate airspace to be used for testing under paragraph (1) unless the State, locality, or entity designates an area of airspace that would create a significant safety hazard to airport operations, air navigation facilities, air traffic control systems, or other components of the national airspace system that facilitate the safe and efficient operation of manned civil, commercial, or military aircraft within the United States.

(3) CONSULTATION REQUIREMENT FOR TESTING OF NON-KINETIC EQUIPMENT.—Any testing of non-kinetic equipment carried out under the authority of this subsection shall be done in consultation with the Federal Communications Commission and the National Telecommunications and Information Administration.

(c) NON-KINETIC EQUIPMENT.—

(1) IN GENERAL.—Before adopting any standard operating procedures for using any non-kinetic equipment to carry out a Counter-UAS activity under the authority of this section, a State or local law enforcement agency shall do the following:

(A) Consult with the Federal Communications Commission and the National Telecommunications and Information Administration about the use of non-kinetic equipment to carry out a Counter-UAS activity and the standard operating procedures that the State or local law enforcement agency will follow for use of such equipment.

(B) Jointly, with the Federal Communications Commission and the National Telecommunications and Information Administration create a process for an authorized designee of the State or local law enforcement agency to notify the Commission when non-kinetic equipment has been used to carry out a Counter-UAS activity.

(2) FCC AND NTIA DUTIES.—The Federal Communications Commission shall—

(A) not later than 30 days after the date of enactment of this title, assign to an office of the Commission and to an office of the Administration, respectively, responsibility for carrying out the consultation regarding the use of non-kinetic equipment to carry out Counter-UAS activities required under paragraph (1)(A) and the consultation regarding the testing of non-kinetic equipment required by subsection (b)(3); and

(B) not later than 180 days after the responsibility described in subparagraph (A) is assigned to each such office—

(i) publicly designate an office of the Commission and an office of the Administration, respectively, to receive the notifications from State or local law enforcement agencies required under paragraph (1)(B); and

(ii) make publicly available the process for the Commission and the Administration to carry out any follow up consultation, if necessary.

(3) NONDUPLICATION.—To the greatest extent practicable, the Federal Communications Commission and the National Telecommunications and Information Administration shall coordinate with respect to the consultations, process creation, follow up consultations, and other requirements of this subsection and subsection (a)(4) so as to minimize duplication of requirements, efforts, and expenditures.

(d) COORDINATION WITH THE FAA.—Section 376 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44802 note) is amended—

(1) in subsection (b), by adding at the end the following:

''(4) Permit a process for an applicable State or local law enforcement agency to notify and coordinate with the Federal Aviation Administration on actions being taken by the State or local law enforcement agency to exercise the Counter-UAS activities authority established under section __04(a) of the SHIELD U Act.''; and

(2) in subsection (c)—

(A) in paragraph (3)(G), by striking ''and'' after the semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) establish a process that allows for collaboration and coordination between the Federal Aviation Administration and the law enforcement of a State or local government with respect to the use of the Counter-UAS activities authority established under section __04(a) of the SHIELD U Act.''.

(e) INTERIM NOTIFICATION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator of the Federal Aviation Administration shall establish a process under which—

(A) the law enforcement agency of a State or local government may notify the Administrator of an active threat posed by an unmanned aircraft or unmanned aircraft system within the jurisdiction of the State or local law enforcement agency and the intent of the agency to facilitate Counter-UAS activities;

(B) the Administrator, based on notice made pursuant to subparagraph (A), shall issue immediate warnings to operators of both manned and unmanned aircraft operating within the area of airspace where the law enforcement agency's Counter-UAS activities are taking place; and

(C) the Administrator and the State and local law enforcement agency notify UAS operators and manned operators in the area that an area of airspace is clear once the State and local law enforcement have concluded the Counter-UAS activities to mitigate the threat.

(2) SUNSET.—The process established under paragraph (1) shall terminate on the date on which the unmanned aircraft systems traffic management system required under section 376 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44802 note) is fully implemented.

SEC. __05. AUTHORITY TO ENTER INTO CONTRACTS TO PROTECT FACILITIES FROM UNMANNED AIRCRAFT.

(a) AUTHORITY.—The following Federal departments are authorized to enter into contracts to carry out the following authorities:

(1) The Department of Defense for the purpose of carrying out activities under section 130i of title 10, United States Code.

(2) The Department of Homeland Security for the purpose of carrying out activities under section 210G of the Homeland Security Act of 2002 (6 U.S.C. 124n).

(3) The Department of Justice for the purpose of carrying out activities under section 210G of the Homeland Security Act of 2002 (6 U.S.C. 124n).

(4) The Department of Energy for the purpose of carrying out activities under section 4510 of the Atomic Energy Defense Act (50 U.S.C. 2661).

(b) FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this title, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to implement the authority provided under subsection (a).

(c) ANNUAL PUBLICATION OF RECOMMENDED VENDORS AND EQUIPMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Director of the Office of Management and Budget, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Attorney General, the Secretary of Energy, the Secretary of Transportation, and the heads of such other Federal departments or agencies as determined appropriate by the Director of the Office of Management and Budget, shall publish and make available to State and local governments the following:

(A) A list of vendors that are eligible under the Federal Acquisition Regulation to enter into contracts with the Federal Government to carry out Counter-UAS activities.

(B) A list of Counter-UAS equipment that is recommended by the Federal Government to carry out Counter-UAS activities.

(2) ANNUAL RISK ASSESSMENT.—The Director of the Office of Management and Budget, in consultation with the heads of the applicable Federal departments and agencies, shall review and reassess the vendors and equipment specified on the lists required to be published and made available under paragraph (1) based on a risk assessment that is jointly considered by the applicable agencies as part of each annual update of such lists.

SEC. __06. FEDERAL LAW ENFORCEMENT TRAINING.

Section 884(c) of the Homeland Security Act of 2002 (6 U.S.C. 464(c)) is amended—

(1) in paragraph (9), by striking ''and'' at the end;

(2) by redesignating paragraph (10) as paragraph (11); and

(3) by inserting after paragraph (9) the following:

''(10) develop and implement homeland security and law enforcement training curricula related to the use of Counter-UAS activities (as defined in section __02 of the SHIELD U Act) to protect against a threat from an unmanned aircraft or unmanned aircraft system (as such terms are defined in section 210G), which shall—

''(A) include—

''(i) training on the use of both kinetic and non-kinetic equipment;

''(ii) training on the tactics used to detect, identify, and mitigate a threat from an unmanned aircraft or unmanned aircraft system; and

''(iii) such other curricula or training the Director believes necessary; and

''(B) be made available to Federal, State, local, Tribal, and territorial law enforcement and security agencies and private sector security agencies; and''.

SEC. __07. AUTHORIZED USE OF JAMMING TECHNOLOGY.

Title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended—

(1) in section 301 (47 U.S.C. 301)—

(A) by striking ''It is'' and inserting the following:

''(a) IN GENERAL.—It is''; and

(B) by adding at the end the following:

''(b) EXCEPTION FOR AN UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered equipment' means equipment that is used to—

''(i) intercept or otherwise access a wire communication, an oral communication, an electronic communication, or a radio communication used to control an unmanned aircraft or unmanned aircraft system; and

''(ii) disrupt control of an unmanned aircraft or unmanned aircraft system, without prior consent, including by disabling the unmanned aircraft or unmanned aircraft system by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications that are used to control the unmanned aircraft or unmanned aircraft system; and

''(B) the terms 'unmanned aircraft' and 'unmanned aircraft system' have the meanings given those terms in section 44801 of title 49, United States Code.

''(2) EXCEPTION.—Subsection (a) shall not apply with respect to actions taken by State or local law enforcement or the law enforcement agency of a commercial service airport using covered equipment in consultation with the Commission to detect, identify, or mitigate a threat posed by an unmanned aircraft or unmanned aircraft system.'';

(2) in section 302 (47 U.S.C. 302a), by adding at the end the following:

''(g) EXCEPTION FOR AN UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM.—

''(1) DEFINITIONS.—In this subsection, the terms 'covered equipment', 'unmanned aircraft', and 'unmanned aircraft system' have the meanings given those terms in section 301.

''(2) EXCEPTION.—The provisions of this section shall not apply with respect to actions taken by State or local law enforcement or the law enforcement agency of a commercial service airport using covered equipment in consultation with the Commission to detect, identify, or mitigate a threat posed by an unmanned aircraft or unmanned aircraft system.''; and

(3) in section 333 (47 U.S.C. 333)—

(A) by striking ''No person'' and inserting the following:

''(a) IN GENERAL.—No person''; and

(B) by adding at the end the following:

''(b) EXCEPTION FOR AN UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM.—

''(1) DEFINITIONS.—In this subsection, the terms 'covered equipment', 'unmanned aircraft', and 'unmanned aircraft system' have the meanings given those terms in section 301(b).

''(2) EXCEPTION.—Subsection (a) shall not apply with respect to actions taken by State or local law enforcement or the law enforcement agency of a commercial service airport using covered equipment in consultation with the Commission to detect, identify, or mitigate a threat posed by an unmanned aircraft or unmanned aircraft system.''.

SEC. __08. NO ABROGATION OF TRADITIONAL POLICE POWERS.

Nothing in this title or the amendments made by this title shall be construed to abrogate the inherent authority of a State government or subdivision thereof from using their traditional police powers, including (but not limited to) the authority to counter an imminent threat to public health or safety.

SA 1961. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—DRONE INTEGRATION AND ZONING ACT

SECTION ___01. SHORT TITLE.

This title may be cited as the ''Drone Integration and Zoning Act''.

SEC. ___02. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) CIVIL.—The term ''civil'', with respect to an unmanned aircraft system, means that the unmanned aircraft is not a public aircraft (as defined in section 40102 of title 49, United States Code).

(3) COMMERCIAL OPERATOR.—The term ''commercial operator'' means a person who operates a civil unmanned aircraft system for commercial purposes.

(4) IMMEDIATE REACHES OF AIRSPACE.—The term ''immediate reaches of airspace'' means, with respect to the operation of a civil unmanned aircraft system, any area within 200 feet above ground level.

(5) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 44801 of title 49, United States Code (as added by section ___03(a)(1)).

(6) LOCAL GOVERNMENT.—The term ''local government'' means the government of a subdivision of a State.

(7) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, and the territories and possessions of the United States.

(8) TRIBAL GOVERNMENT.—The term ''Tribal government'' means the governing body of an Indian Tribe.

(9) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 44801 of title 49, United States Code.

(10) UNMANNED AIRCRAFT TAKE-OFF AND LANDING ZONE.—The term ''unmanned aircraft take-off and landing zone'' means a structure, area of land or water, or other designation for use or intended to be used for the take-off or landing of civil unmanned aircraft systems operated by a commercial operator.

SEC. ___03. FEDERAL AVIATION ADMINISTRATION UPDATES TO NAVIGABLE AIRSPACE.

(a) DEFINITION.—

(1) IMMEDIATE REACHES OF AIRSPACE DEFINITION.—Section 44801 of title 49, United States Code, is amended by adding at the end the following new paragraph:

''(14) IMMEDIATE REACHES OF AIRSPACE.—The term 'immediate reaches of airspace' means, with respect to the operation of a civil unmanned aircraft system, any area within 200 feet above ground level.''.

(2) NAVIGABLE AIRSPACE DEFINITION.—Paragraph (32) of section 40102 of title 49, United States Code, is amended by adding at the end the following new sentence: ''In applying such term to the regulation of civil unmanned aircraft systems, such term shall not include the area within the immediate reaches of airspace (as defined in section 44801).''.

(b) RULEMAKING.—

(1) IN GENERAL.—The Administrator shall conduct a rulemaking proceeding to update the definition of ''navigable airspace''.

(2) CONSULTATION.—In conducting the rulemaking proceeding under paragraph (1), the Administrator shall consult with appropriate State, local, or Tribal government officials.

(c) DESIGNATION REQUIREMENT.—In conducting the rulemaking proceeding under subsection (b), the Administrator shall designate the area between 200 feet and 400 feet above ground level—

(1) for use of civil unmanned aircraft systems under the exclusive authority of the Administrator; and

(2) for use by both commercial operators or hobbyists and recreational unmanned aircraft systems, under rules established by the Administrator.

(d) FINAL RULE.—Not later than 1 year after the date of enactment of this title, the Administrator shall issue a final rule pursuant to the rulemaking conducted under subsection (b).

(e) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

(1) prohibit the Administrator from promulgating regulations related to the operation of unmanned aircraft systems at more than 400 feet above ground level; or

(2) diminish or expand the preemptive effect of the authority of the Federal Aviation Administration with respect to manned aviation.

SEC. ___04. PRESERVATION OF STATE, LOCAL, AND TRIBAL AUTHORITIES WITH RESPECT TO CIVIL UNMANNED AIRCRAFT SYSTEMS.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) Using its constitutional authority to regulate commerce among the States, Congress granted the Federal Government authority over all of the navigable airspace in the United States in order to foster air commerce.

(B) While the regulation of the navigable airspace is within the Federal Government's domain, the Supreme Court recognized in United States v. Causby, 328 U.S. 256 (1946), that the Federal Government's regulatory authority is limited by the property rights possessed by landowners over the exclusive control of the immediate reaches of their airspace.

(C) As a sovereign government, a State possesses police powers, which include the power to protect the property rights of its citizens.

(D) The proliferation of low-altitude operations of unmanned aircraft systems has created a conflict between the responsibility of the Federal Government to regulate the navigable airspace and the inherent sovereign police power possessed by the States to protect the property rights of their citizens.

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

(A) in order for landowners to have full enjoyment and use of their land, they must have exclusive control of the immediate reaches of airspace over their property;

(B) the States possess sovereign police powers, which include the power to regulate land use, protect property rights, and exercise zoning authority; and

(C) the Federal Government lacks the authority to intrude upon a State's sovereign right to issue reasonable time, manner, and place restrictions on the operation of unmanned aircraft systems operating within the immediate reaches of airspace.

(b) REQUIREMENTS RELATED TO REGULATIONS AND STANDARDS.—

(1) IN GENERAL.—In prescribing regulations or standards related to civil unmanned aircraft systems, the following shall apply:

(A) The Administrator shall not authorize the operation of a civil unmanned aircraft in the immediate reaches of airspace above property without permission of the property owner.

(B) Subject to paragraph (2), in the case of a structure that exceeds 200 feet above ground level, the Administrator shall not authorize the operation of a civil unmanned aircraft—

(i) within 50 feet of the top of such structure; or

(ii) within 200 feet laterally of such structure or inside the property line of such structure's owner, whichever is closer to such structure.

(C) The Administrator shall not authorize the physical contact of a civil unmanned aircraft, including such aircraft's take-off or landing, with a structure that exceeds 200 feet above ground level without permission of the structure's owner.

(D) The Administrator shall ensure that the authority of a State, local, or Tribal government to issue reasonable restrictions on the time, manner, and place of operation of a civil unmanned aircraft system that is operated below 200 feet above ground level is not preempted.

(2) EXCEPTION.—The limitation on the operation of a civil unmanned aircraft under paragraph (1)(B) shall not apply if—

(A) the operator of such aircraft has the permission of the structure's owner;

(B) such aircraft is being operated directly within or above an authorized public right of way; or

(C) such aircraft is being operated on an authorized commercial route designated under subsection (c).

(3) REASONABLE RESTRICTIONS.—For purposes of paragraph (1)(D), reasonable restrictions on the time, manner, and place of operation of a civil unmanned aircraft system include the following:

(A) Specifying limitations on speed of flight over specified areas.

(B) Prohibitions or limitations on operations in the vicinity of schools, parks, roadways, bridges, moving locations, or other public or private property.

(C) Restrictions on operations at certain times of the day or week or on specific occasions such as parades or sporting events, including sporting events that do not remain in one location.

(D) Prohibitions on careless or reckless operations, including operations while the operator is under the influence of alcohol or drugs.

(E) Other prohibitions that protect public safety, personal privacy, or property rights, or that manage land use or restrict noise pollution.

(c) DESIGNATION OF AUTHORIZED COMMERCIAL ROUTES.—

(1) IN GENERAL.—For purposes of subsection (b)(2)(C), not later than 18 months after the date of enactment of this title, the Administrator shall establish a process for the designation of routes as authorized commercial routes. No area within 200 feet above ground level may be included in a designated authorized commercial route.

(2) APPLICATION.—Under the process established under paragraph (1), applicants shall submit an application for such a designation in a form and manner determined appropriate by the Administrator.

(3) TIMEFRAME FOR DECISION.—Under the process established under paragraph (1), the Administrator shall approve or disapprove a complete application for designation within 90 days of receiving the application.

(4) CONSULTATION.—In reviewing an application for the designation of an area under this subsection, the Administrator shall consult with and heavily weigh the views of—

(A) the applicable State, local, or Tribal government that has jurisdiction over the operation of unmanned aircraft in the area below the area to be designated;

(B) owners of structures who would be affected by the designation of a route as an authorized commercial route; and

(C) commercial unmanned aircraft operators.

(5) DENIAL OF APPLICATION.—If the Administrator denies an application for a designation under this subsection, the Administrator shall provide the applicant with—

(A) a detailed description of the reasons for the denial; and

(B) recommendations for changes that the applicant can make to correct the deficiencies in their application.

(6) APPROVAL OF APPLICATION.—If the Administrator approves an application for a designation under this subsection, the Administrator shall clearly describe the boundaries of the designated authorized commercial route and any applicable limitations for operations on the route.

(7) DELEGATION.—The Administrator may delegate the authority to designate authorized commercial routes under this subsection to a State, local, or Tribal government that has entered into an agreement with the Administrator under section ____08 with respect to an area designated as complex airspace.

(d) RULES OF CONSTRUCTION.—

(1) SAFETY HAZARD.—Nothing in this section may be construed to permit a State, local, or Tribal government to issue restrictions, or a combination of restrictions, that would create a significant safety hazard in the navigable airspace, airport operations, air navigation facilities, air traffic control systems, or other components of the national airspace system that facilitate the safe and efficient operation of civil, commercial, or military aircraft within the United States.

(2) CAUSE OF ACTION.—Nothing in this section may be construed to prohibit a property owner or the owner of a structure with a height that exceeds 200 feet above ground level from pursuing any available cause of action under State law related to unmanned aircraft operations above 200 feet above ground level.

SEC. ____05. PRESERVATION OF LOCAL ZONING AUTHORITY FOR UNMANNED AIRCRAFT TAKE-OFF AND LANDING ZONES.

(a) GENERAL AUTHORITY.—Subject to the succeeding provisions of this section, nothing in this title shall limit or affect the authority of a State, local, or Tribal government over decisions regarding the designation, placement, construction, or modification of an unmanned aircraft take-off and landing zone.

(b) NONDISCRIMINATION.—The regulation of the designation, placement, construction, or modification of an unmanned aircraft take-off and landing zone by any State, local, or Tribal government may not—

(1) unreasonably discriminate among commercial operators of unmanned aircraft systems; or

(2) prohibit, or have the effect of prohibiting, a commercial operator from operating an unmanned aircraft system.

(c) APPLICATIONS.—

(1) REQUIREMENT TO ACT.—

(A) IN GENERAL.—A State, local, or Tribal government shall act on any complete application for authorization to designate, place, construct, or modify an unmanned aircraft take-off and landing zone within 60 days of receiving such application.

(B) DENIAL.—If a State, local, or Tribal government denies an application for the designation, placement, construction, or modification of an unmanned aircraft take-off and landing zone, the State, local, or Tribal government shall, not later than 30 days after denying the application, submit to the commercial operator a written record that details—

(i) the findings and substantial evidence that serves as the basis for denying the application; and

(ii) recommendations for how the commercial operator can address the reasons for the application's denial.

(2) FEES.—Notwithstanding any other provision of law, a State, local, or Tribal government may charge a fee to consider an application for the designation, placement, construction, or modification of an unmanned aircraft take-off and landing zone, or to use a right-of-way or a facility in a right-of-way owned or managed by the State, local, or Tribal government for the designation, placement, construction, or modification of an unmanned aircraft take-off and landing zone, if the fee is—

(A) competitively neutral, technologically neutral, and nondiscriminatory; and

(B) publicly disclosed.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prevent any State, local, or Tribal government from imposing any additional limitation or requirement relating to consideration by the State, local, or Tribal government of an application for the designation, placement, construction, or modification of an unmanned aircraft take-off and landing zone.

(d) JUDICIAL REVIEW.—Any person adversely affected by any final action or failure to act by a State, local, or Tribal government that is inconsistent with this section may, within 30 days after the action or failure to act, commence an action in any court of competent jurisdiction, which shall hear and decide the action on an expedited basis.

(e) EFFECTIVE DATE.—The provisions of this section shall take effect on the day that is 180 days after the final rule under section ____03(d) is issued.

SEC. ____06. RIGHTS TO OPERATE.

(a) PROHIBITION.—

(1) IN GENERAL.—Subject to subsection (b), a State, local, or Tribal government may not adopt, maintain, or enforce any law, rule, or standard that unreasonably or substantially impedes—

(A) the ascent or descent of an unmanned aircraft system, operated by a commercial operator, to or from the navigable airspace in the furtherance of a commercial activity; or

(B) a civil unmanned aircraft from reaching navigable airspace where operations are permitted.

(2) UNREASONABLE OR SUBSTANTIAL IMPEDIMENT.—For purposes of paragraph (1), an unreasonable or substantial impediment with respect to civil unmanned aircraft includes—

(A) a complete and total ban on overflights of civil unmanned aircraft over the entirety of airspace within a State, local, or Tribal government's jurisdiction; and

(B) a combination of prohibitions or restrictions on overflights within airspace under a State, local, or Tribal government's jurisdiction such that it is nearly impossible for civil unmanned aircraft to reach the navigable airspace.

(b) RULES OF CONSTRUCTION.—Nothing in subsection (a) may be construed to prohibit a State, local, or Tribal government from—

(1) adopting, maintaining, or enforcing laws, rules, or standards that regulate unmanned aircraft systems below 200 feet above ground level; or

(2) prescribing emergency procedures for a civil unmanned aircraft system descending into an area 200 feet above ground level.

SEC. ___07. UPDATES TO RULES REGARDING THE COMMERCIAL CARRIAGE OF PROPERTY.

(a) IMPROVING REGULATIONS.—Section 44808 of title 49, United States Code, is amended—

(1) by redesignating subsection (b)(5) as subsection (c), and indenting appropriately;

(2) by redesignating subparagraphs (A), (B), and (C) of subsection (c), as redesignated by paragraph (1), as paragraphs (1), (2), and (3), respectively, and indenting appropriately;

(3) by redesignating subsection (b)(6) as subsection (d), and indenting appropriately; and

(4) in subsection (b), as previously amended, by adding at the end the following new paragraphs:

''(5) Ensure that the provision of section 41713 shall not apply to the carriage of property by operators of small unmanned aircraft systems.

''(6) Ensure that an operator of a small unmanned aircraft system is not required to comply with any rules approved under this section if the operator is operating solely under a State authorization for the intrastate carriage of property for compensation or hire.

''(7) Ensure that the costs necessary to receive such an authorization are minimal so as to protect competition between market participants.

''(8) A streamlined application process that only contains requirements minimally necessary for safe operation and substantially outweigh the compliance costs for an applicant.''.

(b) CLARIFICATION REGARDING PREEMPTION.—Section 41713(b) of title 49, United States Code, is amended by adding at the end the following new paragraph:

''(5) NOT APPLICABLE TO THE OPERATION OF A CIVIL UNMANNED AIRCRAFT SYSTEM.—Paragraphs (1) and (4) shall not apply to the operation of a civil unmanned aircraft system.''.

(c) EXCLUSION FROM DEFINITION OF AIR CARRIER.—Section 40102(2) of title 49, United States Code, is amended by inserting ''(but does not include an operator of civil unmanned aircraft systems)'' before the period at the end.

(d) STATE AUTHORIZATION FOR THE INTRASTATE CARRIAGE OF PROPERTY.—A State may not be prohibited from issuing an authorization (and the Federal Government may not require a Federal authorization) for the carriage of property by a commercial operator of a civil unmanned aircraft that is operating in intrastate commerce if the civil unmanned aircraft is only authorized by the State to operate—

(1) within the immediate reaches of airspace; and

(2) within the lateral boundaries of the State.

SEC. ___08. DESIGNATION OF CERTAIN COMPLEX AIRSPACE.

(a) PROCESS FOR DESIGNATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this title, the Secretary of Transportation shall establish a process under which a State, local, or Tribal government may submit an application to the Administrator (in a form and manner determined appropriate by the Administrator) for the designation of an area as an area of ''complex airspace.'' Such process shall allow for individual or collective designations.

(2) TIMEFRAME FOR DECISION.—Under the process established under paragraph (1), the Administrator shall approve or disapprove a complete application for designation within 90 days of receiving the application.

(3) REVIEW OF APPLICATION.—In reviewing an application for a designation under this section, the Administrator may deny the request if the State, local, or Tribal government does not have—

(A) the financial resources to carry out the authority to be granted under the designation; or

(B) the technological capabilities necessary to carry out the authority granted to the State under the designation.

(4) DENIAL OF APPLICATION.—If the Administrator denies an application for a designation under this section, the Administrator shall provide the State, local, or Tribal government with—

(A) a detailed description of the reasons for the denial; and

(B) recommendations for changes that the State can make to correct the deficiencies in their application.

(5) APPROVAL OF APPLICATION.—If the Administrator approves an application for a designation under this section, the Administrator shall, upon the request of the State, local, or Tribal government, enter into a written agreement with the State, local, or Tribal government (which may be in the form of a memorandum of understanding) under which the Administrator may assign, and the State, local, or Tribal government may assume, one or more of the responsibilities of the Administrator with respect to the management of civil unmanned aircraft operations within the area that has been so designated.

(b) AGREEMENTS.—

(1) STATE, LOCAL, OR TRIBAL GOVERNMENT RESPONSIBILITIES UNDER AGREEMENT.—If a State, local, or Tribal government enters into an agreement with the Administrator under subsection (a)(5), the State, local, or Tribal government shall be solely responsible, and solely liable, for carrying out the responsibilities assumed in the agreement until the agreement is terminated.

(2) TERMINATION BY STATE, LOCAL, OR TRIBAL GOVERNMENT.—A State, local, or Tribal government may terminate an agreement with the Administrator under subsection (a)(5) if the State, local, or Tribal government provides the Administrator 90 days of notice.

(3) TERMINATION BY ADMINISTRATOR.—The Administrator may terminate an agreement with a State, local, or Tribal government under subsection (a)(5) if—

(A) the Administrator determines that the State, local, or Tribal government is not adequately carrying out the responsibilities assigned under the agreement; and

(B) the Administrator provides the State, local, or Tribal government with—

(i) written notification of a determination of noncompliance with the responsibilities assigned under the agreement; and

(ii) a period of not less than 180 days for the State, local, or Tribal government to take such corrective actions as the Administrator determines necessary to comply with the responsibilities assigned under the agreement.

(c) COMPLEX AIRSPACE DEFINED.—In this section, the term ''complex airspace'' means an area of airspace that—

(1) is at least 200 feet above ground level; and

(2) includes one or more structures that have a height that exceeds 200 feet above ground level.

SEC. ___09. IMPROVEMENTS TO PLAN FOR FULL OPERATIONAL CAPABILITY OF UNMANNED AIRCRAFT SYSTEMS TRAFFIC MANAGEMENT.

Section 376 of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(4) Permit the testing of a State, local, or Tribal government's time, place, and manner restrictions within the immediate reaches of airspace (as defined in section 44801).'';

(2) in subsection (c)—

(A) in paragraph (2), by striking ''industry and government'' and inserting ''industry, the Federal Government, and State, local, or Tribal governments'';

(B) in paragraph (3)(G), by striking ''and'' at the end;

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

(D) by adding at the end the following new paragraphs:

''(5) establish a plan for collaboration and coordination with a State, local, or Tribal government's management of unmanned aircraft systems within the immediate reaches of airspace (as defined in section 44801); and

''(6) establish a process for the interoperability and sharing of data between Federal Government, State, local, or Tribal government, and private sector UTM services.'';

(3) in subsection (d)—

(A) in paragraph (2)(J), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) shall consult with State, local, and Tribal governments.''; and

(4) in subsection (g), by inserting ''and State, local, and Tribal governments'' after ''Federal agencies''.

SEC. ___10. UPDATES TO RULES REGARDING SMALL UNMANNED AIRCRAFT SAFETY STANDARDS.

Section 44805 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) ensuring that no State is prohibited from requiring additional equipage for a small unmanned aircraft system so long as such small unmanned aircraft system is solely authorized to operate in the immediate reaches of airspace (as defined in section 44801) and the lateral boundaries of a State.'';

(2) in subsection (e), in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall'';

(3) in subsection (j), by striking ''may'' and inserting ''shall''; and

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

''(k) REQUIREMENTS FOR ACCEPTING RISK-BASED CONSENSUS SAFETY STANDARDS.—

''(1) COST-BENEFIT ANALYSIS.—The Administrator shall not accept a risk-based consensus safety standard under subsection (a)(1) unless the Administrator has first conducted a cost-benefit analysis and certified that the benefit of the safety standard substantially outweighs the costs to the manufacturer and consumer.

''(2) MUST BE ESSENTIAL.—The Administrator shall not accept a risk-based consensus safety standard under subsection (a)(1) unless the Administrator determines that the safety standard is essential for small unmanned aircraft systems to operate safely in the UTM.''.

SEC. ___11. RULES OF CONSTRUCTION.

(a) IN GENERAL.—Subject to subsection (b), nothing in this title may be construed to—

(1) diminish or expand the preemptive effect of the authority of the Federal Aviation Administration with respect to manned aviation; or

(2) affect the civil or criminal jurisdiction of—

(A) any Indian Tribe relative to any State or local government; or

(B) any State or local government relative to any Indian Tribe.

(b) ENFORCEMENT ACTIONS.—Nothing in subsection (a) may be construed to limit the authority of the Administrator to pursue enforcement actions against persons operating civil unmanned aircraft systems who endanger the safety of the navigable airspace, airport operations, air navigation facilities, air traffic control systems, or other components of the national airspace system that facilitate the safe and efficient operation of civil, commercial, or military aircraft within the United States.

SEC. ___12. REPEAL.

Section 606 of this Act, including the amendments made by such section, are repealed.

SA 1962. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. [_____]. SCREENING PARTNERSHIP REFORM ACT.

(a) SHORT TITLE.—This section may be cited as the ''Screening Partnership Reform Act''.

(b) SCREENING PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Section 44920 of title 49, United States Code, is amended—

(A) by amending subsection (b) to read as follows:

''(b) SELECTION OF QUALIFIED PRIVATE SCREENING COMPANIES.—

''(1) LIST OF QUALIFIED PRIVATE SCREENING COMPANIES.—Not later than 30 days after receiving an application from the operator of an airport under subsection (a), the Administrator shall provide the operator of such airport with an opportunity—

''(A) for the operator to select a qualified private screening company with which the operator prefers the Administrator enter into a contract for screening services at such airport; or

''(B) to request that the Administrator select a qualified private screening company with which to enter into such a contract.

''(2) ENTRY INTO CONTRACT.—

''(A) IN GENERAL.—Subject to subsections (c) and (d), not later than 60 days after the date on which the operator of an airport selects a qualified private screening company under paragraph (1)(A) or clause (ii) or requests the Administrator to select such a company under paragraph (1)(B)—

''(i) the Administrator shall enter into a contract for screening services at that airport with the qualified private screening company selected by the airport or the company selected by the Administrator, as the case may be; or

''(ii) in the case of a company selected by the operator of the airport, if the Administrator rejects the bid from that company, or is otherwise unable to enter into a contract with that company, the Administrator shall provide the operator of the airport another 60 days to select another qualified private screening company.

''(B) REJECTION OF BIDS.—If the Administrator rejects a bid from a private screening company selected by the operator of an airport under paragraph (1)(A) or subparagraph (A)(ii), the Administrator shall, not later than 30 days after rejecting such bid, submit a report to the operator, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security of the House of Representatives that includes—

''(i) the findings that served as the basis for rejecting such bid;

''(ii) the results of any cost or security analyses conducted in relation to such bid; and

''(iii) recommendations for how the operator of the airport can address the reasons the Administrator rejected such bid.'';

(B) in subsection (c), by striking ''and will provide'' and all that follows through ''with this chapter'';

(C) in subsection (d)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(iii) in paragraph (1), as redesignated—

(I) in the matter preceding subparagraph (A), by striking ''The Administrator'' and all that follows and inserting ''The Administrator shall enter into a contract with a qualified private screening company only if—'';

(II) in subparagraph (B), by striking ''and'' at the end; and

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

''(C) the cost of providing screening services at the airport under the contract is equal to or less than the cost to the Federal Government of providing screening services at that airport during the term of the contract; and

''(D) entering into the contract would not compromise aviation security or the effectiveness of the screening of passengers or property at the airport.'';

(iv) in paragraph (2), as redesignated, by striking the second sentence; and

(v) by adding at the end the following:

''(3) TRAINING AND CERTIFICATION.—

''(A) IN GENERAL.—A private screening company may fulfill the requirement under paragraph (1)(A) by using screening supervisors who have been trained and certified at a Federal Law Enforcement Training Center to administer comparable on-site training and certification to private security screeners at an airport that is participating in the screening partnership program.

''(B) AUTHORIZED TRAINERS.—If a private screening company elects to conduct on-site training and certification in accordance with subparagraph (A), such training shall be conducted by—

''(i) a Federal employer or contractor who is authorized to train and certify security screeners; or

''(ii) an employee of a private screening company who has successfully completed security supervisor training at a Federal Law Enforcement Training Center.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require security screeners employed by a private screening company who have received on-site training and certification in accordance with subparagraph (A) to receive any additional training at a Federal Law Enforcement Training Center.

''(4) PART-TIME POSITIONS.—None of the standards required to be a qualified private screening company may be construed to prohibit a private screening company from employing screeners for part-time positions.

''(5) CALCULATION OF FEDERAL COSTS.—For purpose of the comparison of costs required under paragraph (1)(C), the Administrator shall incorporate a cost estimate that reflects the total cost to the Federal Government, including all costs incurred by all Federal agencies and not only by the Transportation Security Administration, of providing screening services at an airport.'';

(D) by striking subsection (i) (as added by section 1946(a)(7) of the TSA Modernization Act (division K of Public Law 115–254)); and

(E) by striking subsection (i) (as added by section 1991(d)(17)(B) of the TSA Modernization Act (division K of Public Law 115–254)) and inserting the following:

''(i) CONSIDERATION OF RECOMMENDATIONS BY PRIVATE SCREENING COMPANIES FOR IMPROVING AVIATION SECURITY.—

''(1) RECOMMENDATIONS.—The Administrator shall request each qualified private screening company that enters into a contract with the Transportation Security Administration under this section to provide screening services at an airport to submit to the Administrator an annual report that includes recommendations for—

''(A) new approaches to prioritize and streamline requirements for aviation security;

''(B) new or more efficient processes for the screening of all passengers and property at the airport under section 44901;

''(C) processes and procedures that would enhance the screening of passengers and property at the airport; or

''(D) screening processes and procedures that would better enable the Administrator and the private screening company to respond to threats and emerging threats to aviation security.

''(2) TESTING.—The Administrator shall conduct a field demonstration at an airport of each recommendation submitted under paragraph (1) to determine the effectiveness of the approach, process, or procedure recommended, unless the Administrator determines that conducting such a demonstration would compromise aviation security.

''(3) CONSIDERATION OF ADOPTION.—

''(A) IN GENERAL.—After conducting a field demonstration under paragraph (2) with respect to a recommendation submitted under paragraph (1) by a private screening company, the Administrator—

''(i) shall consider adopting the recommendation; and

''(ii) may adopt the recommendation at all or some airports.

''(B) REPORT.—If the Administrator does not adopt a recommendation submitted under paragraph (1) by a private screening company, the Administrator shall submit a report to Congress and the private screening company that includes—

''(i) a description of the specific reasons the Administrator chose not to adopt the recommendation; and

''(ii) recommendations for how the private screening company could improve the approach, process, or procedure recommended.

''(j) RESTRICTIONS ON RELOCATION PAYMENTS.—

''(1) IN GENERAL.—A security screener employed by the Transportation Security Administration who accepts an offer of employment from a private screening company under this section may not receive any amount of relocation compensation from the Transportation Security Administration.

''(2) COORDINATION AND DISCLOSURES.—The Administrator shall—

''(A) coordinate with the selected qualified private screening company regarding the terms of the airport transition; and

''(B) publicly disclose compensation and relocation or transfer benefits made available to security screeners that remain employees of the Transportation Security Administration after transferring to an airport that is not participating in the screening partnership program.

''(3) STANDARD HIRING PROCESS.—Any security screener employed by a private screening company under this section who is a former employee of the Transportation Security Administration shall be subject to the

standard hiring process for security screeners employed by the Transportation Security Administration if he or she seeks to transition back to such employment.''.

(2) CONFORMING AMENDMENTS.—Section 44920 of title 49, United States Code, is amended—

(A) in subsection (a), by inserting ''(referred to in this section as the 'Administrator')'' after ''of the Transportation Security Administration''; and

(B) in subsection (g)—

(i) in paragraph (1), by striking ''Secretary of Homeland Security'' and inserting ''Administrator''; and

(ii) in paragraph (2)(A), by striking ''Secretary of Homeland Security or the Secretary's'' and inserting ''Administrator or the Administrator's''.

(3) FEDERAL LAW ENFORCEMENT TRAINING CENTER.—Section 884(c) of the Homeland Security Act of 2002 (6 U.S.C. 464(c)) is amended—

(A) in paragraph (9), by striking ''and'' at the end;

(B) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(11) create and maintain a FLETC training program to certify private security screening supervisors to administer on-site security screening training and certification for the participants in the Screening Partnership Program in accordance with section 44920(d)(3) of title 49, United States Code.''.

SA 1963. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESTRICTION ON PROMOTION AND HIRING PRACTICES.

The Administrator of the Federal Aviation Administration may not consider gender, race, or protected class under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) in the hiring or promoting of any individual within the Federal Aviation Administration.

SA 1964. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESTRICTION ON USE OF FUNDS.

None of the funds authorized to be appropriated under this Act and the amendments made by this Act may be used to develop, administer, implement, or enforce the Sustainable Aviation Fuel Grand Challenge.

SA 1965. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESTRICTION ON USE OF FUNDS.

None of the funds authorized to be appropriated under this Act and the amendments made by this Act may be used to develop, administer, implement, or enforce the United States Aviation Climate Action Plan published by the Federal Aviation Administration on November 9, 2021.

SA 1966. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON UNKNOWN OBJECTS IN FLIGHT.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall issue a non-classified report about occurrences in which commercial pilots spot, or otherwise visually witness, unknown objects in flight and address whether unidentified aerial object encounters have ever disrupted, interfered, or interacted with flight instruments.

(b) INCLUSION.—In the report issued under subsection (a), the Administrator shall include any documents from commercial industry with respect to the observations described in such subsection, including documents relating to specific instances and firsthand witness accounts.

(c) INVOLVEMENT OF OTHER AGENCIES.—No other Federal agency may be involved in issuing the report required under this section.

SA 1967. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HOUSING OF UNDOCUMENTED MIGRANTS.

None of the funds authorized by this Act may be used to house undocumented migrants in airport space.

SA 1968. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—FREEDOM TO FLY ACT

SEC. __001. SHORT TITLE.

This title may be cited as the ''Freedom to Fly Act''.

SEC. __002. PROHIBITION ON IMPLEMENTATION OF VACCINATION MANDATE.

The Administrator may not implement or enforce any requirement that employees of air carriers be vaccinated against COVID–19.

SEC. __003. PROHIBITION ON VACCINATION REQUIREMENTS FOR FAA CONTRACTORS.

The Administrator may not require any contractor to mandate that employees of such contractor obtain a COVID–19 vaccine or enforce any condition regarding COVID–19 vaccination status of employees of a contractor.

SEC. __004. PROHIBITION ON VACCINE MANDATE FOR FAA EMPLOYEES.

The Administrator may not implement or enforce any requirement that employees of the Administration be vaccinated against COVID–19.

SEC. __005. PROHIBITION ON VACCINE MANDATE FOR PASSENGERS OF AIR CARRIERS.

The Administrator may not implement or enforce any requirement that passengers of air carriers be vaccinated against COVID–19.

SEC. __006. PROHIBITION ON IMPLEMENTATION OF A MASK MANDATE.

The Administrator may not implement or enforce any requirement that employee of air carriers wear a mask.

SEC. __007. PROHIBITION ON MASK MANDATES FOR FAA CONTRACTORS.

The Administrator may not require any contractor to mandate that employees of such contractor wear a mask.

SEC. __008. PROHIBITION ON MASK MANDATE FOR FAA EMPLOYEES.

The Administrator may not implement or enforce any requirement that employees of the Administration wear a mask.

SEC. __009. PROHIBITION ON MASK MANDATE FOR PASSENGERS OF AIR CARRIERS.

The Administrator may not implement or enforce any requirement that passengers of air carriers wear a mask.

SEC. __010. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administration'' means the Administrator of the Federal Aviation Administration.

(2) AIR CARRIER.—The term ''air carrier'' has the meaning given such term in section 40102 of title 49, United States Code.

SA 1969. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESTRICTION ON USE OF FUNDS.

None of the funds authorized to be appropriated under this Act and the amendments made by this Act may be used to develop, administer, implement, or enforce Federal Aviation Administration Diversity, Equity, Inclusion and Accessibility (DEIA) efforts, events, or activities.

SA 1970. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 745.

SA 1971. Mr. LEE submitted an amendment intended to be proposed to

amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 730, and insert the following:

SEC. 730. PROHIBITION OF FUNDING MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

None of the funds authorized to be appropriated by this Act may be used to carry out either the Airport Disadvantaged Business Enterprise Program or the Airport Concessions Disadvantaged Business Enterprise Program under sections 47113 and 47107(e) of title 49, United States Code.

SA 1972. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. APPROVAL OF CERTAIN FINAL RULES BY CONGRESS.

Notwithstanding any other provision of law, any final rule issued by the Administrator that has an effect on the economy that exceeds $100,000,000 may only take effect upon enactment of a joint resolution.

SA 1973. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 442. AGE STANDARDS FOR PILOTS.

Section 44729 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Subject to the limitation in subsection (c), a'' and inserting ''A''; and

(B) by striking ''65'' and inserting ''67'';

(2) in subsection (b)(1) by striking ''; or'' and inserting '', unless the operation takes place in airspace where such operations are not permitted; or'';

(3) by striking subsection (c) and redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

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

(A) in the heading by striking ''60'' and inserting ''65'';

(B) by striking ''the date of enactment of this section,'' and inserting ''the date of enactment of the FAA Reauthorization Act of 2024,'';

(C) by striking ''section 121.383(c)'' and inserting ''subsections (d) and (e) of section 121.383''; and

(D) by inserting ''(or any successor regulations)'' after ''Regulations'';

(5) in subsection (d), as so redesignated—

(A) by striking paragraph (1) and inserting the following:

''(1) RETROACTIVITY.—A person who has attained 65 years of age on or before the date of enactment of the FAA Reauthorization Act of 2024 may return to service as a pilot for an air carrier engaged in covered operations.''; and

(B) in paragraph (2) by striking ''section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of this section in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may'' and inserting ''section or taken in conformance with a regulation issued to carry out this section, may''; and

(6) by adding at the end the following:

''(h) SAVINGS CLAUSE.—An air carrier engaged in covered operations described in subsection (b)(1) on or after the date of enactment of the FAA Reauthorization Act of 2024 may not require employed pilots to serve in such covered operations after attaining 65 years of age.''.

SA 1974. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 221(a) and insert the following:

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall reinstate and apply the telework policies, practices, and levels of the agency as in effect on December 31, 2019, and may not expand any such policy, practice, or level until the date on which the Administration has submitted the update as required by subsection (b).

SA 1975. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON AVAILABILITY OF FUNDS.

None of the funds authorized to be appropriated by this Act may be authorized to be appropriated if air carriers or airport security accept any of the following as a valid identification or authorization document, or permit the following to be used to obtain such identification or travel document, for an airline passenger seeking to board an aircraft:

(1) CBP One Mobile Application.

(2) Department of Homeland Security Form I-385, Notice to Report.

(3) Department of Homeland Security Form I-862, Notice to Appear.

SA 1976. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON AVAILABILITY OF FUNDS.

None of the funds authorized to be appropriated by this Act may be appropriated if air carriers or airport security accept any of the following as a valid identification or authorization document, or permit the following to be used to obtain such identification or travel document, for an airline passenger seeking to board an aircraft:

(1) CBP One Mobile Application.

(2) Department of Homeland Security Form I-385, Notice to Report.

(3) Department of Homeland Security Form I-862, Notice to Appear.

SA 1977. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PERMANENT PROHIBITION ON OPERATIONS FOR AIR CARRIERS THAT PROVIDE, OR FACILITATE THE PROVISION OF, TRANSPORTATION OF ANY ALIEN USING CERTAIN METHODS OF IDENTIFICATION.

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by inserting after section 40130 the following new section:

''§ 40131. Permanent prohibition on operations for air carriers that transport any alien using certain methods of identification

''An air carrier or foreign air carrier may not operate an aircraft in foreign air transportation or land such aircraft at any airport in the United States if the air carrier or foreign air carrier actively provides, or actively facilitates the provision of, transportation of any alien using any of the following for purposes of identification or travel authorization:

''(1) The CBP One Mobile Application.

''(2) Department of Homeland Security Form I–385, Notice to Report.

''(3) Department of Homeland Security Form I–862, Notice to Appear.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is amended by inserting after the item relating to section 40130 the following:

''40131. Permanent prohibition on operations for air carriers that transport any alien using certain methods of identification.''.

SEC. ____. PROHIBITION OF CERTAIN FORMS OF IDENTIFICATION FOR AIRLINE PASSENGERS.

Section 7220 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 49 U.S.C. 44901 note) is amended—

(1) in subsection (c)(1)(C), by inserting ''except as provided in subsection (d),'' before ''any document'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection (d):

''(d) PROHIBITION OF CERTAIN FORMS OF IDENTIFICATION.—In carrying out this section, the Secretary of Homeland Security may not designate or permit any of the following as a valid identification or authorization document, or permit the following to be used to obtain such identification or travel document, for a domestic commercial airline passenger seeking to board an aircraft:

''(1) The CBP One Mobile Application.

''(2) Department of Homeland Security Form I–385, Notice to Report.

''(3) Department of Homeland Security Form I–862, Notice to Appear.''.

SA 1978. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXEMPTION FROM FEES FOR INSPECTION SERVICES.

(a) DEFINITIONS.—In this section:

(1) AIRCRAFT.—The term ''aircraft'' has the meaning given the term in section 40102(a) of title 49, United States Code.

(2) COMMERCIAL CARGO.—The term ''commercial cargo'' means cargo (as defined in section 40102(a) of title 49, United States Code) that is not owned by passengers aboard an aircraft on a flight entering the customs territory of the United States.

(b) EXEMPTION.—An aircraft with 64 or fewer seats that enters the customs territory of the United States on or after the date of enactment of this Act and is not carrying any commercial cargo shall be exempt from fees imposed under section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a) and any materially similar provision of law.

SA 1979. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 502, and insert the following:

SEC. 502. ADDITIONAL WITHIN AND BEYOND PERIMETER SLOT EXEMPTIONS AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT.

(a) INCREASE IN NUMBER OF SLOT EXEMPTIONS.—Section 41718 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(i) ADDITIONAL SLOT EXEMPTIONS.—

''(1) INCREASE IN SLOT EXEMPTIONS.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall grant, by order, 56 exemptions from—

''(A) the application of sections 49104(a)(5), 49109, and 41714 to air carriers to operate limited frequencies and aircraft on routes between Ronald Reagan Washington National Airport and airports located within or beyond the perimeter described in section 49109; and

''(B) the requirements of subparts K, S, and T of part 93, Code of Federal Regulations.

''(2) INCREMENTAL DCA SLOT ALLOCATIONS.—

''(A) IN GENERAL.—Of the slot exemptions made available under paragraph (1), the Secretary shall make 40 available to incumbent air carriers qualifying for status as a non-limited incumbent carrier and 16 available to incumbent carriers qualifying for status as a limited incumbent carrier at Ronald Reagan Washington National Airport as of the date of enactment of this subsection.

''(B) AIR CARRIER REQUIREMENTS.—An air carrier granted a slot exemption made available under paragraph (1)—

''(i) may operate up to a maximum of 8 of the newly authorized slot exemptions;

''(ii) shall have sole discretion concerning the use of an exemption made available under paragraph (1), including the initial or any subsequent within or beyond perimeter destinations to be served; and

''(iii) shall file a notice of intent with the Secretary and subsequent notices of intent, when appropriate, to inform the Secretary of any change in circumstances concerning the use of any exemption made available under paragraph (1).

''(3) NOTICES OF INTENT.—Notices of intent under paragraph (2)(B)(iii) shall specify the within or beyond perimeter destinations to be served.

''(4) CONDITIONS.—Flight operations carried out by an air carrier using an exemption granted under this subsection shall be subject to the following conditions:

''(A) An air carrier granted an exemption under this subsection is prohibited from transferring the rights to its slot exemptions pursuant to section 41714(j).

''(B) The exemptions granted under subsection (2)—

''(i) may not be for operations between the hours of 10:00 p.m. and 7:00 a.m.; and

''(ii) may not increase the number of operations at Ronald Reagan Washington National Airport in any 1-hour period during the hours between 7:00 a.m. and 9:59 p.m. by more than 8 operations.''.

(b) CONFORMING AMENDMENTS.—Section 41718 of title 49, United States Code, is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in clause (i), by inserting ''or (i)(2)'' after ''(g)(2)''; and

(ii) in clause (ii), by striking ''and (g)'' and inserting ''(g), and (i)''; and

(B) in subparagraph (B), by inserting ''or (i)(2)'' after ''(g)(3)''; and

(2) in subsection (h)(1), by inserting ''or (i)'' after ''subsection (g)''.

(c) PRESERVATION OF EXISTING WITHIN-PERIMETER AIR SERVICE.—In recognition of the importance of preserving air service, as it exists on the date of enactment of this section, between Ronald Reagan Washington National Airport and within-perimeter airports and communities, this section and the amendments made by this section shall not be construed as authorizing any limited incumbent or non-limited incumbent air carrier holding slots or slot exemptions at Ronald Reagan Washington National Airport as of the date of enactment of this subsection to use an existing within-perimeter slot to serve an airport beyond the perimeter described in section 49109 of title 49, United States Code.

SA 1980. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RESTRICTION ON USE OF FUNDS.

No funds made available under this Act may be used to enforce any hiring quota, mandate, or target issued or implemented by the People With Disabilities Program.

SA 1981. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. INCREASE IN MANDATORY RETIREMENT AGE FOR PILOTS BY THE ICAO.

The Administrator and the FAA's Senior Representative to the International Civil Aviation Organization shall take all appropriate steps to use the voice and vote of the United States in the International Civil Aviation Organization to urge the International Civil Aviation Organization to raise the international standard retirement age for pilots from 65 to 67.

SA 1982. Mr. ROUNDS (for himself and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PRESERVATION OF AFFORDABLE HOUSING RESOURCES.

(a) FACILITATING PREPAYMENT OF INDEBTEDNESS FOR CERTAIN PROPERTIES.—In fiscal year 2024, the Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') may waive or specify alternative requirements for any provision of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) (as in effect before the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et seq.)) and section 811 of the American Homeownership and Economic Opportunity Act of 2010 (12 U.S.C. 1701q note; Public Law 106–569), except for requirements relating to fair housing, nondiscrimination, labor standards, and the environment, in order to facilitate prepayment of any indebtedness relating to any remaining principal

and interest under a loan made under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) (as in effect before the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et seq.)) for a property that consists of not more than 15 units, is located in a municipality with a population of not more than 15,000 individuals, is within 5 years of maturity, is no longer effectively serving a need in the community, is functionally obsolescent, and for which the Secretary has determined that the property prepayment is part of a transaction, including a transaction involving transfer or replacement contracts described in subsection (b), that will provide rental housing assistance for the elderly or persons with disabilities on terms of at least equal duration and at least as advantageous to existing and future tenants as the terms required by current loan agreements entered into under any provisions of law.

(b) TRANSFER OR REPLACEMENT OF CONTRACT.—

(1) IN GENERAL.—Notwithstanding any contrary provision of law, in order to preserve affordable housing resources, upon a prepayment of a loan described in subsection (a), the Secretary may transfer or replace the contract for assistance at such prepaid property with a project-based subsidy contract under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to 1 or more multifamily housing projects located in the same State as the prepaid property, for the benefit of the elderly or persons with disabilities who are eligible to receive housing assistance under such section 8, to assist the same number of units at the receiving multifamily housing project or projects.

(2) USE OF PROJECT-BASED RENTAL ASSISTANCE AMOUNTS.—The Secretary may fund a transferred or replaced contract described in paragraph (1) from amounts available to the Secretary under the heading ''Project-Based Rental Assistance''.

SA 1983. Mr. HAWLEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 428, strike line 13 and all that follows through page 429, line 9, and insert the following:

''(a) IN GENERAL.—In the case of a passenger that holds a nonrefundable ticket on a scheduled flight to, from, or within the United States, an air carrier or a foreign air carrier shall automatically provide a full refund, including any taxes and ancillary fees, for the fare such carrier collected for any cancelled flight or significantly delayed or changed flight where the passenger chooses not to—

''(1) fly on the significantly delayed or changed flight or accept rebooking on an alternative flight; or

''(2) accept any voucher, credit, or other form of compensation offered by the air carrier or foreign air carrier pursuant to subsection (c).

''(b) TIMING OF REFUND.—Any refund required under subsection (a) shall be issued by the air carrier or foreign air carrier—

''(1) in the case of a ticket purchased with a credit card, not later than 7 business days after the earlier of—

''(A) the date on which the passenger chooses not to accept the significantly delayed or changed flight, rebooking on an alternative flight, or a voucher, credit, or other form of compensation; or

''(B) the date on which the cancelled flight or significantly delayed or changed flight departs; or

''(2) in the case of a ticket purchased with cash or another form of payment, not later than 20 days after the earlier of—

''(A) the date on which the passenger chooses not to accept the significantly delayed or changed flight, rebooking on an alternative flight, or a voucher, credit, or other form of compensation; or

''(B) the date on which the cancelled flight or significantly delayed or changed flight departs.

SA 1984. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 937. EXPANDING USE OF INNOVATIVE TECHNOLOGIES IN THE GULF OF MEXICO.

(a) IN GENERAL.—The Administrator shall prioritize the authorization of an eligible UAS test range sponsor partnering with an eligible airport authority to achieve the goals specified in subsection (b).

(b) GOALS.—The goals of a partnership authorized pursuant to subsection (a) shall be to test the operations of innovative technologies in both commercial and non-commercial applications to—

(1) identify challenges associated with aviation operations over large bodies of water;

(2) provide transportation of cargo and passengers to offshore energy infrastructure;

(3) assess the impacts of operations in saltwater environments;

(4) identify the challenges of integrating such technologies in complex airspace, including with commercial rotorcraft; and

(5) identify the differences between coordinating with Federal air traffic control towers and towers operated under the FAA Contract Tower Program.

(c) BRIEFING TO CONGRESS.—The Administrator shall provide an annual briefing to the appropriate committees of Congress on the status of the partnership authorized under this section, including detailing any barriers to the commercialization of innovative technologies in the Gulf of Mexico.

(d) DEFINITIONS.—In this section:

(1) ELIGIBLE AIRPORT AUTHORITY.—The term ''eligible airport authority'' means an AIP-eligible airport authority that is—

(A) located in a state bordering the Gulf of Mexico which does not already contain a UAS Test Range;

(B) has an air traffic control tower operated under the FAA Contract Tower Program;

(C) is located within 60 miles of a port; and

(D) does not have any scheduled passenger airline service as of the date of the enactment of this Act.

(2) INNOVATIVE TECHNOLOGIES.—The term ''innovative technologies'' means unmanned aircraft systems and powered-lift aircraft.

(3) UAS.—The term ''UAS'' means an unmanned aircraft system.

SA 1985. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. STUDY ON IMPROVEMENTS FOR CERTAIN NONHUB AIRPORTS.

(a) IN GENERAL.—The Secretary, in coordination with the Administrator, shall conduct a study on methods to improve existing Federal programs and resources, as well as explore new Federal programs and resources, to help nonhub airports that are not essential air service communities to secure and retain—

(1) sufficient flight service; and

(2) flight schedules that reflect local demand and need.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Administrator, shall submit to Congress a report on the results of the study conducted under subsection (a), together with recommendations for such legislative or administrative action as the Secretary, in coordination with the Administrator, determines appropriate.

SA 1986. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XIV—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2024

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2024''.

SEC. 1402. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and

action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the responsibilities under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 1403. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2025 through 2031''.

SEC. 1404. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including college housing assistance,'' after ''self-sufficiency and other services,''.

SEC. 1405. CLARIFICATION OF APPLICATION OF RENT RULE TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 1406. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$7,000''.

SEC. 1407. TOTAL DEVELOPMENT COST MAXIMUM COST.

Section 203 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133) is amended by adding at the end the following:

''(h) TOTAL DEVELOPMENT COST MAXIMUM COST.—Affordable housing that is developed, acquired, or assisted under the block grant program established under section 101 shall not exceed by more than 20 percent, without prior approval of the Secretary, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.''.

SEC. 1408. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

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

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 1409. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 1410. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 1411. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

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

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 1412. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 1413. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 1414. AMENDMENTS FOR BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

Section 802(e) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4222(e)) is amended—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of State law requiring competitive procurement, the Director may make subawards to subrecipients, except for for-profit entities, using amounts provided under this title to carry out affordable housing activities upon a determination by the Director that such subrecipients have adequate capacity to carry out activities in accordance with this Act.''.

SEC. 1415. REAUTHORIZATION OF HOUSING ASSISTANCE FOR NATIVE HAWAIIANS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2025 through 2031.''.

SEC. 1416. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS AND SPECIAL ACTIVITIES BY INDIAN TRIBES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES, TRIBALLY DESIGNATED HOUSING ENTITIES, AND TRIBAL ORGANIZATIONS AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITIONS.—In this subsection:

''(A) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(B) TRIBALLY DESIGNATED HOUSING ENTITY.—The term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).

''(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An Indian tribe receiving a grant under paragraph (1) of section 106(a) shall be authorized to directly carry out activities described in paragraph (15) of such section 106(a).''.

SEC. 1417. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) AUTHORITY.—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies, and to expand homeownership opportunities to Indian families, tribally designated housing entities, Indian housing authorities, and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, tribally designated housing entity, Indian housing authority, or Indian tribe on trust land and fee simple land.'';

(2) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(iii) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(iv) by adding at the end the following:

''(B) DIRECT GUARANTEE ENDORSEMENT PROCESS AND INDEMNIFICATION.—

''(i) AUTHORIZATION.—The Secretary may, dependent on the available systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a loan guaranteed under this section was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss or potential loss, irrespective of whether the violation caused or will cause the loan default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a loan guaranteed under this section, the Secretary may require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of whether there was a payment made by the Secretary under the guarantee.

''(III) IMPLEMENTATION.—The Secretary may implement any requirement described in this subparagraph by regulation, notice or Dear Lender Letter.

''(C) REVIEW OF LENDERS.—

''(i) IN GENERAL.—The Secretary may periodically review the lenders originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the lender with other lenders originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed loans originated, underwritten, or serviced by that lender;

''(II) may compare the lender with such other lenders based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(III) shall implement the comparisons described in subclauses (I) and (II) by regulation, notice, or Dear Lender Letter; and

''(IV) may terminate the approval of a lender to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the lender present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the lender engaged in fraud or misrepresentation.''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Before'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), before''; and

(ii) by adding at the end the following:

''(B) EXCEPTION.—Subparagraph (A) shall not apply when the Secretary exercises its discretion to delegate direct guarantee endorsement authority to eligible lenders under subsection (b)(4)(B)(i).'';

(B) in paragraph (2)—

(i) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary''; and

(ii) by adding at the end the following:

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority to eligible lenders under subsection (b)(4)(B)(i)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements established by the Secretary.''; and

(C) in paragraph (3), by inserting '', or where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' in each place that term appears; and

(4) in subsection (l)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (7) the following:

''(8) The term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2025 through 2031.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2025 through 2031''.

SEC. 1418. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting '', and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii'' after ''markets'';

(2) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) in subparagraph (B)—

(I) by redesignating clause (iv) as clause (v); and

(II) by adding after clause (iii) the following:

''(iv) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(ii) by adding at the end the following:

''(C) DIRECT GUARANTEE ENDORSEMENT AND INDEMNIFICATION.—

''(i) IN GENERAL.—If the Secretary determines that a loan guaranteed under this section was not originated in accordance with

the requirements established by the Secretary, the Secretary may require the lender approved under this paragraph to indemnify the Secretary for the loss or potential loss, irrespective of whether the violation caused or will cause the loan default.

''(ii) DIRECT GUARANTEE ENDORSEMENT.—The Secretary may, dependent on the availability of systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(iii) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in the direct guarantee endorsement process by a lender under this section, the Secretary shall require the approved direct guarantee endorsement lender to indemnify the Secretary for any loss or potential loss, regardless of whether the fraud or misrepresentation caused or may cause the loan default.

''(iv) IMPLEMENTATION.—The Secretary may implement any requirements described in this subparagraph by regulation, notice, or Dear Lender Letter.

''(v) REVIEW OF LENDERS.—

''(I) IN GENERAL.—The Secretary may periodically review the lenders originating, underwriting, or servicing single family mortgage loans under this section.

''(II) REQUIREMENTS.—In conducting a review under paragraph (1), the Secretary—

''(aa) shall compare the lender with other lenders originating or underwriting loan guarantees for Indian housing and Native Hawaiian housing based on the rates of defaults and claims for guaranteed loans originated, underwritten, or serviced by that lender; and

''(bb) may compare the lender with such other lenders based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary.'';

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''Before'' and inserting ''Except as provided in subsection (C), before'';

(ii) in subparagraph (B), by striking ''If'' and inserting ''Except as provided under subparagraph (C), before''; and

(iii) by adding at the end the following:

''(C) EXCEPTION.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii), subparagraphs (A) and (B) of this paragraph shall not apply.'';

(B) by amending paragraph (2) to read as follows:

''(2) STANDARD FOR APPROVAL.—

''(A) APPROVAL.—Except as provided in subparagraph (B), the Secretary may approve a loan for guarantee under this section and issue a certificate under this subsection only if the Secretary determines that there is a reasonable prospect of repayment of the loan.

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements prescribed by the Secretary.''; and

(C) in paragraph (3)(A), by inserting ''or, where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' and

(4) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2025 through 2031.''.

SEC. 1419. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may, in consultation with the Bureau of Indian Affairs and relevant Tribal law enforcement agencies, make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing communities funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents;

(8) sports programs and sports activities that serve primarily youths from housing communities funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those communities; and

(9) other programs for youth in school settings that address drug prevention and positive alternatives for youth, including education and activities related to science, technology, engineering, and math.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall publish on the website of the Department a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian

Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, as specified in the program requirements published in a notice by the Secretary, which may include—

(A) the use of on-site monitoring, independent public audit requirements, certification by Tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2);

(B) entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section; and

(C) adopting enforcement authority that is substantially similar to the authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2025 through 2031 to carry out this section.

SEC. 1420. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

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

''(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary may use up to 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(I) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(II) submit a report describing the results of the review under subclause (II) to—

''(aa) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(bb) the Subcommittee for Indian and Insular Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(xi) IMPACT ON FORMULA CURRENT ASSISTED STOCK.—For a given fiscal year's allocation formula of the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), the number of qualifying low-income housing dwelling units under section 302(b)(1) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4152(b)(1)) shall not be reduced due to the placement of an eligible Indian veteran assisted with amounts provided under the Program within such qualifying units.''.

SEC. 1421. CONTINUUM OF CARE.

Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

(1) in section 401 (42 U.S.C. 11360)—

(A) by redesignating paragraphs (32) through (35) as paragraphs (33) through (36) respectively; and

(B) by inserting after paragraph (31) the following:

''(32) TRIBALLY DESIGNATED HOUSING ENTITY.—The term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).'';

(2) in section 423(g) (42 U.S.C. 11383(g)), by inserting ''Indian tribe, tribally designated housing entity,'' after ''private nonprofit organization,''; and

(3) in section 435 (42 U.S.C. 11389)—

(A) by striking ''Notwithstanding'' and inserting ''(a) ELIGIBLE ENTITIES.—Notwithstanding'';

(B) in subsection (a), as so designated, by striking ''(as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103))''; and

(C) by adding at the end the following:

''(b) CIVIL RIGHTS EXEMPTIONS.—With respect to grants awarded to carry out eligible activities under this subtitle, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications or awards for projects to be carried out—

''(1) on or off reservation or trust lands for awards made to Indian Tribes or tribally designated housing entities; or

''(2) on reservation or trust lands for awards made to eligible entities.

''(c) CERTIFICATION.—Notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of this Act, with respect to applications for projects to be carried out on reservations or trust land using grants awarded under this subtitle—

''(1) the applications shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112); and

''(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land from such funds shall certify that they are following an approved housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112).

''(d) CONSOLIDATED PLAN EXEMPTION.—A collaborative applicant for a Continuum of Care whose geographic area includes only reservation or trust land is not required to meet the requirement described in section 402(f)(2).''.

SA 1987. Mr. MARKEY (for himself, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COMPENSATION FOR OTHER RELATED EXPENSES FOR CANCELLED AND SIGNIFICANTLY CHANGED FLIGHTS.

Section 42305 of title 49, United States Code, as added by section 503(a), is amended by striking subsections (a) and (b), and inserting the following:

''(a) IN GENERAL.—In the case of a passenger that holds a nonrefundable ticket on a scheduled flight to, from, or within the United States, an air carrier or a foreign air carrier shall provide a full refund, including any taxes and ancillary fees, for the fare such carrier collected for any cancelled flight or significantly delayed or changed flight where the passenger chooses not to—

''(1) fly on the significantly delayed or changed flight or accept rebooking on an alternative flight; or

''(2) accept any voucher, credit, or other form of compensation offered by the air carrier or foreign air carrier pursuant to subsection (c).

''(b) TIMING OF REFUND.—Any refund required under subsection (a) shall be issued by the air carrier or foreign air carrier—

''(1) in the case of a ticket purchased with a credit card, not later than 7 business days after the earlier of—

''(A) the date on which the passenger chooses not to accept the significantly delayed or changed flight, rebooking on an alternative flight, or a voucher, credit, or other form of compensation; or

''(B) the date on which the cancelled flight or significantly delayed or changed flight departs; or

''(2) in the case of a ticket purchased with cash or another form of payment, not later than 20 days after the earlier of—

''(A) the date on which the passenger chooses not to accept the significantly delayed or changed flight, rebooking on an alternative flight, or a voucher, credit, or other form of compensation; or

''(B) the date on which the cancelled flight or significantly delayed or changed flight departs.''.

SA 1988. Mr. WELCH (for himself and Mr. VANCE) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. APPROPRIATION FOR AFFORDABLE CONNECTIVITY PROGRAM.

Section 904(i)(2) of division N of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1752(i)(2)) is amended—

(1) by striking ''There is'' and inserting the following:

''(A) FISCAL YEAR 2021.—There is''; and

(2) by adding at the end the following:

''(B) FISCAL YEAR 2024.—There is appropriated to the Affordable Connectivity Fund, out of any money in the Treasury not otherwise appropriated, $7,000,000,000 for fiscal year 2024, to remain available until expended.''.

SA 1989. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS FOR CERTAIN RESIDENTS OF GAZA STRIP.

(a) ADMISSION OR PAROLE.—No funds authorized to be appropriated or otherwise made available by this Act may be used to facilitate the admission or parole into the United States of any alien who is known to have been a resident of the Gaza Strip during the 10-year period ending on the date of the enactment of this Act.

(b) MIGRANT HOUSING.—An alien known to have been a resident of the Gaza Strip during the 10-year period ending on the date of the enactment of this Act who has been a recipient of housing provided using Federal Aviation Administration funds shall be ineligible to receive any Federal funds authorized to be appropriated or otherwise made available under this Act.

SA 1990. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 772. UNIVERSAL CHANGING STATION.

(a) GRANT ASSURANCES.—Section 47107 of title 49, United States Code, as amended by section 743(b)(2), is further amended by adding at the end the following:

''(y) UNIVERSAL CHANGING STATION.—

''(1) IN GENERAL.—In fiscal year 2030 and each fiscal year thereafter, the Secretary of Transportation may approve an application under this subchapter for an airport development project grant only if the Secretary receives written assurances that the airport owner or operator will install or maintain (in compliance with the requirements of section 35.133 of title 28, Code of Federal Regulations), as applicable—

''(A) at least 1 private, single-use room with a universal changing station that—

''(i) meets the standards established under paragraph (2)(A); and

''(ii) is accessible to all individuals for purposes of use by an individual with a disability in each passenger terminal building of the airport; and

''(B) signage at or near the entrance to the changing station indicating the location of the changing station.

''(2) STANDARDS REQUIRED.—Not later than 2 years after the date of enactment of this subsection, the United States Access Board shall—

''(A) establish—

''(i) comprehensive accessible design standards for universal changing tables; and

''(ii) standards on the privacy, accessibility, and sanitation equipment of the room in which such table is located, required to be installed, or maintained under this subsection; and

''(B) in establishing the standards under subparagraph (A), consult with entities with appropriate expertise relating to the use of universal changing stations used by individuals with disabilities.

''(3) APPLICABILITY.—

''(A) AIRPORT SIZE.—The requirement in paragraph (1) shall only apply to applications submitted by the airport sponsor of a medium or large hub airport.

''(B) SPECIAL RULE.—The requirement in paragraph (1) shall not apply with respect to a project grant application for a period of time, determined by the Secretary, if the Secretary determines that construction or maintenance activities make it impracticable or unsafe for the universal changing station to be located in the sterile area of the building.

''(4) EXCEPTION.—Upon application by an airport sponsor, the Secretary may determine that a universal changing station in existence before the date of enactment of the FAA Reauthorization Act of 2024, complies with the requirements of paragraph (1) (including the standards established under paragraph (2)(A)), notwithstanding the absence of 1 or more of the standards or characteristics required under such paragraph.

''(5) DEFINITION.—In this section:

''(A) DISABILITY.—The term 'disability' has the meaning given that term in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

''(B) STERILE AREA.—The term 'sterile area' has the same meaning given that term in section 1540.5 of title 49, Code of Federal Regulations.

''(C) UNIVERSAL CHANGING STATION.—The term 'universal changing station' means a

universal or adult changing station that meets the standards established by the United States Access Board under paragraph (2)(A).

''(D) UNITED STATES ACCESS BOARD.—The term 'United States Access Board' means the Architectural and Transportation Barriers Compliance Board established under section 502(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 792(a)(1)).''.

(b) TERMINAL DEVELOPMENT COSTS.—Section 47119(a) of title 49, United States Code, is amended by adding at the end the following:

''(4) UNIVERSAL CHANGING STATIONS.—In addition to the projects described in paragraph (1), the Secretary may approve a project for terminal development for the construction or installation of a universal changing station (as defined in section 47107(y)) at a commercial service airport.''.

SA 1991. Ms. CORTEZ MASTO (for herself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—SUSPENSION OF DUTIES ON IMPORTS OF TITANIUM SPONGE

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Securing America's Titanium Manufacturing Act of 2024''.

SEC. ___02. TEMPORARY SUSPENSION OF DUTIES ON IMPORTS OF TITANIUM SPONGE.

(a) IN GENERAL.—During the period described in subsection (b), and except as provided by subsection (c), imports of titanium sponge classified under subheading 8108.20.00 of the Harmonized Tariff Schedule of the United States shall enter the United States free of duty.

(b) PERIOD DESCRIBED.—The period described in this subsection is the period—

(1) beginning on the date that is 30 days after the date of the enactment of this Act; and

(2) ending on the earlier of—

(A) December 31, 2031; or

(B) the date on which the President terminates, under section ___03(a)(3), the duty-free treatment of titanium sponge under subsection (a).

(c) EXCEPTION.—The rate of duty provided for in column 2 of subheading 8108.20.00 of the Harmonized Tariff Schedule of the United States on the day before the date of the enactment of this Act shall continue to apply with respect to imports of titanium sponge from Belarus, Cuba, North Korea, and the Russian Federation during the period described in subsection (b).

SEC. ___03. AUTHORITY TO TERMINATE DUTY-FREE TREATMENT BASED ON MONITORING OF TITANIUM SPONGE MARKET AND NATIONAL SECURITY CONDITIONS.

(a) AUTHORITY TO TERMINATE SUSPENSION OF DUTIES.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, and annually thereafter until the end of the period described in section ___02(b), the President shall determine whether the production of titanium sponge in the United States is sufficient to meet the national security needs of the United States.

(2) CONSULTATION PERIOD.—Before making a determination required by paragraph (1), the President shall provide for a period of 60 days during which stakeholders may submit comments relating to the determination.

(3) EFFECT OF POSITIVE DETERMINATION.—If the President determines under paragraph (1) that the production of titanium sponge in the United States is sufficient to meet the national security needs of the United States, the President shall terminate the duty-free treatment of titanium sponge under section ___02, effective on the date that is one year after the date of the determination.

(b) AUTHORITY TO MODIFY INCREASE DUTIES.—

(1) IN GENERAL.—The President may, notwithstanding section ___02(a) and upon consideration of the factors described in paragraph (2) and subject to paragraph (3), proclaim increases in the rate of duty applicable to titanium sponge classified under subheading 8108.20.00 of the Harmonized Tariff Schedule of the United States.

(2) CONSIDERATION OF CERTAIN MARKET AND SECURITY CONDITIONS.—In determining whether to proclaim increases in the rate of duty applicable to titanium sponge under paragraph (1), the President shall consider the following:

(A) Increases in imports of titanium sponge from countries specified in section 4872(d)(2) of title 10, United States Code.

(B) Increases or decreases in domestic production of titanium sponge.

(C) Increases or decreases in domestic production of titanium products downstream from titanium sponge.

(D) Trends in employment in titanium sponge and titanium product industries.

(E) The impact of titanium sponge market conditions on national security.

(3) MAXIMUM RATE OF DUTY.—The President may not increase the rate of duty applicable to titanium sponge under paragraph (1) to a rate that exceeds the bound rate set pursuant to the commitments of the United States as a member of the World Trade Organization.

SA 1992. Ms. CORTEZ MASTO (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. JIMMY DEAL TRAFFICKING SURVIVORS ASSISTANCE ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Jimmy Deal Trafficking Survivors Assistance Act of 2024''.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the Transportation Security Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(3) AIRPORT.—The term ''airport'' has the meaning given the term ''air carrier airport'' in section 47102 of title 49, United States Code.

(4) HUMAN TRAFFICKING.—The term ''human trafficking'' has the meaning given the term ''severe forms of trafficking in persons'' in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(5) RESPONSIBLE PARTY.—The term ''responsible party'' means an individual who is eligible under the policies of the relevant airline to pick up a minor at the destination airport.

(6) SERVICE PROVIDER.—The term ''service provider'' means a non-profit organization that provides services to individuals who are victims of human trafficking, including—

(A) emergency services, such as shelter, food, clothing, and transportation;

(B) case management or wrap-around services;

(C) mental health care or other medical services; and

(D) legal services.

(7) TSPoC.—The term ''TSPoC'' means a Trafficking Survivor Point of Contact designated under subsection (c).

(c) ESTABLISHMENT OF PROCESS TO ASSIST TRAFFICKING SURVIVORS WITH AIR TRAVEL.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall at each airport where the Administration conducts screening of passengers and property in accordance with section 44901 of title 49, United States Code—

(A) establish the position of Trafficking Survivor Point of Contact; and

(B) designate as TSPoC an individual who—

(i) is an employee of the Administration; and

(ii) holds the position of passenger support specialist within the Administration.

(2) DUTIES.—A TSPoC shall—

(A) liaise and establish relationships with service providers; and

(B) upon a request made via TSA Cares or direct contact by a service provider that is eligible to receive assistance under subsection (d), provide air travel assistance as described in subsection (d).

(3) TRAINING.—

(A) IN GENERAL.—Not later than 30 days after the designation of a TSPoC under paragraph (1), such TSPoC shall review training materials on human trafficking, trauma-informed approaches to working with survivors of sexual assault or violence, and post traumatic stress disorder made available by the Department of Homeland Security, including any such training materials made available on a website of the Department.

(B) PRIOR TRAINING.—The review of training materials required by subparagraph (A) shall be in addition to any prior training provided by the Administration.

(4) ONLINE INFORMATION.—Not later than 30 days after the designation of a TSPoC under paragraph (1), the airport at which such TSPoC is stationed shall publish on a publicly available website of the airport—

(A) the contact information of the TSPoC;

(B) information on the services provided by the TPSoC; and

(C) the processes for engaging such services, including information about TSA Cares.

(d) AIR TRAVEL ASSISTANCE FOR SURVIVORS OF HUMAN TRAFFICKING.—

(1) IDENTIFICATION ASSISTANCE.—At the request of any service provider that is eligible to receive assistance under this section and is arranging air travel for an individual who is a survivor of human trafficking who does not have the identification documents necessary for air travel, a TPSoC shall—

(A) provide to such service provider information regarding the process by which the Administration will attempt to verify the identity of such individual when the individual arrives at the screening checkpoint;

(B) assist the service provider or the individual with the submission of a formal request for travel assistance via TSA Cares; and

(C) act as a liaison between the National Vetting Center, other personnel of the Administration involved in the vetting process, and the individual to ensure that the individual—

(i) understands the vetting process; and

(ii) is treated in a trauma-informed manner.

(2) ELIGIBLE NON-PROFIT SERVICE PROVIDERS.—A service provider shall be eligible to receive assistance under this section, if such service provider has provided to the TSPoC—

(A) not fewer than 30 days prior to submitting a request for assistance under this section, information with respect to such service provider, including—

(i) the name of the service provider;

(ii) the physical address of the main office or principal place of business of the service provider;

(iii) the telephone number of the service provider;

(iv) the website, if available, of the service provider; and

(v) the employer identification number of the service provider; and

(B) confirmation that the service provider—

(i) is actively assisting an individual who the service provider, in the professional judgment of the service provider, has reasonably determined to be a survivor of human trafficking;

(ii) has assessed the travel needs of the individual;

(iii) has or will purchase an airline ticket for the individual, if necessary;

(iv) has arranged for a family member of the individual, a representative of a service provider, or another individual to meet the individual at the destination airport;

(v) with respect to any minor receiving assistance from such service provider, is aware of and will comply with all relevant airline policies regarding travel for unaccompanied minors, including by—

(I) paying any fees required by such airline; and

(II) ensuring that a responsible party greets the minor at the arrival gate of the destination airport; and

(vi) will assist the individual in providing to the National Vetting Service any available information or documentation necessary to verify the identify of the individual.

(3) TRAVEL PROCEDURES.—

(A) ARRANGEMENTS PRIOR TO DEPARTURE.—If the Administrator permits an individual who is a survivor of human trafficking to travel by air—

(i) the TSPoC shall contact the TSPoC at the destination of the individual to arrange for such individual to be greeted by the TSPoC, or a designee, at the destination airport; and

(ii) on the date of the departing flight of the individual, the TSPoC, or a designee, shall accompany the individual—

(I) through all security screenings at the airport; and

(II) at the request of the individual, to the departure gate of the flight.

(B) ARRIVAL AT DESTINATION AIRPORT.—Upon the arrival at the destination airport of an individual whose travel was arranged under subparagraph (A), the TSPoC, or a designee, at such airport shall meet the individual at the arrival gate and accompany the individual to a representative from a service provider in the receiving community, a family member of the individual, or such other individual designated by the applicable service provider.

SA 1993. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLEANER COMMUTES AROUND AIRPORTS.

(a) JOINT OFFICE OF ENERGY AND TRANSPORTATION.—The Joint Office of Energy and Transportation shall, in carrying out the duties of the office, include consideration of increased adoption of electric vehicles at and around airports and consideration of ways to support travel and tourism sectors, including by—

(1) emphasizing to States and other recipients of funding under the National Electric Vehicle Formula Program described in paragraph (2) of the matter under the heading ''highway infrastructure program'' under the heading ''Federal Highway Administration'' under the heading ''Department of Transportation'' in title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 1421) (commonly known as the ''National Electric Vehicle Infrastructure Formula Program'') to consider—

(A) electrification strategies for increased adoption of electric vehicles and charging infrastructure at and around airports; and

(B) supporting travel and tourism sectors, including rental cars, taxis, rideshares, and other similar shuttle services to expand the adoption of electric vehicles; and

(2) emphasizing the importance of driver education on where and how to charge and electric vehicle when traveling within the State or locality.

(b) GRANTS FOR CHARGING AND FUELING INFRASTRUCTURE.—Section 151(f) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(2) by inserting after paragraph (8) the following:

''(9) AIRPORT ELECTRIFICATION SET-ASIDE.—Of the amounts made available for each fiscal year to carry out this subsection, the Secretary shall use an amount equal to 10 percent to provide grants under this subsection for projects eligible under this subsection—

''(A) for charging infrastructure that helps increase adoption and mobility of electric vehicles at and around airports; or

''(B) that support travel and tourism sectors.''.

(c) ELECTRIC VEHICLE WORKING GROUP.—Section 25006 of the Infrastructure Investment and Jobs Act (23 U.S.C. 151 note; Public Law 117–58) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)(ii)—

(i) in the matter preceding subclause (I), by striking ''25'' and inserting ''26''; and

(ii) in subclause (II), by striking ''19'' and inserting ''20''; and

(B) in subparagraph (C)(i)(I)—

(i) in item (rr), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(tt) the travel and tourism sector, with priority given to the airport and rental car sectors; and''; and

(2) in subsection (c)(1)(A)(ix), by inserting '', including the electrification of transportation associated with airports and the ability of travelers to use electric vehicles, including rental cars, taxis, rideshares, and other similar shuttle services'' after ''travel''.

SA 1994. Ms. CORTEZ MASTO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 11___. AIRPORT HUMAN TRAFFICKING PREVENTION GRANTS.

(a) IN GENERAL.—The Secretary shall establish within the Office of the Secretary a grant program to provide grants to airports described in subsection (b)(1) to address human trafficking awareness, education, and prevention efforts, including by—

(1) coordinating human trafficking prevention efforts across multimodal transportation operations within a community; and

(2) accomplishing the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking.

(b) DISTRIBUTION.—

(1) IN GENERAL.—The Secretary shall distribute amounts made available for grants under this section to—

(A) the 75 airports in the United States with the highest number of passenger enplanements annually, based on the most recent data available; and

(B) as the Secretary determines to be appropriate, an airport not described in subparagraph (A) that serves an area with a high prevalence of human trafficking, on application of the airport.

(2) PRIORITY; CONSIDERATIONS.—In distributing amounts made available for grants under this section, the Secretary shall—

(A) give priority in grant amounts to airports referred to in paragraph (1) that serve regions with a higher prevalence of human trafficking; and

(B) take into consideration the effect the amounts would have on surrounding areas.

(3) CONSULTATION.—In distributing amounts made available for grants under this section, the Secretary shall consult with the Department of Transportation Advisory Committee on Human Trafficking in determining the amounts to be distributed to each grant recipient to ensure the best use of the funds.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of the Secretary to carry out this section $10,000,000 for each of fiscal years 2025 through 2028.

SA 1995. Mrs. GILLIBRAND (for herself, Mr. CRUZ, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49,

United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) IN GENERAL.—The President shall—

(1) pursuant to the Act of August 1, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) AIRPORTS DESCRIBED.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47102 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, including a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) through such association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82–37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 86–14 (51 Fed. Reg. 4559) and 87–65 (52 Fed. Reg. 16328); or

(B) any successor guidance or regulation.

SA 1996. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1911 submitted by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN) and intended to be proposed to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.

An alien who is holder of a passport issued by the Palestinian Authority—

(1) is inadmissible to the United States;

(2) is ineligible to receive a visa or other documentation to enter the United States; and

(3) is otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SA 1997. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—FISCAL STABILITY ACT OF 2024

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Fiscal Stability Act of 2024''.

SEC. 2002. DEFINITIONS.

In this division:

(1) CO-CHAIR.—The term ''co-chair'' means an individual appointed to serve as a co-chair of the Fiscal Commission under section 2003(a)(2)(C).

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(3) DISCRETIONARY APPROPRIATIONS.—The term ''discretionary appropriations'' has the meaning given that term in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(4) FISCAL COMMISSION.—The term ''Fiscal Commission'' means the commission established under section 2003(a)(1).

(5) IMPLEMENTING BILL.—The term ''implementing bill'' means a bill consisting solely of the text of the implementing bill that the Fiscal Commission approves and submits under subparagraphs (A) and (D), respectively, of section 2003(c)(2).

(6) OUTSIDE EXPERT.—The term ''outside expert'' means an individual who is not an elected official or an officer or employee of the Federal Government or of any State.

SEC. 2003. ESTABLISHMENT OF FISCAL COMMISSION.

(a) ESTABLISHMENT OF FISCAL COMMISSION.—

(1) ESTABLISHMENT.—There is established in the legislative branch a Fiscal Commission.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Fiscal Commission shall be composed of 16 members appointed in accordance with subparagraph (B) and with due consideration to chairs and ranking members of the committees and subcommittees of subject matter jurisdiction, if applicable.

(B) APPOINTMENT.—Not later than 14 days after the date of enactment of this Act—

(i) the majority leader of the Senate shall appoint 3 individuals from among the Members of the Senate, and 1 outside expert, who shall serve as members of the Fiscal Commission;

(ii) the minority leader of the Senate shall appoint 3 individuals from among the Members of the Senate, and 1 outside expert who shall serve as members of the Fiscal Commission;

(iii) the Speaker of the House of Representatives shall appoint 3 individuals from among the Members of the House of Representatives, and 1 outside expert, who shall serve as members of the Fiscal Commission; and

(iv) the minority leader of the House of Representatives shall appoint 3 individuals from among the Members of the House of Representatives, and 1 outside expert, who shall serve as members of the Fiscal Commission.

(C) CO-CHAIRS.—Not later than 14 days after the date of enactment of this Act—

(i) the leadership of the Senate and House of Representatives who caucus with the same political party as the President shall appoint 1 individual from among the members of the Fiscal Commission who shall serve as a co-chair of the Fiscal Commission; and

(ii) the leadership of the Senate and House of Representatives who caucus with the opposite political party as the President, shall appoint 1 individual from among the members of the Fiscal Commission who shall serve as a co-chair of the Fiscal Commission.

(D) PERIOD OF APPOINTMENT.—

(i) IN GENERAL.—The members of the Fiscal Commission shall be appointed for the life of the Fiscal Commission.

(ii) VACANCY.—

(I) IN GENERAL.—Any vacancy in the Fiscal Commission shall not affect the powers of the Fiscal Commission, but shall be filled not later than 14 days after the date on which the vacancy occurs, in the same manner as the original appointment was made.

(II) INELIGIBLE MEMBERS.—If a member of the Fiscal Commission who was appointed as a Member of the Senate or the House Representatives ceases to be a Member of the Senate or the House of Representatives, as applicable—

(aa) the member shall no longer be a member of the Fiscal Commission; and

(bb) a vacancy in the Fiscal Commission exists.

(E) MEMBER PERSONNEL ISSUES.—

(i) OUTSIDE EXPERT.—Any outside expert appointed as a member of the Fiscal Commission—

(I) shall not be considered to be a Federal employee for any purpose by reason of service on the Fiscal Commission;

(II) shall serve without compensation; and

(III) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Fiscal Commission.

(ii) MEMBERS OF CONGRESS.—Each member of the Fiscal Commission who is a Member of the Senate or the House of Representatives shall serve without compensation in addition to the compensation received for the services of the member as a Member of the Senate or the House of Representatives.

(3) ADMINISTRATION.—

(A) IN GENERAL.—To enable the Fiscal Commission to exercise the powers, functions, and duties of the Fiscal Commission, there are authorized to be disbursed by the Senate the actual and necessary expenses of the Fiscal Commission approved by the staff director of the Fiscal Commission, subject to the rules and regulations of the Senate.

(B) QUORUM.—A majority of the members of the Fiscal Commission who are Members of the Senate or the House of Representatives, not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the same political party as the President and not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the opposite political party as the President, shall constitute a quorum.

(C) VOTING.—

(i) IN GENERAL.—Only members of the Fiscal Commission who are Members of the Senate or the House of Representatives may vote on any matter. An outside expert serving as a member of the Fiscal Commission shall be a nonvoting member.

(ii) PROXY VOTING.—No proxy voting shall be allowed on behalf of any member of the Fiscal Commission on any matter.

(iii) CONGRESSIONAL BUDGET OFFICE ESTIMATES.—

(I) IN GENERAL.—The Director of the Congressional Budget Office shall, with respect to the implementing bill of the Fiscal Commission described in subsection (c)(2)(A)(i)(II), provide to the Fiscal Commission—

(aa) estimates of the implementing bill in accordance with sections 308(a) and 201(f) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a), 601(f)); and

(bb) information on the budgetary effect of the implementing bill on the long-term fiscal outlook.

(II) LIMITATION.—The Fiscal Commission may not vote on any version of the report,

recommendations, or implementing bill of the Fiscal Commission under subsection (c)(2)(A) unless the estimates and information described in subclause (I) of this clause are made available for consideration by all members of the Fiscal Commission not later than 48 hours before that vote, as certified by the co-chairs of the Fiscal Commission.

(D) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 days after the date of enactment of this Act, the Fiscal Commission shall hold the first meeting of the Fiscal Commission.

(ii) AGENDA.—The co-chairs of the Fiscal Commission shall provide an agenda to the members of the Fiscal Commission not later than 48 hours before each meeting of the Fiscal Commission.

(E) HEARINGS.—

(i) IN GENERAL.—The Fiscal Commission may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the Fiscal Commission considers advisable.

(ii) HEARING PROCEDURES AND RESPONSIBILITIES OF CO-CHAIRS.—

(I) ANNOUNCEMENT.—The co-chairs of the Fiscal Commission shall make a public announcement of the date, place, time, and subject matter of any hearing to be conducted under this subparagraph not later than 7 days before the date of the hearing, unless the co-chairs determine that there is good cause to begin such hearing on an earlier date.

(II) WRITTEN STATEMENT.—A witness appearing before the Fiscal Commission shall file a written statement of the proposed testimony of the witness not later than 2 days before the date of the appearance of the witness, unless the co-chairs of the Fiscal Commission—

(aa) determine that there is good cause for the witness to not file the written statement; and

(bb) waive the requirement that the witness file the written statement.

(F) TECHNICAL ASSISTANCE.—Upon written request of the co-chairs of the Fiscal Commission, the head of a Federal agency shall provide technical assistance to the Fiscal Commission in order for the Fiscal Commission to carry out the duties of the Fiscal Commission.

(b) STAFF OF FISCAL COMMISSION.—

(1) IN GENERAL.—In accordance with the guidelines, rules, and requirements relating to employees of the Senate—

(A) the co-chairs of the Fiscal Commission may jointly appoint and fix the compensation of a staff director for the Fiscal Commission; and

(B) the staff director may appoint and fix the compensation of additional staff of the Fiscal Commission.

(2) DETAIL OF OTHER CONGRESSIONAL STAFF.—With the approval of the Member of Congress employing an employee of a personal office of a Member of Congress or a committee of the Senate or the House of Representatives, such an employee may be detailed to the Fiscal Commission on a reimbursable basis.

(3) ETHICAL STANDARDS.—

(A) SENATE.—Members of the Fiscal Commission appointed by Members of the Senate and the staff of the Fiscal Commission shall adhere to the ethics rules of the Senate.

(B) HOUSE OF REPRESENTATIVES.—Members of the Fiscal Commission appointed by Members of the House of Representatives shall be governed by the ethics rules and requirements of the House of Representatives.

(c) DUTIES.—

(1) IMPROVE FISCAL CONDITION.—

(A) IN GENERAL.—The Fiscal Commission shall identify policies to—

(i) meaningfully improve the long-term fiscal condition of the Federal Government;

(ii) achieve a sustainable ratio of the public debt of the Federal Government to the gross domestic product of the United States, which shall be not more than 100 percent, by fiscal year 2039; and

(iii) improve the solvency of Federal programs for which a Federal trust fund exists for a period of at least 75 years.

(B) REQUIREMENTS.—In carrying out subparagraph (A), the Fiscal Commission shall propose recommendations that meaningfully improve the long-term fiscal condition of the Federal Government, including—

(i) changes to address the current levels of discretionary appropriations, direct spending, and revenues and the gap between current revenues and expenditures of the Federal Government; and

(ii) changes to address the growth of discretionary appropriations, direct spending, and revenues and the gap between the projected revenues and expenditures of the Federal Government.

(C) RECOMMENDATIONS OF COMMITTEES.—Not later than 60 days after the date of enactment of this Act, each committee of the Senate and the House of Representatives may transmit to the Fiscal Commission any recommendations of the committee relating to changes in law to achieve the changes described in subparagraph (B).

(2) REPORT, RECOMMENDATIONS, AND IMPLEMENTING BILL.—

(A) CONSIDERATION AND VOTE.—

(i) IN GENERAL.—Not later than May 1, 2025, the Fiscal Commission shall meet to consider, and vote on—

(I) a report that contains—

(aa) a detailed statement of the policies identified by, and the findings, conclusions, and recommendations of, the Fiscal Commission under paragraph (1);

(bb) the estimate of the Congressional Budget Office required under subsection (a)(3)(C)(iii)(I); and

(cc) a statement of the economic and budgetary effects of the implementing bill described in subclause (II); and

(II) an implementing bill to carry out the recommendations of the Fiscal Commission described in subclause (I)(aa).

(ii) APPROVAL OF REPORT AND IMPLEMENTING BILL.—A report and implementing bill of the Fiscal Commission shall only be approved under clause (i) upon an affirmative vote of a majority of the members of the Fiscal Commission who are Members of the Senate or the House of Representatives, not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the same political party as the President and not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the opposite political party as the President.

(iii) SINGLE REPORT AND IMPLEMENTING BILL.—It shall not be in order for the Fiscal Commission to consider or submit to Congress more than 1 report described in clause (i)(I) or more than 1 implementing bill described in clause (i)(II).

(B) ADDITIONAL VIEWS.—

(i) IN GENERAL.—A member of the Fiscal Commission who gives notice of an intention to file supplemental, minority, or additional views at the time of the final Fiscal Commission vote on the approval of the report and implementing bill of the Fiscal Commission under subparagraph (A) shall be entitled to 3 days to file those views in writing with the staff director of the Fiscal Commission.

(ii) INCLUSION IN REPORT.—Views filed under clause (i) shall be included in the report of the Fiscal Commission under subparagraph (A) and printed in the same volume, or part thereof, and such inclusion shall be noted on the cover of the report, except that, in the absence of timely notice, the report may be printed and transmitted immediately without such views.

(C) REPORT AND IMPLEMENTING BILL TO BE MADE PUBLIC.—Upon the approval or disapproval of a report and implementing bill under subparagraph (A) by the Fiscal Commission, the Fiscal Commission shall promptly, and not more than 24 hours after the approval or disapproval or, if timely notice is given under subparagraph (B), not more than 24 hours after additional views are filed under such subparagraph, make the report, the implementing bill, and a record of the vote on the report and implementing bill available to the public.

(D) SUBMISSION OF REPORT AND IMPLEMENTING BILL.—If a report and implementing bill are approved by the Fiscal Commission under subparagraph (A), not later than 3 days after the date on which the report and implementing bill are made available to the public under subparagraph (C), the Fiscal Commission shall submit the report and implementing bill to the President, the Vice President, the Speaker of the House of Representatives, and the majority and minority leaders of each House of Congress. The report shall be referred to all committees of jurisdiction in the respective Houses.

(d) TERMINATION.—The Fiscal Commission shall terminate on the earlier of—

(1) the date that is 30 days after the date the Fiscal Commission submits the report and implementing bill under subsection (c)(2)(D); or

(2) December 31, 2025.

SEC. 2004. EXPEDITED CONSIDERATION OF FISCAL COMMISSION IMPLEMENTING BILLS.

(a) QUALIFYING LEGISLATION.—

(1) IN GENERAL.—Only an implementing bill shall be entitled to expedited consideration under this section.

(2) SINGLE BILL.—Except as provided in subsections (d) and (f), it shall not be in order in the Senate or the House of Representatives to consider more than 1 implementing bill.

(b) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) INTRODUCTION.—If the Fiscal Commission approves and submits an implementing bill under subparagraphs (A) and (D), respectively, of section 2003(c)(2), the implementing bill may be introduced in the House of Representatives (by request)—

(A) by the majority leader of the House of Representatives, or by a Member of the House of Representatives designated by the majority leader of the House of Representatives, on the third legislative day after the date the Fiscal Commission approves and submits such implementing bill; or

(B) if the implementing bill is not introduced under subparagraph (A), by any Member of the House of Representatives on any legislative day beginning on the legislative day after the legislative day described in subparagraph (A).

(2) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an implementing bill is referred shall report the implementing bill to the House of Representatives without amendment not later than 5 legislative days after the date on which the implementing bill was so referred. If any committee of the House of Representatives to which an implementing bill is referred fails to report the implementing bill within that period, that committee shall be automatically discharged from consideration

of the implementing bill, and the implementing bill shall be placed on the appropriate calendar.

(3) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider an implementing bill reports it to the House of Representatives or has been discharged from its consideration, it shall be in order to move to proceed to consider the implementing bill in the House of Representatives. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed with respect to the implementing bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

(4) CONSIDERATION.—The implementing bill shall be considered as read. All points of order against the implementing bill and against its consideration are waived. An amendment to the implementing bill is not in order. The previous question shall be considered as ordered on the implementing bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent.

(5) VOTE ON PASSAGE.—The vote on passage of the implementing bill shall occur pursuant to the constraints under clause 8 of rule XX of the Rules of the House of Representatives.

(c) EXPEDITED PROCEDURE IN THE SENATE.—

(1) INTRODUCTION IN THE SENATE.—On the day on which an implementing bill is submitted to the Senate under section 2003(c)(2)(D), the implementing bill shall be introduced, by request, by the majority leader of the Senate for himself or herself and the minority leader of the Senate, or by any Member so designated by them. If the Senate is not in session on the day on which such implementing bill is submitted, it shall be introduced as provided on the first day thereafter on which the Senate is in session. Such implementing bill shall be placed on the Calendar of Business under General Orders.

(2) PROCEEDING.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order at any time, not later than 2 days of session after the date on which an implementing bill is placed on the Calendar, for the majority leader of the Senate or the designee of the majority leader to move to proceed to the consideration of the implementing bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the implementing bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the implementing bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the implementing bill is agreed to, it shall remain the unfinished business until disposed of. All points of order against the implementing bill and against its consideration are waived.

(3) NO AMENDMENTS.—An amendment to the implementing bill, a motion to postpone, a motion to proceed to the consideration of other business, or a motion to commit the implementing bill is not in order.

(4) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to an implementing bill shall be decided without debate.

(d) CONSIDERATION BY THE OTHER HOUSE.—

(1) IN GENERAL.—If, before passing an implementing bill, one House receives from the other House an implementing bill consisting solely of the text of the implementing bill approved by the Fiscal Commission—

(A) the implementing bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no implementing bill had been received from the other House until the vote on passage, when the implementing bill received from the other House shall supplant the implementing bill of the receiving House.

(2) REVENUE MEASURES.—This subsection shall not apply to the House of Representatives if an implementing bill received from the Senate is a revenue measure.

(3) NO IMPLEMENTING BILL IN THE SENATE.—If an implementing bill is not introduced in the Senate or the Senate fails to consider an implementing bill under this section, the implementing bill of the House of Representatives shall be entitled to expedited floor procedures under this section.

(4) NO IMPLEMENTING BILL IN THE HOUSE.—If an implementing bill is not introduced in the House of Representatives or the House of Representatives fails to consider an implementing bill under this section, the implementing bill of the Senate shall be entitled to expedited floor procedures under this section.

(5) TREATMENT OF COMPANION MEASURE IN THE SENATE.—If, following passage of an implementing bill in the Senate, the Senate then receives from the House of Representatives an implementing bill consisting of the same text as the Senate-passed implementing bill, the House-passed implementing bill shall not be debatable. The implementing bill shall be considered read a third time and the vote on passage of the implementing bill in the Senate shall be considered to be the vote on passage of the implementing bill received from the House of Representatives.

(e) VETOES.—If the President vetoes an implementing bill, consideration of a veto message in the Senate shall be 10 hours equally divided between the majority and minority leaders of the Senate or the designees of the majority and minority leaders of the Senate.

(f) CONSTRUCTIVE RESUBMISSION.—

(1) IN GENERAL.—In addition to the expedited procedures otherwise provided under this section, in the case of any implementing bill submitted under section 2003(c)(2)(D) during the period beginning on the date occurring—

(A) in the case of the Senate, 30 session days; or

(B) in the case of the House of Representatives, 30 legislative days,

before the date the Congress adjourns a session of Congress and ending on the date on which the same or succeeding Congress first convenes its next session, the expedited procedures under this section shall apply to such implementing bill in the succeeding session of Congress.

(2) APPLICATION.—In applying this section for the purposes of constructive resubmission, an implementing bill described under paragraph (1) shall be treated as though such implementing bill were submitted by the Fiscal Commission on—

(A) in the case of the Senate, the 15th session day; or

(B) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes.

(3) LIMITATION.—The constructive resubmission under this subsection shall not apply if a vote with respect to the implementing bill was taken in either House in a preceding session of Congress.

SEC. 2005. FUNDING.

Funding for the Fiscal Commission shall be derived from the contingent fund of the Senate from the appropriations account ''Miscellaneous Items'', subject to the rules and regulations of the Senate.

SEC. 2006. RULEMAKING.

The provisions of section 2004 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and, as such, the provisions—

(A) shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and

(B) shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

SA 1998. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REAUTHORIZATION OF THE RADIATION EXPOSURE COMPENSATION ACT.

(a) IN GENERAL.—Section 3(d) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by striking the first sentence and inserting ''The Fund shall terminate on the date that is 2 years after the date of enactment of the RECA Extension Act of 2024.''.

(b) LIMITATION ON CLAIMS.—Section 8(a) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by striking ''the RECA Extension Act of 2022'' and inserting ''the RECA Extension Act of 2024''.

SA 1999. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON AVAILABILITY OF FUNDS.

None of the funds authorized to be appropriated by this Act may be authorized to be appropriated if air carriers, whether foreign or domestic, when operating within the United States, including in the air space of the United States, or airport security, within the United States or its territories, accept any of the following as a valid identification or authorization document, or permit the following to be used to obtain such identification or travel document, for an airline passenger seeking to board an aircraft:

(1) CBP One Mobile Application.

(2) Department of Homeland Security Form I-385, Notice to Report.

(3) Department of Homeland Security Form I-862, Notice to Appear.

SA 2000. Mr. MERKLEY (for himself, Mr. KENNEDY, and Mr. MARSHALL) submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EXPANSION OF FACIAL RECOGNITION TECHNOLOGY.

(a) IN GENERAL.—Section 44901 of title 49, United States Code, as amended by section 642, is further amended by adding at the end the following new subsection:

''(n) PROHIBITION ON EXPANSION OF FACIAL RECOGNITION TECHNOLOGY.—

''(1) DEFINITIONS.—In this subsection:

''(A) ADMINISTRATION.—The term 'Administration' means the Transportation Security Administration.

''(B) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Transportation Security Administration.

''(C) AIRPORT.—The term 'airport' has the meaning given such term in section 47102.

''(D) IDENTITY VERIFICATION.—The term 'identity verification' means the confirmation of the identity of a protected individual before admittance to the sterile area of the airport.

''(E) PARTNER PROGRAM.—The term 'partner program' means a program that a protected individual has opted-into that is—

''(i) a program of a State or territory of the United States that provides a digital identification or digital driver's license; or

''(ii) a program of an air carrier operated in partnership with a Trusted Traveler Program to enable flight check-in, airport security screening, or aircraft boarding.

''(F) PROTECTED INDIVIDUAL.—The term 'protected individual' means an individual who is not an employee or contractor of the Administration.

''(G) SCREENING LOCATION; STERILE AREA.—The terms 'screening location' and 'sterile area' have the meanings given those terms in section 1540.5 of title 49, Code of Federal Regulations.

''(H) TRUSTED TRAVELER PROGRAM.—The term 'Trusted Traveler Program' means an opt-in program that is—

''(i) Global Entry;

''(ii) the PreCheck Program;

''(iii) SENTRI; or

''(iv) NEXUS.

''(2) LIMITED EXPANSION; PRIVACY FOR PROTECTED INDIVIDUALS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B), (C), and (D), the Administrator may not, for any purpose, capture, collect, store, or otherwise process biometric information with respect to a protected individual.

''(B) LIMITATION ON EXPANSION.—The Administrator may not expand the use of facial recognition technology or facial matching software to, or implement facial recognition technology or facial matching software that requires comparison against a database of photos at, any airport in which such technology or software was not in use prior to the date of the enactment of this subsection.

''(C) USE OF TECHNOLOGY FOR VERIFICATION OF DOCUMENTS.—The Administrator may use technology to process, capture, scan and receive data from an identification document containing a photograph of an individual to access secure flight data, authenticate the pre-screening status of a protected individual, or verify the accuracy of the identification document.

''(D) USE AT AIRPORTS.—The Administrator may use facial recognition technology or facial matching software to perform identity verification—

''(i)(I) beginning on the date that is 30 days after the date of the enactment of this subsection, at any airport where facial recognition technology or facial matching software was in use prior to the date of enactment of this subsection; and

''(II) at any airport after May 30, 2027; and

''(ii) so long as, beginning on the date that is 30 days after the date of the enactment of this subsection and thereafter, the Administrator—

''(I) conducts identity verification without using facial recognition technology or facial matching software as the default form of identification;

''(II) provides each protected individual, at the request of the protected individual, with the option to choose between identity verification with or without facial recognition or facial matching software;

''(III) notifies each protected individual of such option via simple and clear signage, spoken announcements, or other accessible notifications;

''(IV) ensures equal ability for protected individuals to choose either identification option;

''(V) does not subject protected individuals who elect not to use facial recognition technology or facial matching software to discriminatory treatment, additional screening requirements, less favorable screening conditions, or other unfavorable treatment; and

''(VI) ensures that protected individuals enrolling in a Trusted Traveler Program are given clear and conspicuous notice of, and provide affirmative and express consent to, the storage, use, and sharing of their biometric information, including how such biometric information will be stored, used, shared, or otherwise processed.

''(E) NOTIFICATION GUIDELINES.—A notification posted or distributed in accordance with subparagraph (B)(ii)—

''(i) shall clearly state that participation in facial recognition screening is optional and describe the specific steps passengers should take to select either identification option; and

''(ii) may not encourage passengers to choose one option over the other for identity verification.

''(3) DATA MINIMIZATION OF PROTECTED INDIVIDUALS.—Beginning on the date that is 30 days after the date of the enactment of this subsection, in processing biometric information with respect to a protected individual, the Administrator may not, except as provided in paragraph (4)—

''(A) share outside of the Transportation Security Administration any biometric information collected through the use of facial recognition technology or facial matching software;

''(B) store biometric information for longer than is necessary to complete identity verification of an individual, and not more than 12 hours; or

''(C) compare the image of a protected individual against anything other than the photo identification document provided by the individual.

''(4) DATA MINIMIZATION FOR PARTNER PROGRAMS.—Beginning on the date that is 30 days after the date of the enactment of this subsection, in processing biometric information with respect to a protected individual who seeks identity verification under a Trusted Traveler Program or a partner program, the Administrator may not, except to the extent necessary to operate a Trusted Traveler Program or a partner program—

''(A) share outside of the Transportation Security Administration any biometric information collected through the use of facial recognition technology or facial matching software;

''(B) store biometric information for longer than is necessary to complete identity verification of an individual, and not more than 12 hours; or

''(C) compare the image of a protected individual against anything other than the photo identification document provided by the individual.

''(5) DISPOSAL OF FACIAL BIOMETRICS.—Not later than 90 days after the date of the enactment of this subsection, the Administrator shall dispose of any biometric information, including images and videos, collected, or stored by the Administration prior to such date of enactment that, if collected or stored on or after such date of enactment, would violate this subsection.

''(6) GAO REPORT ON USE OF FACIAL RECOGNITION TECHNOLOGY.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this subsection, and annually thereafter, the Comptroller General of the United States shall audit the use of facial recognition technology and facial matching software by the Administration, and submit to Congress a report that includes—

''(i) a recommendation on the circumstances, if any, in which the utilization of facial recognition technology or facial matching software is cost effective for the purposes of reducing the number of individuals who access sterile areas using illegitimate identification documents;

''(ii) a summary of the impact of the use of facial recognition technology on employment levels and experiences of transportation security officers of the Administration, airline employees, and airport employees;

''(iii) an assessment of the occurrence of false positive and false negative facial identification matches of individuals;

''(iv) a comparison of the number of false identification documents detected at airports using facial recognition technology or facial matching software at screening locations and the number of such documents detected at airports not using such technology or software;

''(v) a summary of the methodology and results of any testing performed by the Comptroller General in relation to the efficacy of the use of facial recognition technology or facial matching software by the Administration, including any research on bias, disaggregated by age, race, ethnicity to the extent practicable, and sex, the different technologies used by the Administration, and efforts to minimize the bias in operations of the Administration; and

''(vi) recommendations of restrictions and guidelines that should be enacted to protect individual privacy, civil rights, and civil liberty interests.

''(B) FORM.—A report submitted under subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

''(C) RULE OF CONSTRUCTION; PROTECTION OF PERSONAL INFORMATION.—Nothing in this paragraph shall be construed to authorize or require the unauthorized disclosure of the personal information of protected individuals, and the report required by this paragraph shall be released in a manner that protects personal information from unauthorized use or unauthorized disclosure.''.

(b) AMENDMENTS TO AVIATION AND TRANSPORTATION SECURITY ACT.—The Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597) is amended—

(1) in section 109(a)(7) (49 U.S.C. 114 note) by inserting '', subject to the restrictions of section 44901(n) of title 49, United States Code,'' after ''technologies''; and

(2) in section 137(d)(3) (49 U.S.C. 44912 note), by inserting '', subject to the restrictions of section 44901(n) of title 49, United States Code,'' after ''biometrics''.

(c) ADDITIONAL MODIFICATIONS WITH RESPECT TO AIR TRANSPORTATION SECURITY.—Section 44903 of title 49, United States Code, is amended—

(1) in subsection (c)(3), by inserting '', subject to the restrictions of section 44901(n),'' after ''other technology'';

(2) in subsection (g)(2)(G), by inserting '', subject to the restrictions of section 44901(n),'' after ''technologies''; and

(3) in subsection (h)(4)(E), by inserting '', subject to the restrictions of section 44901(n),'' after ''technology''.

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet in open and closed session during the session of the Senate on Thursday, May 2, 2024, at 9:30 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, May 2, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, May 2, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, May 2, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, May 2, 2024, at 10 a.m., to conduct a hearing.

THE CALENDAR

Mr. SCHATZ. Madam President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the following bills and that the Senate proceed to their en bloc consideration: S. 3249, S. 3285, and H.R. 593.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bills en bloc.

Mr. SCHATZ. I ask unanimous consent that the bills be considered read a third time and passed and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

CAPTAIN ELWIN SHOPTEESE VA CLINIC

A bill (S. 3249) to designate the outpatient clinic of the Department of Veterans Affairs in Wyandotte County, Kansas City, Kansas, as the ''Captain Elwin Shopteese VA Clinic'' was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3249

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

SECTION 1. DESIGNATION OF CAPTAIN ELWIN SHOPTEESE VA CLINIC.

(a) DESIGNATION.—The outpatient clinic of the Department of Veterans Affairs located at 9201 Parallel Parkway, Kansas City, Kansas, shall after the date of the enactment of this Act be known and designated as the ''Captain Elwin Shopteese Department of Veterans Affairs Clinic'' or the ''Captain Elwin Shopteese VA Clinic''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the Captain Elwin Shopteese VA Clinic.

CHARLIE DOWD VA CLINIC

A bill (S. 3285) to rename the community-based outpatient clinic of the Department of Veterans Affairs in Butte, Montana, as the ''Charlie Dowd VA Clinic'' was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3285

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Charles ''Charlie'' Arthur Dowd was born on December 23, 1923, in Rochester, New York.

(2) In January 1941, during his senior year of high school, Charlie enlisted for service at sea in the Navy, where he was trained as a radioman and later stationed at Pearl Harbor, Hawaii.

(3) On December 7, 1941, just after completing a night shift, Charlie and United States Naval forces positioned at Pearl Harbor came under attack by more than 300 enemy aircraft belonging to the Imperial Japanese Navy Air Service.

(4) During the attack on the heart of the United States Pacific Fleet, which would severely damage 21 ships and claim the lives of 2,400 Americans, Charlie emerged in only his t-shirt and trousers and sprinted from the barracks to the armory, where he climbed to the roof with a .30–06 Springfield rifle to fire at the Japanese pilots of low-flying torpedo bombers.

(5) Following his bravery at Pearl Harbor, Charlie would go on to continue serving the Navy in both the Solomon Islands and New Guinea, where his fellow shipmates would give him the nickname of ''Devil Dog Dowd'', for his unwavering willingness to volunteer for the most dangerous mission assignments.

(6) During the course of his service in the Navy, Charlie was awarded seven Bronze Star Medals.

(7) After Charlie received an honorable discharge from the Navy, he returned to the United States, where he worked in masonry and carpentry construction, before completing his degree at the University of Florida. Upon graduation, he spent the next 18 years passing on his knowledge of industrial arts and drafting to high school students.

(8) In 1984, as an avid sportsman with a passion for the outdoors, Charlie later relocated to Anaconda, Montana.

(9) Charlie was a vibrant and cherished member of the local community in Anaconda, where he became the Secretary of the Anaconda Sportsmen's Club and the Outdoor Writer for the Anaconda Leader newspaper.

(10) Charlie was forever an advocate for his fellow veterans and dedicated to preserving the memory of the events of World War II and those who paid the ultimate sacrifice for their country. Until his dying days, Charlie was an active member of the Pearl Harbor Survivors Association and loved speaking for civic groups and museums across Montana.

SEC. 2. DESIGNATION OF CHARLIE DOWD VA CLINIC.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs in Butte, Montana, shall after the date of the enactment of this Act be known and designated as the ''Charlie Dowd Department of Veterans Affairs Clinic'' or the ''Charlie Dowd VA Clinic''.

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Charlie Dowd VA Clinic.

JOHN GIBSON, DAN JAMES, WILLIAM SAPP, AND FRANKIE SMILEY VA CLINIC

A bill (H.R. 593) to rename the Department of Veterans Affairs community-based outpatient clinic in Hinesville, Georgia, as the ''John Gibson, Dan James, William Sapp, and Frankie Smiley VA Clinic'' was ordered to a third reading, was read the third time, and passed.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 89, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 89) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHATZ. I ask unanimous consent that the concurrent resolution be